

**Chapter 52:**  
**Administrative Procedures for the Construction Codes**



**Current through January 12, 2011**

Chapter 52 of the Dallas City Code was recodified by Ordinance No. 26029, passed by the Dallas City Council on June 22, 2005. This booklet integrates Ordinance No. 26029 and subsequent amendments to Chapter 52. Each section of Chapter 52 is followed by the ordinance number which created or amended the section. This booklet is for informational purposes only. The user should refer to the ordinances cited after each section for the official language of Chapter 52. While every effort will be made to keep this booklet up to date, the user should be aware that additional amendments may have been made to Chapter 52 which are not yet reflected in this document.

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**CHAPTER 52  
ADMINISTRATIVE PROCEDURES FOR  
THE CONSTRUCTION CODES**

**SUBCHAPTER 1  
TITLE AND SCOPE**

**SECTION 101  
TITLE; SCOPE**

**101.1 Title.** This chapter shall be known as the “Administrative Procedures for the Construction Codes.” It may be cited by that title and will be referred to herein as “this chapter.” (Ord. 26029)

**101.2 Scope.** The provisions of the chapter apply to the following:

1. The *Dallas Building Code*, Chapter 53 of the *Dallas City Code*.
2. The *Dallas Plumbing Code*, Chapter 54 of the *Dallas City Code*.
3. The *Dallas Mechanical Code*, Chapter 55 of the *Dallas City Code*.
4. The *Dallas Electrical Code*, Chapter 56 of the *Dallas City Code*.
5. The *Dallas One- and Two-Family Dwelling Code*, Chapter 57 of the *Dallas City Code*.
6. The *Dallas Existing Building Code*, Chapter 58 of the *Dallas City Code*.
7. The *Dallas Energy Conservation Code*, Chapter 59 of the *Dallas City Code*.
8. The *Dallas Fuel Gas Code*, Chapter 60 of the *Dallas City Code*.
9. The *Dallas Fire Code*, Chapter 16 of the *Dallas City Code*, but only to the extent it is being applied to the construction of a building or structure. (Ord. 26029)

**101.3 Reference.** The codes listed in Section 101.2 are the construction codes for the city and will be referred to in this chapter as “the codes.” (Ord. 26029)

**SECTION 102  
PURPOSE OF THE CODES**

**102.1 General.** The purpose of the codes is to provide minimum standards to safeguard life, limb, health, property, and the public welfare by regulating and controlling the design, construction, quality of materials, use, occupancy, location, and maintenance with regard to all structures and building service equipment in the city. (Ord. 26029)

**102.2 No special protection or benefits.** The purpose of the codes is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of the codes. (Ord. 26029)

**102.3 Definitions.** For the purpose of the codes:

**BUILDING PERMIT** means a permit issued to perform work described in Section 301, excluding permits to erect signs, barricade public property or public ways, or move or demolish structures.

**BUILDING SERVICE EQUIPMENT** means the plumbing, mechanical, electrical, and elevator equipment, including, but not limited to, wiring, fixtures, and other accessories that provide sanitation, lighting, heating, ventilation, cooling, refrigeration, fire-fighting, and transportation facilities essential for the occupation of the structure for its designated use and occupancy.

**GREEN BUILDING** means structures and their surrounding landscapes designed, constructed, and maintained to decrease energy and water usage and costs, to improve the efficiency and longevity of building systems, and to decrease the burdens imposed on the environment and public health.

**GREEN BUILT NORTH TEXAS** means an initiative of the Homebuilders Association of Greater Dallas that provides climate-specific guidelines and verification systems for residential and multifamily green buildings.

**GREEN BUILT NORTH TEXAS-CERTIFIABLE** means a proposed project that is not required to be registered with the Home Builders Association of Greater Dallas but is planned, designed, and constructed to meet or exceed a certified rating using version 2.0 of the Green Built North Texas rating system.

**LEED** means the Leadership in Energy and Environmental Design green building rating systems which are nationally accepted standards for green buildings developed by the USGBC.

**LEED-CERTIFIABLE** means a proposed project that is not required to be registered with the USGBC but is planned, designed, and constructed to meet or exceed a certified rating using LEED NC (new construction) version 2.2, LEED CS (core and shell) version 2.0, LEED CI (commercial interiors) version 2.0, LEED for schools version 2007, LEED for healthcare, LEED for retail version 2, or LEED for homes.

**PROPOSED PROJECT** means, for purposes of the green building program, the erection of any new structure for which a person, firm, or corporation is required to obtain a building permit.

**USGBC** means the U.S. Green Building Council, a nonprofit organization comprised of leaders from the building industry formed to encourage sustainability by promoting buildings that are environmentally responsible, profitable, and healthy places to live and work. (Ord. 26029; 27131)

**SECTION 103**  
**SCOPE OF THE CODES**

**103.1 General.** The provisions of the codes apply to the construction, quality of materials, alteration, installation, moving, demolition, repair, use, occupancy, location, and maintenance of all structures and building service equipment, except that industrialized structures shall be governed as follows:

1. The installation, moving, demolition, repair, location, and maintenance of all commercial and residential industrialized (modular) structures and building service equipment shall comply with the codes.
2. The construction, use, and occupancy of new commercial and residential industrialized structures shall comply with the Texas Industrialized Housing and Buildings Act (Article 5221f, Vernon's Texas Civil Statutes), as amended.
3. The use and occupancy of relocated commercial industrialized structures shall comply with the Texas Industrialized Housing and Buildings Act (Article 5221f, Vernon's Texas Civil Statutes), as amended, and the *Dallas Existing Building Code*, as applicable.
4. The use and occupancy of relocated residential industrialized structures (industrialized housing) shall comply with the *Dallas Existing Building Code*. (Ord. 26029)

**103.2 Codes not applicable.** The provisions of the codes do not apply to:

1. Construction work conducted by a political subdivision or public utility operating under a franchise with the city for work that is located primarily in a public way;
2. Public utility towers and poles;
3. Hydraulic flood control and drainage structures;
4. Installations used by electricity supply, electrical railway, or communication agencies in the generation, transmission, or distribution of electricity or for the operation of the street railways, street signals, or the transmission of intelligence when the structure or equipment is located within or on a public thoroughfare, public building, or premises used exclusively by an agency operating under a franchise agreement with the city;
5. Electrical equipment used for radio and television transmission, provided that this exception does not exempt:
  - 5.1. equipment used for the power supply to the transmitting equipment; or
  - 5.2. the installation of towers and antennas; and



6. Manufactured housing. (Ord. 26029)

**103.3 Conflict of laws.** Where, in any specific case, different provisions of the codes specify different materials, methods of construction, or other requirements, the most restrictive provision governs. To the extent of any conflict between a general requirement and a specific requirement, the specific requirement applies. (Ord. 26029)

## **SECTION 104 APPLICATION OF THE CODES TO EXISTING STRUCTURES AND BUILDING SERVICE EQUIPMENT**

### **104.1 Scope.**

**104.1.1 Structures other than one- and two-family dwellings.** Except as provided in Section 104.1.2, the *Dallas Existing Building Code* shall apply to the repair, renovation, alteration, reconstruction, change of occupancy, addition, and relocation of existing structures. A structure or portion of a structure that has not been previously occupied or used for its intended purpose shall comply with the *Dallas Building Code* for new construction. Repairs, renovations, alterations, reconstruction, change of occupancy, existing structures to which additions are made, historic structures, and relocated structures complying with the provisions of the *Dallas Building Code*, the *Dallas Plumbing Code*, the *Dallas Mechanical Code*, the *Dallas Electrical Code*, the *Dallas Fuel Gas Code*, and the *Dallas Energy Conservation Code*, as applicable, shall be considered in compliance with the provisions of the *Dallas Existing Building Code*. (Ord. 26029)

**104.1.2 One- and two-family dwellings.** Appendix J of the *Dallas One- and Two-Family Dwelling Code* shall apply to the repair, renovation, alteration, reconstruction, change of occupancy, addition, and relocation of existing one- and two-family dwellings, except that compliance with the *Dallas Existing Building Code* will be considered compliance with Appendix J. See Section 313.2.1 of the *Dallas One- and Two-Family Dwelling Code* for provisions requiring installation of smoke detectors in existing one- and two-family dwellings and townhomes. See Appendix G of the *Dallas One- and Two-Family Dwelling Code* for provisions requiring installation of self-closing and latching devices on gates and doors opening directly into a swimming pool enclosure. (Ord. 26029; 26175; 27110)

**104.2 Intent.** The purpose of the codes on existing structures is to establish the minimum requirements to safeguard the public health, safety, and welfare insofar as they are affected by the repair, alteration, renovation, reconstruction, change of occupancy, addition, and relocation of existing structures. (Ord. 26029)

**104.3 Occupancy of existing structures.** The legal occupancy of any structure existing on July 1, 2004 shall be permitted to continue without change, except as is specifically covered in the *Dallas Existing Building Code*, the *Dallas One- and Two-Family Dwelling Code*, the *Dallas Fire Code*, or Chapter 27, “Minimum Urban Rehabilitation Standards,” of the *Dallas City Code*, whichever applies, or as is deemed necessary by the building official for the general safety and welfare of the occupants of the structure and the public. (Ord. 26029)

**104.4 Additions and alterations to existing structures.** No addition or alteration may be made to an existing structure when the existing structure is not in full compliance with the codes, unless the addition or alteration will result in the existing structure being no more hazardous, based on life safety, fire safety, and sanitation, than before the addition or alteration was undertaken. (Ord. 26029)

**104.5 Changes in use and occupancy of existing structures.** Any change in the use or occupancy of any existing structure must comply with Section 306 of this chapter and Chapter 8 of the *Dallas Existing Building Code*. (Ord. 26029)

**104.6 Maintenance.** Structures and parts of structures shall be maintained in a safe and sanitary condition. The provisions of Chapter 27, “Minimum Urban Rehabilitation Standards,” of the *Dallas City Code* shall apply to the maintenance of existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and safety hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures. All existing devices or safeguards shall be maintained in all existing buildings. The owner or the owner’s designated agent shall be responsible for the maintenance of the structure. To determine compliance with this subsection, the building official or other authorized code official shall have the authority to require a building to be reinspected. Except where specifically permitted by this code, the code shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. (Ord. 26029)

**104.7 Unsafe structures and equipment.** No addition or alteration may be made to an existing structure or existing equipment that will cause the existing structure or equipment to become unsafe. (Ord. 26029)

**104.8 Work on individual components or portions.** Where the building official or other authorized code official determines that a component or a portion of an existing structure is in need of repair, strengthening, or replacement under a provision of the *Dallas Existing Building Code* or the *Dallas One- and Two-Family Dwelling Code*, whichever applies, only that specific component or portion shall be required to be repaired, strengthened, or replaced unless specifically required by another provision of the *Dallas Existing Building Code* or the *Dallas One- and Two-Family Dwelling Code*. (Ord. 26029)

**104.9 Design values for existing materials and construction.** The incorporation of existing materials, construction, and detailing into the structural system shall be permitted when approved by the building official. Minimum quality levels and maximum strength values shall comply with the *Dallas Existing Building Code* or the *Dallas One- and Two-Family Dwelling Code*, whichever applies. (Ord. 26029)

**104.10 Correction of violations of other codes.** Repairs or alterations mandated by any property, housing, or fire safety maintenance code or mandated by any licensing rule or ordinance adopted pursuant to law shall conform only to the requirements of that code, rule, or ordinance and shall not be required to conform to the *Dallas Existing Building Code* or Appendix J of the *Dallas One- and Two-Family Dwelling Code*, whichever applies, unless the code requiring such repair or alteration so provides. (Ord. 26029)

**104.11 Energy Conservation Code requirements for existing structures. Applicability.** The administration and enforcement of energy conservation requirements for existing buildings shall be governed by Chapter 1 of the *Dallas Energy Conservation Code*, unless otherwise required by this chapter. (Ord. 26029)

**104.12 Compliance with other codes, standards, and guides.** Compliance with the structural provisions of the *Dallas Building Code* shall be deemed exceeding or equivalent to compliance with the structural provisions of the *Dallas Existing Building Code*. (Ord. 26029)

**104.13 Preliminary meeting.** A permit applicant is strongly encouraged to meet with the building official to discuss plans for proposed work on, or a proposed change of occupancy to, an existing structure prior to the application for a construction permit in order to establish the specific applicability of the provisions of the *Dallas Existing Building Code* or other applicable codes.

**Exception:** Repairs, renovations, and alterations. (Ord. 26029)

**104.14 Building evaluation.** The building official is authorized to require an existing building to be investigated and evaluated by a registered design professional based upon the circumstances agreed upon at the preliminary meeting to determine the existence of any potential nonconformance with the *Dallas Existing Building Code*. (Ord. 26029)

**104.15 Used materials and equipment.** The use of used materials that meet the requirements of the *Dallas Existing Building Code* for new materials is permitted. Used equipment and devices shall not be reused unless approved by the building official. Evidence of compliance may be required as outlined in Sections 105 and 106 of this chapter. (Ord. 26029)

**104.16 Temporary structures.** A temporary structure such as a reviewing stand or any other miscellaneous structure, shed, canopy, or fence used for the protection of the public around and in conjunction with construction work may be erected by special permit from the building official for a limited period of time. A temporary structure need not comply with the type of construction or fire-resistive time periods required by the codes. A temporary structure must be completely removed upon expiration of the time limit stated in the permit. (Ord. 26029)

## **SECTION 105 TESTS**

**105.1 Proof of compliance.** Whenever there is insufficient evidence of compliance with the codes, or evidence that any material or method of construction does not conform to the requirements of the codes, or in order to substantiate claims for alternate materials or methods of construction, the building official may require tests as proof of compliance to be made at the expense of the owner or the owner's agent by an approved agency. (Ord. 26029)

**105.2 Method of testing.** A test method must be as specified by the codes for the material in question, or by other nationally recognized test standards. If there is no recognized and accepted test method for the proposed alternate, the building official or the appropriate appeals board shall determine the test procedure. (Ord. 26029)

## **SECTION 106 ALTERNATE MATERIALS AND METHODS OF CONSTRUCTION**

**106.1 General.** The codes are not intended to prevent the use of any material or method of construction not specifically prescribed by the codes, if the alternate material or method has been approved by the building official. (Ord. 26029)

**106.2 Approval of alternate material or method.** The building official may approve an alternate material or method if the building official finds that the proposed design is satisfactory and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in the codes in strength, effectiveness, fire resistance, durability, safety, and sanitation. (Ord. 26029)

**106.3 Proof; recording.** The building official shall require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding the use of any alternate material or method. The details of each action approving an alternate material or method must be recorded and maintained in the building inspection division's permanent files. (Ord. 26029)

## **SECTION 107 OTHER LAWS AND ORDINANCES**

**107.1 General.** The provisions of the codes do not waive or set aside provisions in other ordinances of the city or laws of the state of Texas. To the extent of any conflict between the codes and other city ordinances, the codes prevail. (Ord. 26029)

**SECTION 108**  
**AUTHORITY OF THE BUILDING OFFICIAL**

**108.1 General.** Whenever the codes provide that anything may or shall be done upon the approval of or subject to the direction of the building official or a chief code administrator, this language shall be construed to give the building official or the chief code administrator only the authority to determine whether the regulations established by the codes have been complied with and shall not be construed as giving the building official or a chief code administrator discretionary powers. (Ord. 26029)

**SUBCHAPTER 2  
ORGANIZATION AND ENFORCEMENT**

**SECTION 201  
BUILDING OFFICIAL**

**201.1 General.** The building official who shall be appointed by the city manager shall be in administrative and operational charge of the division of building inspection. The building official must be an architect or engineer legally registered under the laws of this state. The building official must have at least 10 years' experience as an architect, engineer, building inspector, or building contractor, five years of which shall have been in directing the work of others. (Ord. 26029)

**SECTION 202  
POWERS AND DUTIES OF THE BUILDING OFFICIAL**

**202.1 General.** The building official is authorized and directed to enforce all the provisions of the codes. The building official shall have the power to render interpretations of the codes and to adopt and enforce rules and regulations supplemental to the codes as are deemed necessary in order to clarify the application of the codes. Such interpretations, rules, and regulations must be in conformity with the intent and purpose of the codes. (Ord. 26029)

**202.2 Assistants.** From time to time and in accordance with prescribed procedures, the building official may appoint technical officers and inspectors and other employees to act as authorized representatives. Appointment and removal of these employees must comply with the rules and regulations of the civil service board. (Ord. 26029)

**202.3 Right of entry.**

**202.3.1 General.** Whenever necessary to make an inspection to enforce any provision of the codes, or whenever the building official or an authorized representative has reasonable cause to believe that there exists in any structure or upon any premises any condition or code violation that makes the structure or premises unsafe, dangerous or hazardous, the building official or an authorized representative may enter the structure or premises at all reasonable times to inspect or to perform any duty imposed upon the building official by the codes, provided that if the structure or premises is occupied, the building official or authorized representative must first present proper credentials and request entry, and if the building or premises is unoccupied, the building official or authorized representative must first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, or unattainable, the building official or authorized representative shall have recourse to every remedy provided by law to secure entry. (Ord. 26029)

**202.3.2 Consent.** When a person applies for a permit required by this chapter, the person gives consent for reasonable inspections by the building official or an authorized representative. If a person refuses to allow an inspector to enter a structure or premises for the purpose of inspecting work done under a permit, the building official may revoke the permit. (Ord. 26029)

**202.4 Stop orders.** Whenever any work is being done contrary to the codes, this chapter, or any other city ordinance, the building official may order the work stopped by notice in writing served on any person engaged in the work or causing the work to be done, and that person shall stop work immediately until authorized by the building official to proceed with the work. (Ord. 26029)

**202.5 Occupancy violations.** Whenever any structure or building service equipment in a structure regulated by the codes is being used contrary to any provision of the codes, the building official may order such use discontinued and the structure, or portion of the structure, vacated by notice served on any person causing the use to be continued. The person shall discontinue the use within the time prescribed by the building official after receipt of notice to make the structure, or portion of the structure, comply with the codes. (Ord. 26029)

#### **202.6 Liability.**

**202.6.1 Sovereign immunity.** The building official or an authorized representative charged with the enforcement of the codes, when acting in good faith and without malice in the discharge of official duties, shall not be personally liable for any damage that may accrue to persons or property as a result of or by reason of any act or omission in the discharge of official duties. (Ord. 26029)

**202.6.2 Codes do not relieve owners of liability.** The codes shall not be construed to relieve from or lessen the responsibility of any person owning, operating, or controlling any structure for any damages to persons or property caused by any defect, nor shall the building inspection division or the city of Dallas be held as assuming any such liability by reason of any inspection authorized by the codes or any permit or certificate issued under the codes. (Ord. 26029)

**202.7 Cooperation of other city officials.** The building official may request, and shall receive so far as is required in the discharge of official duties, the assistance and cooperation of other officials of the city. (Ord. 26029)

### **SECTION 203 UNSAFE STRUCTURES, APPENDAGES, ELECTRICAL EQUIPMENT, AND EXCAVATIONS**

**203.1 General.** A structure is designated as unsafe if it:

1. Is structurally unsafe;

2. Does not have adequate egress;
3. Constitutes a fire hazard; or
4. Is otherwise dangerous to human life. (Ord. 26029)

**203.2 Unsafe use.** Any use of a structure constituting a hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, or abandonment is, for the purpose of this section, an unsafe use. (Ord. 26029)

**203.3 Unsafe appendages.** Parapet walls, cornices, spires, towers, tanks, statuary, and other appendages or structural members that are supported by, attached to, or a part of a structure and that are in a deteriorated condition or otherwise unable to sustain the design loads that are specified in the codes are designated as unsafe appendages. (Ord. 26029)

**203.4 Urban nuisances.** All unsafe structures and appendages are urban nuisances and must be abated by repair, rehabilitation, demolition, or removal in accordance with the procedure specified in Chapter 27 of the *Dallas City Code* or by any other procedures provided by law. (Ord. 26029)

**203.5 Unsafe electrical equipment.** If, in the judgment of the chief electrical code administrator or an authorized representative, after inspection, the electric equipment in any premises is unsafe or dangerous to persons or property, the administrator or authorized representative may cause the equipment to be disconnected from the source of the electrical energy supplying the equipment and may seal the control switches in an open or disconnected position. The administrator or an authorized representative shall personally serve notice to the owner or the owner's agent or serve notice by posting the notice at the site. A person shall not cause or permit electric current to be supplied to the electrical equipment so sealed until the equipment has been made safe and the administrator or an authorized representative has approved it as safe. (Ord. 26029)

**203.6 Excavations.** It is unlawful and a public nuisance for any person to maintain any excavation for which an excavation permit is required over 120 days without reasonable and continuous progress made to complete the construction at the excavation site. When an excavation becomes a public nuisance, the following procedures apply:

1. The building official shall notify the owner of the premises to abate the nuisance within 30 days. The notice must be in writing and may be served personally on the owner or sent by United States certified mail, return receipt requested, addressed to the owner at the owner's post office address. If the owner cannot be found and the certified letter is returned by the United States Postal Service, then the owner may be notified by publication two times within 10 consecutive days in the official newspaper adopted by the city council.



2. If the owner of the premises fails to abate the nuisance within 30 days after receipt or publication of the notice, the building official shall take whatever action is necessary to abate the nuisance, including, but not limited to, filling the excavation, building or repairing retention systems, securing the excavation site from unauthorized entry, and any other action necessary to prevent the excavation from endangering the public health and safety.
3. If the city takes action to abate a nuisance under this subsection, charges in the amount of the total actual costs incurred by the city in performing the work shall be collected by the director of revenue and taxation from the owner or levied, assessed, and collected against the property on which the work is performed. If the charges are not paid within 30 days after notice to the property owner that the charges are due, the director of revenue and taxation shall file with the county clerk of Dallas County, Texas, a statement signed by the building official, showing the total actual costs incurred by the city.
4. The city may file a suit in an appropriate court of law to foreclose upon its lien and recover its actual costs incurred plus interest. The suit must be filed in the name of the city. The statement filed under Paragraph 3 of this section, or a certified copy of the statement, shall be prima facie proof of the amount of actual costs incurred by the city. (Ord. 26029)

## **SECTION 204 ADVISORY, EXAMINING, AND APPEALS BOARD**

**204.1 General.** In order to hear and decide appeals of orders, decisions, or determinations made by the building official relating to the application and interpretation of the codes, the building inspection advisory, examining, and appeals board is hereby established. (Ord. 26029)

**204.2 Appointment of board members.** Board members are appointed by the city council upon nomination by the city manager and serve without compensation. The mayor shall appoint the chair of the board, and the full city council shall appoint the vice-chair. In addition to other qualifications, members must be residents of the city. (Ord. 26029)

**204.3 Terms of service.** All members will be appointed for an initial term to expire on August 31, 1993. Subsequent appointments will be made in August of each odd-numbered year for a two-year term beginning on September 1. A member shall serve until a successor has been appointed and qualified. (Ord. 26029)

## **SECTION 205 QUALIFICATIONS OF BOARD MEMBERS**

**205.1 General.** The building inspection advisory, examining, and appeals board shall consist of 16 members meeting the following qualifications:

1. Two registered architects, each having at least five years' experience in the practice of architecture;
2. One registered engineer, having at least five years' experience in the practice of structural engineering;
3. One registered engineer, having at least five years' experience in the practice of fire-protection engineering;
4. One general building contractor, having at least five years' experience in the construction of commercial buildings;
5. One builder, having at least five years' experience in residential construction;
6. One registered master electrician, having at least five years' active experience as an electrical contractor in electrical construction of commercial and industrial buildings;
7. One registered master electrician, having at least five years' active experience as an electrical contractor in electrical construction of residential buildings;
8. One registered electrician, having at least five years' active experience as an electrician, and who at the time of appointment is not a registered electrical contractor;
9. One person having at least five years' active experience in electrical design or supervision, who is familiar with the requirements of the *National Electrical Code*® and the rules and regulations of TXU Electric Delivery and who may be an employee of TXU Electric Delivery;
10. One registered plumbing contractor having at least five years' experience in the installation of plumbing in the construction of residential buildings;
11. One registered plumbing contractor having at least five years' experience in the installation of plumbing in the construction of commercial and industrial buildings;
12. One heating, ventilating, and air conditioning contractor having at least five years' experience in the installation of mechanical equipment in the construction of residential buildings;
13. One heating, ventilating, and air conditioning contractor having at least five years' experience in the installation of mechanical equipment in the construction of commercial and industrial buildings;
14. One registered professional engineer having at least five years' experience in the practice of mechanical engineering; and

15. One person who has an active record of participation in community affairs, who shall not have voting privileges. (Ord. 26029)

**205.2 Ex-officio members.** The chief building code administrator, the chief electrical code administrator, the chief plumbing/mechanical code administrator, the fire marshal, the director of health and human services, and the director of water utilities of the city shall serve as ex-officio members of the board without voting privileges. (Ord. 26029)

## **SECTION 206 BOARD PROCEDURE**

**206.1 General.** At the first meeting of each term, the board shall adopt reasonable rules and regulations for hearings, investigations, and the preparation of amendments to the codes. The board shall meet at least once each month for the consideration of any appeals of decisions of the building official and any other matters and shall set the time for meetings. The number of members required by Section 8-4 of the *Dallas City Code*, as amended, will constitute a quorum of the board. (Ord. 26029)

**206.2 Board secretary.** The building official shall act or designate an employee of the division of building inspection who shall act as secretary for the board. (Ord. 26029)

**206.3 Board records.** The board shall keep records of its proceedings and decisions and file copies of these records with the offices of the city secretary and the building official. (Ord. 26029)

## **SECTION 207 POWERS AND DUTIES OF THE BOARD**

**207.1 General.** The board has the following powers and duties with respect to the codes under its jurisdiction:

1. Hear appeals from decisions of the building official or the appropriate chief code administrator;
2. Hear requests for the use of a material or method of construction not prescribed by the codes and authorize the use when in the board's judgment the material or method of construction is at least equivalent to that which is prescribed;
3. Hear and make recommendations concerning requests for amendments to the codes;
4. Administer certification examinations and pass upon the qualifications of every person applying for certification as an electrician or electrical contractor;
5. Supervise the issuance of temporary certificates of registration for journey level, maintenance, or specialist electricians;

6. Establish rules relating to the time, date, and method of examination for applicants for certificates of registration; and
7. Hear requests to suspend a person's ability to secure permits. (Ord. 26029)

**207.2 Waiver not allowed.** The board may not waive any requirement of the codes. (Ord. 26029)

## **SECTION 208 APPEAL PROCEDURE**

**208.1 General.** Any person aggrieved by a decision or ruling of the building official or a chief code administrator, or by the action of a registered electrician under the provisions of the codes, may appeal to the board. An appeal must be made by filing with the building official a written notice specifying the grounds for the appeal and by paying the appropriate fee in accordance with Section 303.5.18. The building official shall transmit to the board all of the papers constituting the record of the action being appealed. The board shall, within a reasonable time, hold a public hearing on the matter and render a decision either sustaining, modifying, or reversing the action appealed. A decision of the board must be by a concurring vote of a majority of the members present. Every decision of the board must be in writing, indicate the record of the vote, and be promptly filed in the offices of the building official and the city secretary. A decision of the board will be open to public inspection. (Ord. Nos. 26029; 28096)

**208.2 Final administrative remedy.** A decision of the board is final as to available administrative remedies and is binding upon all parties. Upon the filing of a decision with the city secretary and the building official, it is the duty of the building official to enforce the decision of the board. (Ord. 26029)

**208.3 Appeal of board's 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 must be filed against the board as defendant and service of process may be made upon the board by serving the city secretary. (Ord. 26029)

## **SECTION 209 AMENDMENT PROCEDURE**

**209.1 Submission of amendment.** An amendment may be submitted to the board by any interested person who desires to change the regulations contained in the codes. A request for an amendment must be submitted to the building official in writing together with supporting evidence. The building official shall transmit to the board the request for an amendment, along with information, data, and recommendations of the building official. (Ord. 26029)

**209.2 Hearings.** All hearings must be public. The proponent, the proponent's representative, the building official, and any other interested person will be given an opportunity to be heard. (Ord. 26029)

**209.3 Decision of the board.** All decisions and recommendations of the board, with respect to a code amendment, require a concurring vote of a quorum, and the board shall forward any proposed amendment along with its recommendation to the city council for consideration. (Ord. 26029)

**209.4 Representation of the board before city council.** The chair of the board, or members that the chair may designate, may represent the board at public hearings held by the city council on amendments to the codes. (Ord. 26029)

## **SECTION 210 VIOLATIONS AND PENALTIES**

**210.1 General.** A person commits a criminal offense if:

1. contrary to or in violation of any provision of this chapter or the codes, he knowingly:
  - 1.1. erects, constructs, enlarges, adds to, alters, repairs, replaces, moves, improves, removes, installs, converts, demolishes, equips, operates, uses, occupies, or maintains a structure or building service equipment;
  - 1.2. excavates or maintains an excavation;
  - 1.3. paves or grades on a property; or
  - 1.4. causes any work or activity described in Paragraphs 1 through 3 of this section to be done.
2. the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner's name, street address, and telephone number to code enforcement officials; or
3. the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property.

For purposes of this section, 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. (Ord. 26029; 26286)

**210.2 Responsible parties.** For the purpose of the codes, unless a particular section, subsection, or clause places compliance responsibility upon a different person, the owner, agent of the property owner, individual employed by the agent or property owner who is in control of the property, or tenant of the premises and the person, firm, or corporation performing the work have the duty to comply with all applicable code requirements. The owner, agent of the property owner, individual employed by the agent or property owner who is in control of the property, or tenant of the premises and the person, firm, or corporation performing the work shall provide for the applicable materials, methods or construction, standards and specifications required by the codes. The failure of the owner, agent of the property owner, individual employed by the agent or property owner who is in control of the property, or tenant and the person, firm, or corporation performing the work to so provide, subjects the owner, agent of the property owner, individual employed by the agent or property owner who is in control of the property, tenant, and the person, firm, or corporation to the criminal and civil penalties prescribed by this section. (Ord. 26029; 26286)

**210.3 Punishment.** Any person who knowingly violates a provision of this chapter or the codes is guilty of a separate offense for each day or portion of a day during which the violation is committed, continued, or permitted, and each offense is punishable by a fine not to exceed \$2,000. (Ord. 26029; 26286)

**210.4 Civil action.** In addition to imposing the criminal penalty prescribed in Section 210.3, the city may, in accordance with Texas Local Government Code Chapter 54, bring a civil action against a person violating a provision of this chapter or the codes. The civil action may include, but is not limited to, a suit to recover a civil penalty not to exceed \$1,000 for each day or portion of a day during which the violation is committed, continued, or permitted. (Ord. 26029; 26286)

**210.5 Other remedies.** The penalties provided for in Sections 210.3 and 210.4 are in addition to any other enforcement remedies that the city may have under city ordinances and state law. (Ord. 26029; 26286)

**SUBCHAPTER 3  
PERMITS AND INSPECTIONS**

**SECTION 301  
PERMITS**

**301.1 Permits required.**

**301.1.1 General.** A person, firm, or corporation shall not, without first obtaining a permit from the building official:

1. erect, construct, enlarge, add to, alter, repair, replace, move, improve, remove, install, convert, demolish, equip, use, occupy, or maintain a structure or building service equipment;
2. excavate or maintain an excavation;
3. pave or grade on a property; or
4. cause any work or activity described in Paragraphs 1 through 3 of this section to be done. (Ord. 26029)

**301.1.2 Barricade permit required.** No building construction or demolition activity, including but not limited to equipment usage, deliveries, on and off loading of materials and storage of materials, supplies, or debris, shall be done on public property or within a public way, except as authorized by a barricade permit issued by the building official. A barricade permit is also required for any temporary or part-day blocking of a street or sidewalk. The issuance of a barricade permit requires the repair or replacement of any public street, curb, sidewalk, drainage structure, or boulevard landscaping located within the barricaded area, or otherwise damaged during construction or demolition, to equal or better condition than that prior to the start of construction or demolition activities. (Ord. 26029)

**301.1.3 Proper permits.** The owner, agent, or lessee of a structure has the duty to ensure that permits are obtained by properly qualified persons before work is started, and the owner, owner's agent, or lessee shall be subject to the penalties provided in this chapter for failure to obtain a proper permit. (Ord. 26029)

**301.1.4 Permit issued to another person, firm, or corporation.** A person, firm, or corporation shall not do work by authority of a permit issued to another person, firm, or corporation, except under direct supervision of the person, firm, or corporation to whom the permit was issued. (Ord. 26029)

**301.1.5 Obtaining a permit for another person, firm, or corporation.** A person, firm, or corporation shall not obtain a permit for use by another person, firm, or corporation. (Ord. 26029)

**301.2 Defenses.** It is a defense to prosecution under Section 301.1.1 that the act is included in one of the enumerated categories listed in this subsection. No permit is required for the following:

1. The restoration on a temporary basis of electrical service under emergency conditions when approval of the work is obtained from the building official prior to the commencing of the work, inspection of the work is made in accordance with this chapter, and a permit is obtained as soon as practicable.
2. Maintenance of electrical equipment on elevators done by a registered electrical elevator contractor that only involves repairs and replacement of parts in kind.
3. Maintenance, repair, or replacement in kind of accessible traps on lavatories, sinks, or replacement of parts in kind of plumbing fixtures where no change in “rough-in” is involved, except that a permit is required for the replacement of boilers.
4. Stopping of leaks in pipes, drains, valves, or plumbing fixtures if the repair does not require rearrangement of valves, pipes, or fixtures.
5. Installation of storm water drains for single-family, two-family, or multifamily dwellings.
6. Painting, cabinet work, application of architectural finishes, and other decorative work.
7. Replacement of lamps, branch or feeder circuit breakers rated 30 amperes or less, or branch or feeder circuit fuses rated 30 amperes or less, or the connection of portable electrical equipment to permanently installed receptacles.
8. Installation of equipment for or by a public utility in the generation, transmission, sale, and use of energy or in the transmission of intelligence as outlined in its franchise.
9. Installation of a portable heating appliance, portable ventilating equipment, portable evaporative cooler, or portable comfort cooling unit.
10. Installation of steam, hot, or chilled water piping within comfort heating or cooling equipment.
11. Replacement of any component part of assembly of an appliance that does not alter its original design and complies with other applicable requirements of the codes.
12. Installation of a unit refrigerating system or any refrigerating equipment that is a part of equipment for which a permit has been issued pursuant to the requirements of this chapter.
13. Work involved in the manufacturing, repair, or testing of electrical equipment or apparatus in the course of manufacture.



14. Maintenance or repair of permanent gas or solid-fuel furnaces where no change in ducts, flues, electrical, plumbing, or gas “rough-in” is involved.
15. Erection of utility buildings with floor area of less than 200 square feet (without utilities) on single-family or duplex premises.
16. Erection of patio covers with an area less than 200 square feet on single-family or duplex premises.
17. Addition of storm windows, screens, shutters, trim, siding, rain gutters, or insulation to a building.
18. Erection of fences not over four feet high in a front yard, nor over six feet high elsewhere.
19. Reroofing of single-family or two-family dwellings, if the value of work does not exceed \$500.
20. Interior remodeling of nonload bearing components of single-family or two-family dwellings that does not add floor area or change exterior doors or windows.
21. Erection of movable cases, containers, and partitions not over 69 inches high.
22. Attaching window awnings to exterior walls of single-family homes or single-family garages where the awnings project not more than 54 inches from any wall.
23. Installation of prefabricated swimming pools accessory to single-family or two-family dwellings in which the pool wall is completely above adjacent grade, the pool capacity does not exceed 5,000 gallons, and the pool depth is less than 24 inches (610 mm).
24. Erection of temporary motion picture, television, and theater stage sets and scenery.
25. Erection of retaining walls that are not over four feet in height measured from the bottom of the footing to the top of the wall, unless the walls are supporting a surcharge or impounding flammable liquids.
26. Construction on private property of decks, platforms, walks, or driveways that are not more than 30 inches above grade, not over any basement or story, and not part of an accessible route.
27. Erection of carports of 200 square feet or less that are accessory to single-family or two-family dwellings.
28. Installation of bathroom exhaust fans in single-family or two-family dwellings.

29. Installation of kitchen exhaust fans and dryer exhaust fans in single-family or two-family dwellings.
30. Replacement in kind of any fitting, valve, or plumbing fixture that does not change the number of fixtures or the location of a fixture “rough-in” except that a permit is required if a utility release is necessary.
31. Replacement of permanent heating, ventilating, or air-conditioning equipment where no change in “rough-in” is required, if the value of the work does not exceed \$3,000.
32. Relocation or addition of any outlet or associated connection to an existing heating, ventilating, or air-conditioning duct system in a Group R, Division 3 Occupancy, if the value of the work does not exceed \$500.
33. Maintenance, repair, relocation, or replacement of any existing light fixture, receptacle, switch, ceiling fan, circuit breaker, or other electrical device or equipment where no change in electrical service or service disconnection is involved, if the value of work does not exceed \$1,000.
34. Repair or replacement in kind of any automatic fire-extinguishing system head that does not alter the existing system design or operation.
35. Excavations less than four feet in depth below existing grade.
36. Installation of approved fire-extinguishing equipment in a self-contained grease removal device and hood installed in accordance with the *Dallas Mechanical Code*.
37. Replacement of existing doors or windows where there is no change in the framing elements.
38. Installation, repair, or replacement of landscaping materials, except that a permit is required to authorize the installation of landscaping that is required by:
  - 38.1. A city ordinance;
  - 38.2. A city board as a condition to the granting of relief requested by an applicant;
  - 38.3. A deed restriction instrument approved as to form by the city attorney and accepted by city council resolution.
39. Installation of not more than six new 120-volt or one new 240-volt electrical outlets or devices for any lighting fixture, receptacle, switch, ceiling fan, or residential appliance within an existing occupied single-tenant space or structure, by extension of an existing circuit or by installation of not more than one new circuit, provided that no change in electrical service or service disconnection is involved.

40. Paving or grading on a property that is less than two acres in size and that contains a single-family or duplex use as defined in the *Dallas Development Code*, as amended.
41. Installation of water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18 927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
42. Erection or installation of shade cloth structures that are constructed for non-commercial nursery or agricultural purposes and that do not include building service equipment or systems.
43. Erection or installation of swings and other playground equipment accessory to one- and two-family dwellings.
44. Installation of self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
45. New construction or renovation work on county owned buildings or facilities if the work is done by county personnel or by county personnel acting as the general contractor. Documentation approved by the building official is required to use this defense. The construction work must comply with the codes and must be inspected by a registered professional engineer or architect licensed in the State of Texas. (Ord. 26029; 27107)

**301.3 Defense does not authorize violation of codes or ordinances.** A defense to a permit requirement of this chapter does not grant authorization for any work to be done in a manner that violates the codes or any other law or ordinance of the city. (Ord. 26029)

#### **301.4 Application for permits.**

**301.4.1 General.** To obtain a permit, an applicant shall first file an application in writing on a form furnished for that purpose by the building inspection division. An application must contain the following information:

1. Identification and description of the work to be covered by the permit.
2. Description of the land on which the proposed work is to be done, by street address or similar description that will readily identify and definitely locate the proposed structure or work.
3. Indication of the use or occupancy for which any proposed structure is intended.
4. Signature of the applicant or an authorized agent, who may be required to submit evidence to indicate such authority, together with a verification of the truth and correctness of the information in the application.

5. Attachment of plans, diagrams, computations, specifications, and other data as required.
6. The name, address, and telephone number of the industrialized builder, if applicable.
7. Other information required by the building official necessary for issuance of the permit. (Ord. 26029)

#### **301.4.2 Site plans required when changing area or use of a structure.**

**301.4.2.1 Site plan submission.** Before applying for a permit under Section 301.4.1 to add square footage to or change the use of a structure, a site plan must be submitted to the building official for review and approval. The site plan must show all property lines, structures, parking, landscaping, floor plans, and elevations. The site plan must be accompanied by a site plan review fee required by this chapter. (Ord. 26029)

**301.4.2.2 New site plan required.** If a permit is not applied for in accordance with this chapter within two years after approval of a site plan, a new site plan must be submitted to the building official for review and approval, and a new fee must be paid. (Ord. 26029)

**301.4.3 Excavation work.** In addition to the requirements of Section 301.4.1, an application for a permit to perform excavation work must be accompanied by the following information:

1. Plans showing the extent of the excavation.
2. Specifications of access routes to and from the work site.
3. Specifications of dump sites for the excavation material.
4. Plans and specifications, bearing the seal of an engineer qualified and registered under state law, of retention systems used for the protection of all surrounding public and private property.
5. Signed agreements by the owner of the premises and the person performing the excavation work to:
  - 5.1. Allow city representatives to enter the premises and take whatever action is necessary to make safe an excavation in violation of Section 203.6 of this chapter, with the costs of the city's action to be paid by the owner of the premises or the person performing the excavation work; and
  - 5.2. Indemnify the city and its officers and employees against all claims for injury or damage to persons or property arising from an excavation or maintenance of an excavation in violation of Section 203.6 of this chapter. (Ord. 26029)

### **301.4.4 Barricading public property and public ways.**

**301.4.4.1 General.** In addition to the requirements of Section 301.4.1, any person, firm, or corporation making application for a permit to barricade and use public property or a public way during the erection, construction, alteration, repair, or demolition of any structure shall file with the building official a plan drawn to scale, showing the area of such property or public way that is to be occupied, together with proof of commercial general liability insurance and comprehensive automobile liability insurance written by an insurance company approved by the State of Texas and acceptable to the city and issued in the standard form approved by the Texas Department of Insurance. All provisions of the policy must be acceptable to the city. The insured provisions of the policy must name the city and its officers and employees as additional insureds. The coverage provisions must provide coverage for any loss or damage that may arise to any person or property by reason of the use of the public property or public way by the permittee. The following coverage types and limits must be maintained at all times during the term of the permit:

1. The commercial general liability insurance must provide combined single limits of liability for bodily injury and property damage of not less than \$500,000 for each occurrence, or the equivalent, and include coverage for premises operations, independent contractors, products/completed operations, personal injury, contractual liability, and medical payments.
2. The comprehensive automobile liability insurance must provide combined single limits of liability for bodily injury and property damage of not less than \$500,000 for each occurrence, or the equivalent, for each motor vehicle used by the permittee.
3. Each insurance policy must include a cancellation provision in which the insurance company is required to notify the building official in writing not fewer than 30 days before canceling, failing to renew, or making a material change to the policy. (Ord. 26029)

**301.4.4.2 Indemnification of city.** A permittee must also execute a written agreement to indemnify the city and its officers and employees against all claims of injury or damage to persons or property arising out of the use of the public property or public way by the permittee. (Ord. 26029)

**301.4.4.3 Payment of fees.** A permit to barricade public property or a public way shall be issued by the building official, upon payment of all required fees. (Ord. 26029)

**301.4.4.4 Removal.** Each permit issued shall show the date on which the public property or public way must be vacated and all barricades, covered walkways, tunnels, and similar structures removed. Removal of such structures shall be made immediately after due notice to remove the structures has been delivered by the building official. Deposit of such notice in the mail or delivery to any employee on the job constitutes due notice. (Ord. 26029)

**301.4.4.5 New application required for extension of time.** If an extension of time is necessary, a new application for a permit to barricade must be made, and the proper permit fee paid, for the additional time required. (Ord. 26029)

**301.4.5 Paving and grading work.** In addition to the requirements of Section 301.4.1, an application for a permit to perform paving or grading work on a property must be accompanied by the following information:

1. A site plan showing proposed topography, paving, landscaping, and structures on the property, accompanied by a site plan review fee as required by this chapter.
2. A tree survey or tree protection plan when determined by the building official to be necessary to comply with Article X of the *Dallas Development Code*, as amended.
3. A drainage plan if the property on which the paving or grading is to be performed is one acre or larger. (Ord. 26029)

**301.4.5.1 Paving or grading work in the public right-of-way.** In addition to the requirements of Section 301.4.1, an application for a permit to perform paving or grading work in a public right-of-way must be accompanied by the following:

1. a \$10,000 performance bond approved by the city;
2. a performance bond attachment form obtained from the department of building inspection; and
3. the name and address of the resident agent of the surety. (Ord. 27107)

**301.4.5.1.1 Performance bond.** The performance bond required by Section 301.4.5.1 must:

1. be approved by the city;
2. be sealed by a bonding or insurance company or be accompanied by a power of attorney; and
3. be accompanied by a performance bond attachment form. (Ord. 27107)

**301.4.5.1.1.1 Notary seal.** A notary seal is not an acceptable substitute for the seal of a bonding or insurance company or a power of attorney as required by Section 301.4.5.1.1. (Ord. 27107)

**301.4.5.1.2 Department of public works standard construction details.** All paving or grading work in a public right-of-way must comply with the department of public works standard construction details, File 251D-1. (Ord. 27107)

**301.4.6 Other types of work.** For application requirements for permits to:

1. Move structures, see Chapter 37 of the *Dallas Building Code*;
2. Erect signs, see Chapter 36 of the *Dallas Building Code*; and
3. Demolish structures, see Chapter 40 of the *Dallas Building Code*. (Ord. 26029)

**301.4.7 Plans and specifications.**

**301.4.7.1 General.** Plans, engineering computations, diagrams, and other data shall be submitted on suitable material in two or more sets with each application for a permit. The building official may require plans, computations, and specifications to be prepared and designed by an engineer or architect licensed by the state of Texas. The building official may waive the submission of plans and computations upon finding that the nature of the work applied for is such that a review of plans and computations is not necessary to obtain compliance with the codes. (Ord. 26029)

**301.4.7.2 Specific.** Plans and specifications must be drawn to scale and must be of sufficient clarity to indicate the location, nature, and extent of the work proposed and show that it will conform to the codes and all applicable laws, ordinances, rules, and regulations. Plans for structures more than two stories in height of other than Group R, Division 3 and Group M occupancies must indicate how required structural and fire-resistive integrity will be maintained where a penetration is made for electrical, mechanical, plumbing, and communication conduits, pipes, and similar systems. (Ord. 26029)

**301.4.7.3 Design professional's seal.** Plans and specifications for all structures that are not of conventional framed construction in accordance with Section 2301.2.3 of the *Dallas Building Code* and that are not exempt under Sections 301.4.7.4 and 301.4.7.5 must be properly sealed by the appropriate design professional or professionals. (Ord. 26029)

**301.4.7.4 Engineer's seal.**

**301.4.7.4.1 Required.** All work must have plans and specifications prepared by an engineer registered in the State of Texas, unless exempt under Section 301.4.7.4 or under Section 301.4.7.6. (Ord. 26029)

**301.4.7.4.2 Public work.** A registered professional engineer must prepare the engineering plans and specifications for public work, i.e., work for the state or any of its political subdivisions, including any county, city, or town. The following work is exempt from this requirement:

1. Public work that involves structural, electrical, or mechanical engineering, and for which the contemplated expenditure for the completed project does not exceed \$8,000.
2. Public work that does not involve structural, electrical, or mechanical engineering and for which the contemplated expenditure for the completed project does not exceed \$20,000. (Ord. 26029)

**301.4.7.4.3 Plans exempted from engineer's seal.** An engineer's seal is not required for persons engaged in the erecting, construction, enlarging, altering, or repairing, or drawing plans and specifications for any of the following:

1. Any private dwellings, or any apartments not exceeding eight units per building for one-story buildings or apartments not exceeding four units per building and having a maximum of two stories, or garages or other structures pertinent to such buildings;
2. Private buildings that are to be used exclusively for farm, ranch or agricultural purposes, or used exclusively for storage of raw agricultural commodities.
3. Any other buildings, except public buildings included under Section 301.4.7.4.2 as listed above, having no more than one story and containing no clear span between supporting structures greater than 24 feet and having a total floor area not in excess of 5,000 square feet (465.5m<sup>2</sup>). For unsupported spans greater than 24 feet on such buildings, only the trusses, beams or other roof-supporting members need to be engineered or pre-engineered. (Ord. 26029)

#### **301.4.7.5 Architect's seal.**

**301.4.7.5.1 Required.** All buildings must have architectural plans and specifications properly sealed by an architect registered in the State of Texas, unless exempt under Sections 301.4.7.5 or 301.4.7.6. (Ord. 26029)

**301.4.7.5.2 Public work.** The architectural plans and specifications of any new building that is to be constructed and owned by a state agency, a political subdivision of the state, or any other public entity in the state must be properly sealed by an architect registered in the State of Texas if the construction costs exceed \$100,000 and the building is to be used for education, assembly, or office occupancy. (Ord. 26029)



**301.4.7.5.3 Institutional residential facilities.** An architect registered in the State of Texas must properly seal architectural plans and specifications for any new building intended for use as an institutional facility, regardless of the number of stories or square footage. An institutional facility, for this purpose, is any building intended for occupancy on a 24-hour basis by persons who are receiving custodial care from the proprietors or operators of the building. (Ord. 26029)

**301.4.7.5.4 Building plans exempted from architect's seal.** An architect's seal is not required on drawings for the construction, enlargement, or alteration of any of the following buildings when privately-owned:

1. A building used primarily for farm, ranch, or agricultural purposes or used primarily for the storage of raw agricultural commodities.
2. A single-family or dual-family dwelling and any buildings and appurtenances associated with the dwelling.
3. A multifamily dwelling that does not exceed a height of two stories and does not exceed 16 units per building.
4. A building that does not exceed a height of two stories.
5. A building that does not exceed 20,000 square feet (1858.1 m<sup>2</sup>). (Ord. 26029)

**301.4.7.6 Alternative provisions.** When authorized by the building official, plans and specifications are not required for any of the following:

1. A one-story structure of Type V conventional wood-stud construction with an area not exceeding 600 square feet.
2. A Group M Occupancy of Type V conventional wood-stud construction.
3. Maintenance repairs, minor nonstructural alterations, and minor additions to an existing structure. (Ord. 26029)

**301.4.7.7 Green building standard documentation.** For construction activity subject to Subchapter 10, an applicant must submit documentation that:

1. demonstrates the construction activity will comply with the requirements of Subchapter 10, and
2. include any other documentation the building official deems necessary. (Ord. 27131)

**301.4.7.7.1 Acceptable standards.** The building official may accept documentation from LEED NC (new construction) version 2.2, LEED CS (core and shell) version 2.0, LEED CI (commercial interiors) version 2.0, LEED for schools version 2007, LEED for healthcare, LEED for retail version 2, LEED for homes, Green Built North Texas version 2.0, or another approved equivalent. (Ord. 27131)

## SECTION 302

### APPLICATION FOR AND ISSUANCE OF PERMIT; RETENTION OF PLANS; SUSPENSION OR REVOCATION; SUSPENSION OF PERMIT PRIVILEGES

#### 302.1 Expiration of application.

**302.1.1 General.** An application for a permit shall expire and be void *ab initio* if:

1. by the 45th day after the date the application was filed:
  - 1.1. the applicant fails to provide documents or other information necessary to comply with the technical requirements relating to the form and content of the permit application, unless one or more extensions are granted under Section 302.1.2, in which case the application shall be void *ab initio* if no action is taken by the applicant during the extended time period(s); or
  - 1.2. the applicant is given written notice within 10 business days after an application is filed that specifies the additional information necessary for issuance of the permit, provides the date the application will expire if the additional information is not provided, and the applicant fails to provide the additional information within the time provided.
2. the permit is issued but later expires or is revoked. (Ord. 26029; 26170)

**302.1.2 Extension of time.** The building official may grant one or more extensions of time for periods not exceeding 45 days each for justifiable cause. If a request for extension is made by the applicant or his or her agent, the request must be in writing and made within the time period sought to be extended. (Ord. 26029; 26170)

**302.1.3 Written notice.** If the building official determines that an application for a permit has expired, he or she shall mail a written notice of that determination to the applicant in accordance with Section 302.8. (Ord. 26029)

#### 302.2 Issuance.

**302.2.1 General.** The application, plans, specifications, computations, and other data filed by an applicant for a permit shall be reviewed by the building official. Such plans may be reviewed by other city departments to verify compliance with any applicable laws under their jurisdiction. The building official shall issue a permit to the applicant if the building official determines that:

1. The work described in the permit application and the plans, specifications, computations, and other data submitted are in compliance with the codes and all other applicable laws and ordinances; and
2. All fees specified in Section 303 and required by any other applicable city ordinance have been paid. (Ord. 26029)

**302.2.2 Time period for granting or denying a permit.** This paragraph applies only to a permit to erect or improve a building or other structure. Not later than the 45<sup>th</sup> day after the date an application for a permit is submitted, the building official shall:

1. grant or deny the permit;
2. provide written notice to the applicant stating the reasons why the building official has been unable to grant or deny the permit application, and the building official must grant or deny the permit not later than the 30<sup>th</sup> day after the date the notice is received by the applicant; or
3. reach a written agreement with the applicant providing for a deadline for granting or denying the permit. (Ord. 26170)

**302.2.3 Permit issued when plans and specifications are required.** When the building official issues the permit where plans and specifications are required, the building official shall endorse in writing or stamp on the plans and specifications the following words: "These plans have been reviewed by the building inspection division and are approved for the start of construction. Any deviation from these plans shall be approved by the building official. This approval does not permit the violation of any city ordinance or state law." Approved plans and specifications may not be changed, modified, or altered without authorization from the building official, and all work regulated by the codes must be done in accordance with the approved plans and specifications. (Ord. 26029; 26170)

**302.2.4 Permit for construction of part of a structure.** The building official may issue a permit for the construction of part of a structure before the entire plans and specifications for the whole structure have been submitted or approved if adequate information and detailed statements have been filed complying with all pertinent requirements of this chapter and the codes. The holder of such a permit shall proceed at the holder's own risk without assurance that the permit for the entire structure will be granted. (Ord. 26029; 26170)

**302.3 Retention of plans.** The building official shall retain one set of approved plans and specifications and one set shall be kept at the work site at all times while work is in progress. Plans submitted for checking, for which no permit is issued and on which no action is taken by the applicant for 120 days, may be destroyed. (Ord. 26029)

**302.4 Validity of permit.** The issuance or granting of a permit or approval of plans, specifications, and computations shall not be construed to be a permit for, or an approval of, any violation of any provision of the codes or of any other city ordinance. Any permit presuming to give authority to violate or cancel any provision of the codes or any other city ordinance shall not be valid. The issuance of a permit based on plans, specifications, computations, and other data shall not prevent the building official from later requiring the correction of errors in plans, specifications, computations, and other data or from preventing building operations being carried on when in violation of the codes or of any other city ordinance. (Ord. 26029)

### **302.5 Expiration of permit.**

**302.5.1 General.** Any permit issued by the building official will expire and be void *ab initio* if no progress has been made toward completion of the project, as defined in Section 311.3, before the second anniversary of its issuance unless one or more extensions are granted under Section 302.5.2, in which case the permit shall be void *ab initio* if no progress has been made toward completion of the project, as defined in Section 311.3, during the extended time period(s). (Ord. 26029; 26170)

**302.5.2 Extension of time.** The building official may grant one or more extensions of time for periods not exceeding 120 days each if he or she determines that circumstances beyond the control of the permittee have prevented the work from being commenced. If a request for extension is made by the applicant or his or her agent, the request must be in writing and made within the time period sought to be extended. (Ord. 26029)

**302.5.3 Written notice.** If the building official determines that a permit has expired, he or she shall mail a written notice of that determination to the permittee in accordance with Section 302.8. (Ord. 26029)

**302.5.4. Continuation of work.** A person shall not continue to work under a permit that has expired. (Ord. 26029)

### **302.6 Suspension or revocation of permit.**

**302.6.1 General.** The building official shall suspend or revoke a permit issued under this chapter if he or she determines that the permit is issued in error or on the basis of incorrect information supplied, or in violation of any city ordinance or regulation or any provision of this chapter or the codes. (Ord. 26029)

**302.6.2 Reasons for revocation.** The building official shall revoke a permit if he or she determines that:

1. reasonable and continuous progress has not been made to complete the work authorized by the permit; or
2. the property owner is in violation of an order to repair the structure issued by the urban rehabilitation standards board. (Ord. 26029)

**302.6.3 Written notice.** If the building official suspends or revokes a permit, he or she shall mail a written notice of the suspension or revocation to the permittee in accordance with Section 302.8. (Ord. 26029)

**302.6.4 Continuance of work.** A person shall not continue to work under a permit that has been suspended or revoked. (Ord. 26029)

**302.6.5 Urban nuisance.** If a permit revocation becomes final, any incomplete structure at the construction site may be considered an urban nuisance to be abated by repair, rehabilitation, demolition, or removal in accordance with the procedures specified in Chapter 27 of the *Dallas City Code* or by any other procedures provided by law. (Ord. 26029)

**302.7 Finality of actions and determinations.** Any action taken or determination made by the building official under this section shall be final unless appealed to the building inspection advisory, examining, and appeals board in accordance with Section 208 not later than the 30<sup>th</sup> day after the date on which written notice of the action or determination is mailed in accordance with Section 302.8. (Ord. 26029)

**302.8 Written notice.** The written notice required by this section must be sent to the address of the applicant or permittee shown on the most recent application for the permit or certificate of occupancy by certified mail with a five-day return requested. The notice must state that the action or determination made by the building official may be appealed to the building inspection advisory, examining, and appeals board, and that any request for an appeal must be made not later than the 30<sup>th</sup> day after the date on which the notice was mailed. The fact that the notice is returned undelivered or that the return receipt is not signed by the addressee shall not affect the validity of the notice. (Ord. 26029)

### **302.9 Suspension of permit privileges.**

**302.9.1 General.** The building official may request that the building inspection advisory, examining, and appeals board hold a public hearing for the purpose of determining whether a person's ability to secure permits should be suspended for one or more of the causes listed in Section 302.9.3. (Ord. 26029)

**302.9.2 Notice.** The building official shall give notice of the hearing in the official newspaper of the city not later than the 10<sup>th</sup> day before the scheduled date of the hearing. The building official shall also mail written notice of the hearing to the address of the person affected as shown on the most recent application for a permit or certificate of occupancy. The notice must be sent not later than the 10<sup>th</sup> day before the scheduled date of the hearing by certified mail with a five-day return requested. The fact that the return receipt is not signed by the addressee shall not affect the validity of the notice. If the mailed notice is returned undelivered, the hearing shall be continued to a date not earlier than the 11<sup>th</sup> day after the date of the return; however, no new notices shall be required and the board may proceed to take action in the absence of the person affected when the hearing is continued. (Ord. 26029)

**302.9.3 Determining factors.** The board may suspend a person's ability to secure permits to perform work at one or more locations for a definite time period not to exceed two years if, based on the evidence presented at the hearing, it determines that:

1. the person or person's agent has knowingly provided false or incorrect information on previous applications for permits;
2. the person or person's agent has failed to make reasonable and continuous progress to complete work authorized by an existing or previous permit; or
3. the person or person's agent has been grossly negligent in the performance of work authorized by an existing or previous permit. (Ord. 26029)

**302.9.4 Reinstatement fee.** A person whose ability to secure permits has been suspended under this section shall pay a nonrefundable reinstatement fee before that person may apply for any new permits after the period of suspension expires. The amount of the reinstatement fee may not exceed the administrative costs incurred by the city to effect the suspension. (Ord. 26029)

## **SECTION 303 FEES**

**303.1 General.** Fees required for permits and related activities under this chapter and the codes shall be assessed in accordance with this section. (Ord. 26029)

### **303.2 Permit fees.**

**303.2.1 New work, additions, alterations, or repairs.** For new work, additions, alterations, or repairs, a fee shall be paid for a master permit based on the total valuation of work to be performed according to Tables A-I, A-II, A-III, and B. (Ord. 26029)

**303.2.2 Master permit.** The master permit shall be issued for all work to be performed on a project, including but not limited to, building, electrical, mechanical, plumbing, fire sprinkler, fire alarm, landscaping, fence, tent, mechanical refrigeration, flammable liquid, liquid petroleum, septic tank, swimming pool, lawn sprinkler, security system, paving, grading, barricade, excavation, demolition, moving, sign demolition, and new sign work. Any work for which fees are not separately specified in Section 303.5 shall be included in the total valuation of the work. (Ord. 26029; 27107)

**303.3 Value of proposed work.** The building official shall determine the value of all proposed work for the purpose of computing permit and plan review fees under this section. The building official's determination shall be based on the total value of all construction work for which the permit is issued and shall not exceed the value of the construction contract for the proposed work. (Ord. 26029)

**303.4 Accounting.** The building official shall keep a permanent, accurate account of:

1. All fees collected under this chapter;
2. The name of each person on whose account the fees were paid;
3. The date of payment and the amount paid; and
4. The location of the structure or premises for which the fees were paid. (Ord. 26029)

**303.5 Other fees.**

**303.5.1 Plan reviews.**

**303.5.1.1 Plans check.** In addition to any plan review fees required under Sections 303.5.1.2, 303.5.1.3, 303.5.1.4, 303.5.1.5, or 303.5.1.6, a nonrefundable plans check fee of \$0.012 for each square foot of building area or \$150.00, whichever is greater, shall be paid upon application for any permit for which the building inspection division performs a plans check. After plans have been reviewed and a permit issued, a plans check addendum fee of \$25.00 an hour shall be paid for each substitution or addition to the plans that requires a separate review. (Ord. 26029; 27107)

**303.5.1.2 Fire sprinkler plans.** In addition to any plan review fees required under Sections 303.5.1.1, 303.5.1.3, 303.5.1.4, 303.5.1.5, or 303.5.1.6, a nonrefundable fire or sprinkler plan review fee of \$0.008 for each square foot of sprinklered building area or \$150.00, whichever is greater, shall be paid upon application for any permit for which the building inspection division performs a review of fire sprinkler plans that involve the installation of a new fire sprinkler system, the addition of 20 or more sprinkler heads to an existing fire sprinkler system, or the removal or relocation of 100 or more sprinkler heads in an existing fire sprinkler system. (Ord. 26029; 27107)

**303.5.1.3 Site plans.** In addition to any plan review fees required under Sections 303.5.1.1, 303.5.1.2, 303.5.1.4, 303.5.1.5, or 303.5.1.6, a nonrefundable site plan review fee of \$0.004 for each square foot of building area or area to be paved or graded, or \$50.00, whichever is greater, shall be paid for each site plan reviewed by the building division. (Ord. 26029; 27107)

**303.5.1.4 Plan review fees for fire alarm systems.** In addition to any plan review fees required under Sections 303.5.1.1, 303.5.1.2, 303.5.1.3, 303.5.1.5, or 303.5.1.6, plans for fire alarm systems shall be accompanied by a nonrefundable review fee based on the following:

1. \$75 for each fire alarm system, per building, with 10 or fewer alarm initiating devices or signaling devices.

2. \$100 for each fire alarm system, per building, with 11 to 25 alarm initiating devices or signaling devices.
3. \$150 for each fire alarm system, per building, with 26 to 150 alarm initiating devices or signaling devices.
4. \$300 for each fire alarm system, per building, with more than 150 alarm initiating devices or signaling devices. (Ord. 27107)

**303.5.1.4.1 Resubmittal fees involving approved fire alarm plans.** Any resubmittal of approved plans must pay a new plan review fee based on the total number of new or changed alarm initiating or signaling devices. The cause for resubmittal may be due to, but not limited to, architectural, field, construction, or contractor changes. (Ord. 27107)

**303.5.1.4.2 Resubmittal fees involving denied fire alarm plans.** If the city denies a fire alarm permit, the first resubmittal of the denied plans is free. Each subsequent resubmittal of denied plans must pay ½ of the original plan review submittal fee. (Ord. 27107)

**303.5.1.5 Irrigation permit fee.** In addition to any plan review fees required under Sections 303.5.1.1, 303.5.1.2, 303.5.1.3, 303.5.1.4, or 303.5.1.6, a fee of \$120.00 shall be paid for review of the irrigation system design and required inspections per Title 30, *Texas Administrative Code* Chapter 344, Rules of Landscape Irrigation. (Ord. 27107)

**303.5.1.6 Other plan review fees.** In addition to any plan review fees required under Sections 303.5.1.1, 303.5.1.2, 303.5.1.3, 303.5.1.4, or 303.5.1.5, a fee of \$150.00 shall be paid for review of underground firelines, dry chemical systems, gaseous systems, and the review of any other miscellaneous systems. (Ord. 27107)

**303.5.2 Surcharge for planned development, specific-use permit, and deed-restricted areas.** A nonrefundable surcharge of 10 percent of the total permit fee required by Tables A-I, A-II, A-III, and B of this section shall be paid for a master permit that authorizes building work to be performed for new construction or remodeling in a planned development district, an area subject to a specific-use permit ordinance, or a deed-restricted area. (Ord. 26029)

**303.5.3 Barricade fees.** The area of useable public property or public way on which fees shall be paid is the total area enclosed within and occupied by any barricade, fence, covered walkway, or tunnel or otherwise used by the contractor. The fee for a permit to barricade public property or public way is \$0.006 a square foot for each day the public property or public way is occupied, with a minimum fee of \$45.00 for each permit. The building official shall charge a double fee for each day of occupancy of useable public property or public way without a permit, with a minimum charge for two days. Charges shall be made by the day, and any fraction of a day shall be charged as a full day. (Ord. 26029)



**303.5.4 Excavation fees.** The fee for a permit to perform excavation work is \$100.00 plus \$25.00 for each week or portion of a week until construction is brought to grade and the excavation is backfilled. (Ord. 26029)

**303.5.5 Sign fees.**

**303.5.5.1 General.** The fee for a permit to erect, construct, alter, rebuild, enlarge, extend, convert, replace, or relocate a sign shall be based on the area of the sign in the following manner:

<b>SIGN FEES</b>		
<b>Effective Area</b>	<b>Premise Signs</b>	<b>Non-premise Signs</b>
Up to 20 sq. ft.	\$ 45.00	\$ 48.00
21 sq. ft. to 50 sq. ft.	\$ 81.00	\$ 84.00
51 sq. ft. to 100 sq. ft.	\$ 110.00	\$ 216.00
101 sq. ft. to 200 sq. ft.	\$ 136.00	\$ 242.00
201 sq. ft. to 300 sq. ft.	\$ 188.00	\$ 294.00
301 sq. ft. to 400 sq. ft.	\$ 216.00	\$ 324.00
401 sq. ft. to 500 sq. ft.	\$ 242.00	\$ 350.00
501 sq. ft. to 700 sq. ft.	\$ 268.00	\$ 376.00
701 sq. ft. to 900 sq. ft.	\$ 322.00	Not permitted
901 sq. ft. or above	\$ 374.00	Not permitted

(Ord. 26029)

**303.5.5.2 Special-purpose signs.** Notwithstanding Section 303.5.5.1, the fee for a permit to erect, construct, alter, rebuild, enlarge, extend, convert, replace, or relocate any special-purpose sign, as defined in the *Dallas Development Code*, as amended, is \$40.00. The building official shall waive this fee when the applicant for the special-purpose sign permit is a neighborhood association or crime watch group. The building inspection enterprise fund shall be reimbursed from the city of Dallas general fund for any fees not collected by the building official because of the fee waiver contained in this subparagraph. (Ord. 26029)

**303.5.5.3 Removal, demolition.** The fee for a permit to remove or demolish a sign is \$78.00. (Ord. 26029)

**303.5.6 Sidewalk waiver fees.** The fee for processing a waiver of a required sidewalk is \$208.00. (Ord. 26029)

**303.5.7 Reinspection fee.** A reinspection fee will be assessed for each inspection or reinspection when the portion for which inspection is called is not complete, when corrections called for are not made, or when access to perform the inspection is not provided. The fee is \$75.00 for each reinspection. No fee is required for reinspection of work that is rejected the first time for failure to comply with the codes. (Ord. Nos. 26029; 28096)

### **303.5.8 Fees for premove inspections and permits to move structures.**

**303.5.8.1 Inspection fee.** A person moving a structure to a lot located within the city shall, within five business days before the move is scheduled, pay a nonrefundable inspection fee.

**Exception:** Industrialized building or housing unit(s) that maintain a current certification as an industrialized structure by the State of Texas shall not be assessed a pre-move inspection fee.

The fee is:

1. \$104.00 if the structure is being moved from a location inside the city of Dallas;
2. \$208.00 if the structure is being moved from a location outside the city but within the following counties: Dallas, Tarrant, Ellis, Kaufman, Rockwall, Collin, Denton, Johnson, or Hunt; and
3. \$208.00 plus the time and travel expenses of an inspector if the structure is being moved from a location outside the counties listed in Section 303.5.8.1(2). (Ord. 26029)

**303.5.8.2 Temporary classroom structures.** Section 303.5.8.1 does not apply to a temporary classroom structure moved from one school property to another school property when both locations are within the city of Dallas and are owned and operated by the same independent school district. (Ord. 26029)

**303.5.8.3 Permit fee.** The fee for a permit to move a structure is \$156.00 for each structure or part of a structure, including accessory structures, to be moved. (Ord. 26029)

**303.5.8.4 Fee for mover's license.** The annual fee for a building mover's license is \$260 for each moving company. The fee for issuing a duplicate license for one that has been lost, destroyed, or mutilated is \$25. Fees are payable to the building official upon issuance of a license. No refund of a fee will be made. (Ord. 26029)

### **303.5.9 Fee for a certificate of occupancy.**

**303.5.9.1 General.** The fee for a certificate of occupancy is \$215.00. (Ord. 26029)

**303.5.9.2 Examination or analysis.** If the structure must be examined or a structural analysis made to determine the suitability of the existing structure for the proposed occupancy, the examination or analysis must be done by a registered architect or engineer

selected and paid for by the applicant. This service will not be covered by the certificate of occupancy fee. (Ord. 26029)

**303.5.9.3 Temporary certificate of occupancy.** An additional nonrefundable inspection fee of \$104.00 shall be paid upon application for a temporary certificate of occupancy. An additional non-refundable fee of \$30 shall be paid for each 30-day extension. (Ord. Nos. 26029; 28096)

**303.5.9.4 Partial certificate of occupancy.** An additional nonrefundable inspection fee of \$104.00 shall be paid upon application for a partial certificate of occupancy. (Ord. 26029)

**303.5.9.5. Certificate of Occupancy Validation Inspection Fee.** The director of code compliance shall perform a certificate of occupancy validation inspection within 12 months after issuance of a new certificate of occupancy. An additional \$65.00 fee for a certificate of occupancy validation inspection must be paid with an application for a certificate of occupancy. (Ord. 28022)

**303.5.9.6. Duplicate, temporary, or partial certificate of occupancy.** A nonrefundable fee of \$30 shall be paid for each duplicate copy of a certificate of occupancy, a temporary certificate of occupancy, or a partial certificate of occupancy. (Ord. 28096)

**303.5.10 Demolition fees.** The fee for a permit to demolish a structure or part of a structure is \$42.00 plus \$0.021 for each square foot of floor area in the structure. No fee is required for demolition of a structure or part of a structure the title of which is vested in the United States Government or the State of Texas. (Ord. 26029)

**303.5.11 Postage and handling fees.** A \$2.00 postage and handling fee shall be paid for each permit issued by mail or by electronic data transmission. (Ord. 26029)

**303.5.12 Special service fees.**

**303.5.12.1 Same day inspection.** A special service fee shall be paid for each expedited priority inspection requested between 7:00 a.m. and 2:00 p.m. that is required to be performed the same day as the request. The fee is \$250.00 and shall be paid before the inspection is performed.

**303.5.12.2 After hours inspection.** A special service fee shall be paid for each inspection made after business hours, on weekends, or outside Dallas city limits. The fee is \$125.00 per hour with a minimum charge of \$300.00 and shall be paid before the inspection is performed. This paragraph does not apply to the moving of structures, the fees for which are established in Section 303.5.8.

**303.5.12.3 After hours utility release.** A special service fee shall be paid for each utility release requested after business hours or on weekends. The fee is \$50.00 for each request. (Ord. Nos. 26029; 28096)

**303.5.13 Returned check fees.** A service charge in an amount allowable under Article 9022 of Vernon's Texas Civil Statutes shall be paid for processing each check returned to the building inspection division because of insufficient funds. The building official shall suspend all applications, permits, certificates of occupancy, or other services for which fees are not paid and shall deny additional permits, inspections, or other services to the person whose check has been returned until all fees, including the returned check service charge, are paid in full. (Ord. 26029)

**303.5.14 Record change fee.**

**303.5.14.1 General.** A fee of \$30.00 shall be paid for each change to an official city record made by the building official at a customer's request; except that:

1. No fee is required for a change to a permit application requested before the permit is finally approved by the building inspection division; and
2. Only one fee will be paid for multiple record changes if the changes:
  - 2.1. Affect a single address; and
  - 2.2. Are requested at the same time. (Ord. 26029)

**303.5.14.2 Items included in record change.** A record change includes, but is not limited to, the following:

1. Construction type change;
2. Address change;
3. Name change; or
4. Revisions to certificates of registration. (Ord. Nos. 26029; 28096)

**303.5.15 Fee for filing certified test results.** The fee for filing the certified test results for a backflow prevention device with the building inspection division, as required by Section 310.3 of this chapter, is \$15 for each device. (Ord. 26029)

**303.5.16 Fee for reinstatement of permit privileges.** An additional nonrefundable fee of \$550 must be paid before a person whose permit privileges were suspended by the building inspection advisory, examining, and appeals board may apply for any new permits after the period of suspension has expired. (Ord. 26029)

**303.5.17 Fee for unity agreement applications.** A nonrefundable fee of \$375 must be paid when submitting a unity agreement in accordance with Chapter 42 of the *Dallas Building Code*. (Ord. 27107)

**303.5.18 Fee for appeal to the advisory, examining, and appeals board.** A non-refundable fee of \$600.00 must be paid when filing an appeal to the advisory, examining, and appeals board. (Ord. 28096)

**303.5.19. Unauthorized concealment fee.** Any work concealed without first obtaining the required inspection in violation of Section 304.1.3 shall be assessed a fee of \$200.00 for every trade concealed. (Ord. 28096)

**303.5.20 Fees for consultations with technical staff.** A fee for consultations with technical staff members must be paid before the consultation in accordance with the fee scheduled below. A fee is not required to discuss a plan for which a permit application has been accepted by building inspection and the permit fee has been paid.

<b>TIME</b>	<b>FEE</b>
0-20 minutes	\$0
21-80 minutes	\$50
Over 80 minutes	\$50 per hour or fraction thereof (Ord. 28096)

**303.5.21 Fees for pre-development meeting.** A fee for a pre-development meeting must be paid before the meeting in accordance with the following fee schedule:

<b>PROJECT SIZE</b>	<b>FEE</b>
Less than 25,000 square feet	\$250
25,000 to 50,000 square feet	\$500
Greater than 50,000 square feet	\$750

This fee may be applied toward a fee for a building permit for the same project that was the subject of the pre-development meeting if the date on the application for the permit is within 12 months after the pre-development meeting. (Ord. 28096)

**303.5.22 Sign plan review fee.** A fee of \$75 must be paid at the time of application for a sign permit requiring a pre-inspection. (Ord. 28096)

**303.5.23 Research fee.** A fee of \$50 per hour must be paid for research done by staff members to respond to a specific inquiry concerning the codes. An additional fee must be paid in accordance with Section 303.5.24 if a determination letter is requested. (Ord. 28096)

**303.5.24 Fee for determination letter.** A fee of \$100 must be paid for a letter confirming the findings of the building official on a specific inquiry. (Ord. 28096)

### 303.6 Alternative plan review.

**303.6.1 Q-Team review.** An applicant for one or more permits for a construction/development project may request a Q-Team review of all plans required for the issuance of the permits. The fee for a Q-Team review is \$1,000 an hour for in-person meetings unless the applicant and the building official agree otherwise. This fee is in addition to all other fees required under this chapter. This fee is capped at the following maximums:

<b>PROJECT SIZE</b>	<b>FEE</b>
Less than 10,000 square feet	\$2,000
10,000-50,000 square feet	\$12,500
50,001-100,000 square feet	\$27,500
Greater than 100,000 square feet	\$50,000 (Ord. Nos. 26029; 28096)

**303.6.1.1 Initial review by building official.** Before the Q-Team review, the building official shall conduct an initial review of all documents submitted with the permit application to ensure completeness of the submitted documents. The non-refundable fee for the initial review must be paid with the application for the permits according to the following fee schedule:

<b>PROJECT SIZE</b>	<b>FEE</b>
Less than 10,000 square feet	\$500
10,000-50,000 square feet	\$750
50,001-100,000 square feet	\$1,000
Greater than 100,000 square feet	\$1,250 (Ord. 28096)

**303.6.1.2 Q-Team.** Q-Team express plan reviews are conducted by a team consisting of a team leader and a scheduler/assistant. A specialist from one or more of the following development disciplines may assist the team:

1. Building Code.
2. Electrical Code.
3. Plumbing Code/Mechanical Code.
4. Fire Code.
5. Arboreal.
6. Green.

7. Zoning.
8. Water.
9. Sewer.
10. Paving/Drainage.
11. Circulation/Transportation. (Ord. Nos. 26029; 28096)

**303.6.1.3 Q-Team meeting.** On a date scheduled by the building inspection division, the team will meet with the applicant and all other parties with responsibilities relating to the construction/development project, such as the developer, property owner, tenant, engineer, architect, and construction contractor. The parties must be prepared to finalize all plans on the date scheduled. Before the conclusion of the meeting, the team will review the plans and, if all building and design issues are resolved, approve the plans and issue the required construction permits. (Ord. Nos. 26029; 28096)

**303.6.2 Expedited plan review.** An applicant for one or more permits for a construction/development project may request an expedited plan review of all plans required for the issuance of the permits. An expedited plan review is a review that is not a Q-Team review, but gets a higher priority for review in the normal review process. An expedited plan review will be allowed at the discretion of the building official based upon availability of staff. (Ord. 28096)

**303.6.2.1 Per specialty.** The fee for an expedited plan review per specialty is \$200 an hour for in-person meetings unless the applicant and the building official agree otherwise, with a nonrefundable minimum charge of \$500 , to be paid with the application for the permits. Specialists from each of the development disciplines are listed in Section 303.6.1.2. This fee is in addition to all other fees required under this chapter. (Ord. 28096)

**303.6.2.2 Partial team.** Expedited plan reviews are conducted by three persons. Applicants may select up to three trades for review from each of the development disciplines listed in Section 303.6.1.2. The fee for an expedited plan review partial team is \$600 an hour for in-person meetings unless the applicant and the building official agree otherwise, with a nonrefundable minimum charge of \$500, to be paid with the application for permits. This fee is in addition to all other fees required under this chapter. (Ord. 28096)

**303.6.3 Overtime review per specialty.** An overtime plan review is a review that is not a Q-Team review, but gets a higher priority for review in the normal review process by staff who are able to work after hours. An overtime review will be allowed at the discretion of the building official based upon availability of staff. The fee for overtime plan review per specialty is \$250 an hour for in-person meetings unless the applicant and the building official agree otherwise, with a nonrefundable minimum charge of \$500, to be paid with the application for the permits. Specialists from each of the development disciplines are listed in Section 303.6.1.2. This fee is in addition to all other fees required under this chapter. (Ord. 28096)

**303.7 Beginning work without a permit.** If work for which a permit is required by this chapter or the codes is started prior to obtaining a permit, the fee specified shall be doubled. The payment of a doubled fee does not relieve a person from fully complying with the requirements of the codes in the execution of work nor from other penalties prescribed in this chapter or the codes. An inspector is empowered to stop work that has been started without a permit having been obtained in violation of this chapter or the codes and to order any and all persons engaged in the work to stop and desist until every required permit is obtained. This action does not relieve a person from other penalties which may be applicable under this chapter or the codes. (Ord. 26029)

**303.8 Fee exemption.** No permit is required for work involving a structure the title of which is vested in the United States government or the State of Texas and that is devoted exclusively to governmental use. The building inspection enterprise fund shall be reimbursed from the city of Dallas general fund for any fees not collected by the building official because of the exemption contained in this subsection. (Ord. 26029)

### **303.9 Fee refunds.**

**303.9.1 Error by the building inspection division.** The building official may authorize a full refund of any fee required under the codes that was paid or collected due to an error by the building inspection division. (Ord. 26029; 27107)

**303.9.2 No permit issued.** The building official may authorize a refund of not more than 80 percent of the permit fee paid when no permit has been issued in accordance with the codes. (Ord. 27107)

**303.9.3 No work done under permit.** The building official may authorize a refund of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with the codes. (Ord. 26029; 27107)

**303.9.4 Prior to field inspection.** The building official may authorize a refund of not more than 50 percent of a certificate of occupancy application fee paid if a refund is requested prior to the conducting of any field inspection on the application. No refund shall be made if a field inspection has been conducted. (Ord. 26029; 27107)



**303.9.5 Written application required.** The building official shall not authorize a refund of any fee paid except upon written application filed by the original applicant or permittee not later than 180 days after the date of permit issue. When a refund is requested, the building official shall retain a minimum processing fee of \$104.00, unless the fee was paid or collected due to an error of the building inspection division. This paragraph does not apply to a refund authorized under Sections 303.9.6 or 303.9.7. (Ord. 26029; 26170; 27107)

**303.9.6 Affordable housing units.** Whenever affordable housing units are provided as a part of a project in accordance with Division 51A-4.900 of the *Dallas Development Code*, as amended, the building official shall authorize a refund of a percentage of the total permit fees paid for the project equal to the percentage of standard affordable housing units provided in the project. The building inspection enterprise fund shall be reimbursed from the city of Dallas general fund for any fees not collected by the building official because of the refund requirement contained in this paragraph. (Ord. 26029; 27107)

**303.9.7 Failure to grant or deny a permit application by deadline.** If the building official fails to grant or deny a permit application by the deadlines established in Sections 302.2.2(2) or 302.2.2(3), the building official shall not collect any permit fees associated with the application and shall refund to the applicant any permit fees associated with the application that have been collected. (Ord. 26029; 26170; 27107)

**303.10 Fees for registration of non-premise signs.** The following fees must be paid for registration of a non-premise sign under Subchapter 7 of this chapter:

<b>TYPE OF APPLICATION</b>	<b>FEE</b>
Annual registration or renewal of registration for each sign	\$65
Replacement of a registration sticker (Ord. 26029)	\$ 5

**303.11 Fees for registration of backflow prevention testers.** The following fees must be paid for registration of a backflow prevention tester under Subchapter 8 of this chapter:

<b>TYPE OF APPLICATION</b>	<b>FEE</b>
Backflow prevention tester registration	\$120
Revisions to an issued certificate of registration (Ord. Nos. 26029; 28096)	\$30

**TABLE A-I**

<b>NEW SINGLE-FAMILY CONSTRUCTION</b>	
<b>Value of Proposed Work</b>	<b>Multiplier</b>
	(also see minimum fee schedule)
\$0 - 60,000	X 0.0095 = Permit Fee
\$60,001 - 200,000	X 0.0025 + \$418 (If greater than or
\$200,001 – 900,000	X 0.00203 + \$512 equal to minimum
\$900,001 - 2,500,000	X 0.000826 + \$1,596 fee)
\$2,500,001 or more	X 0.0004 + \$2,661
<b>MINIMUM FEE SCHEDULE (based on # of trades or valuation - whichever is greater)</b>	
<b>Number of Trades</b>	<b>Minimum Permit Fee</b>
1	\$ 100.00
2	\$ 200.00
3	\$ 300.00
4	\$ 400.00
5	\$ 500.00
6	\$ 600.00
7	\$ 700.00
8	\$ 800.00

(Ord. Nos. 26029; 28096)

**TABLE A-II**

<b>NEW MULTI-FAMILY CONSTRUCTION</b>
\$225 per dwelling unit

Table A-II does not apply to accessory structures. See Table A-III for valuation of fees as applied to accessory structures. (Ord. Nos. 26029; 28096)

**TABLE A-III**

<b>NEW COMMERCIAL CONSTRUCTION</b>	
<b>Value of Proposed Work</b>	<b>Multiplier</b>
	(also see minimum fee schedule)
\$0 - 60,000	X 0.009525 = Permit Fee
\$60,001 - 200,000	X 0.004964 + \$274 (If greater than or
\$200,001 - 900,000	X 0.003914 + \$484 equal to minimum
\$900,001 - 1,500,000	X 0.002862 + \$1,431 fee)
\$1,500,001 - 2,500,000	X 0.002197 + \$2,429
\$2,500,001 - 5,000,000	X 0.001417 + \$4,379
\$5,000,001 - 10,000,000	X 0.001036 + \$6,285
\$10,000,001 or more	X 0.000767 + \$8,977
<b>MINIMUM FEE SCHEDULE (based on # of trades or valuation - whichever is greater)</b>	
<b>Number of Trades</b>	<b>Minimum Permit Fee</b>
1	\$ 100.00
2	\$ 200.00
3	\$ 300.00
4	\$ 400.00
5	\$ 500.00
6	\$ 600.00
7	\$ 700.00
8	\$ 800.00

(Ord. Nos. 26029; 28096)

**TABLE B**

<b>ALTERATIONS OR REPAIRS</b>	
<b>Value of Proposed Work</b>	<b>Multiplier</b>
	(also see minimum fee schedule)
\$0 - 100,000	X 0.009652 = Permit Fee
\$100,001 - 300,000	X 0.009525 + \$13 (If greater than or
\$300,001 - 500,000	X 0.009410 + \$47 equal to minimum
\$500,001 - 700,000	X 0.009285 + \$110 fee)
\$700,001 - 900,000	X 0.009155 + \$201
\$900,001 - 1,100,000	X 0.009045 + \$300
\$1,100,001 - 2,500,000	X 0.008894 + \$465
\$2,500,001 - 5,000,000	X 0.008768 + \$780
\$5,000,001 - 10,000,000	X 0.008641 + \$1,416
\$10,000,001 or more	X 0.007940 + \$8,426
<b>MINIMUM FEE SCHEDULE (based on # of trades or valuation - whichever is greater)</b>	
<b>Number of Trades</b>	<b>Minimum Permit Fee</b>
1	\$ 100.00
2	\$ 200.00
3	\$ 300.00
4	\$ 400.00
5	\$ 500.00
6	\$ 600.00
7	\$ 700.00
8	\$ 800.00

(Ord. Nos. 26029; 28096)

**SECTION 304  
INSPECTIONS**

**304.1 General.**

**304.1.1 Work subject to inspection.** All construction or work for which a permit is required shall be subject to inspection by the building official and shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction must have continuous inspection as specified in Section 305 of this chapter. (Ord. 26029; 27107)

**304.1.2 Violation of city code or ordinance.** Approval as a result of an inspection shall not be construed as approval of a violation of any provision of the codes or another city ordinance. Any inspection presuming to give authority to violate or cancel any provision of the codes or another ordinance is not valid. (Ord. 26029; 27107)

**304.1.3 Duty of permit applicant.** It is the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the city shall be liable for any expense entailed in the removal or replacement of any material required to allow inspection. (Ord. 26029; 27107)

**304.1.4 Lot survey.** A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans. (Ord. 26029; 27107)

**304.2 Posting of permit.** Work requiring a permit shall not be commenced until the permit holder or the permit holder's agent has posted the permit in a conspicuous place on the front of the premises. The permit must be maintained in this position by the permit holder until the work is completed. (Ord. 26029; 27107)

### **304.3 Inspection requests.**

**304.3.1 Duty to notify building official.** It is the duty of the person doing the work authorized by a permit to notify the building official that the work is ready for inspection. An inspection request may be in writing or by telephone at the option of the building official. All requests for inspection must be made at least one working day before the inspection is desired. It is the duty of the person requesting any inspection required by the codes to provide access to and means for inspection of the work. (Ord. 26029; 27107)

**304.3.2 Special fee.** A special fee as specified in Section 303 of this chapter must be paid for each inspection made after business hours, on weekends, or outside the city limits. (Ord. 26029; 27107)

**304.4 Approval required.** No work shall be done on any part of the structure or premises beyond the point indicated in each successive inspection without first obtaining the written approval of the building official. The building official, upon notification, shall make a requested inspection and shall either indicate that the portion of the construction being inspected is satisfactory as completed or notify the permit holder or the permit holder's agent how the construction fails to comply with the codes. Any portion that does not comply with the codes must be corrected and must not be covered or concealed until authorized by the building official. There shall be a final inspection and approval of every structure when completed and ready for occupancy and use, and after demolition work has been completed. (Ord. 26029; 27107)

### **304.5 Required building inspections.**

**304.5.1 Foundation inspection.** To be made after trenches are excavated and forms erected and when all materials for the foundation are installed on the job. Where concrete from a central mixing plant (commonly termed “transit mixed”) is to be used, materials need not be on the job. (Ord. 26029; 27107)

**304.5.2 Rough frame inspection.** To be made after the roof, all framing, fire blocking, and bracing are in place and all pipes, sprinkler risers, chimneys, and vents are complete. Reinforcing steel or structural framework of any part of any structure shall not be covered or concealed without first obtaining the approval of the building official. (Ord. 26029; 27107)

**304.5.3 Finish frame inspection.** To be made after the rough inspections required by this section for building, electrical, plumbing, and mechanical work are completed and the sprinkler branch piping is installed. (Ord. 26029; 27107)

**304.5.4 Insulation inspection.** To be made after insulation is installed. (Ord. 26029; 27107)

**304.5.5 Final inspection.** To be made after the ceilings are completed with sprinkler heads, if any, and the structure is completed. (Ord. 26029; 27107)

### **304.6 Required electrical inspections.**

**304.6.1 Temporary construction power pole.** To be made after pole is erected before service is connected. (Ord. 26029; 27107)

**304.6.2 Rough.** To be made when any electrical equipment or wiring is to be hidden from view by any permanent portion of the building or by burial. (Ord. 26029; 27107)

**304.6.3 Final.** To be made after structure is completed. (Ord. 26029; 27107)

### **304.7 Required plumbing inspections.**

**304.7.1 Rough.** To be made when any sewer, gas, or water piping is to be hidden from view. (Ord. 26029; 27107)

**304.7.2 Final.** To be made after structure is completed. (Ord. 26029; 27107)

### **304.8 Required mechanical inspections.**

**304.8.1 Rough and duct.** To be made before work is concealed from view by a permanent portion of the structure or by burial and before ducts are insulated. (Ord. 26029; 27107)

**304.8.2 Final.** To be made after structure is completed. (Ord. 26029; 27107)

### **304.9 Required irrigation inspections.**

**304.9.1 Rough.** To be made by reviewing irrigation designs and inspecting prior to the concealment of irrigation piping, control valves, and wiring. (Ord. 27107)

**304.9.2 Final.** To be made after structure is completed. To pass final inspection, all zones of the system must comply with the submitted irrigation design and must comply with current code and local and state water conservation requirements. Building inspection must also be provided with a receipt of the required test report for the installed backflow prevention device. (Ord. 27107)

**304.10 Other inspections.** In addition to the called inspections specified in this section, the building official may make or require any other inspection of any construction work to ascertain compliance with the codes and other applicable city ordinances. (Ord. 26029; 27107)

**304.11 Reinspection.** For the purpose of determining compliance with Section 104.6, the building official may cause any structure to be reinspected. (Ord. 26029; 27107)

**304.12 Periodic inspections.** Where the concealment of work proceeds continuously, the building official shall schedule periodic inspections. (Ord. 26029; 27107)

## **SECTION 305 SPECIAL INSPECTIONS**

**305.1 General.** Refer to Section 1704 of the *Dallas Building Code*, as amended. (Ord. 26029)

## **SECTION 306 CERTIFICATE OF OCCUPANCY**

**306.1 Use or occupancy.** No structure or land shall be used or occupied, no change in the existing occupancy classification, zoning use, or the tenant or occupant of a structure or portion of a structure shall be made, and no floor area increases or decreases of any existing tenancy area of a structure shall be used or occupied, until the building official has issued a certificate of occupancy and a fee has been paid as required in Section 303 of this chapter.

**Exception:** No certificate of occupancy is required for single family uses, handicapped group dwelling unit uses, duplex uses, U occupancies accessory to single-family or duplex uses, and tenant changes to individual dwelling units in Group R, Division 2 apartment houses. (Ord. 26029; 26579; 27107)

**306.2 Change in use or occupancy.** A change in the character, use, or occupancy of a building shall not be made except as specified in Chapter 34 of the *Dallas Building Code*. (Ord. 26029; 26579)

### **306.3 Application for a certificate of occupancy.**

**306.3.1 Application requirements.** A person seeking a certificate of occupancy shall submit an application to the building official on a form approved by the building official. The application must include the following information:

1. The name and address of the use or occupancy.
2. The name, address, and telephone number of the owner of the structure and land.
3. The name, address, and telephone number of the operator of the use or occupancy.
4. A description of the use or occupancy that will be operated.
5. Any other information, plans, diagrams, computations, specifications, or other data or supporting documents the building official deems necessary, including an affidavit containing a detailed description of the use or occupancy that will be operated, the goods or services offered or produced, the hours of operation, and whether a city, county, state, or federal license, permit, or registration is required to operate the use or occupancy. (Ord. 26579)

**306.3.2 Establishment selling or serving alcoholic beverages.** Any person applying for a certificate of occupancy for an establishment that will sell or serve alcoholic beverages as defined in the *Texas Alcoholic Beverage Code* shall file an affidavit with the building official stating whether the establishment that will derive less than 50 percent, 50 percent or more, or 75 percent or more of its gross quarterly (three-month) revenue from the sale or service of alcoholic beverages for on-premise consumption. Any person owning or operating an establishment that sells or serves alcoholic beverages shall, upon request, supply the building official, within 30 days of the date of the request, with all records needed to document the percentage of gross revenue on a quarterly (three-month) basis derived from the sale or service of alcoholic beverages, including all sales tax returns for the period filed with the Texas Comptroller of Public Accounts and all applications for a permit or license for the period filed with the Texas Alcoholic Beverage Commission. The building official may grant one extension of time for a period not to exceed 30 days upon good cause shown. (Ord. 26579)

### **306.4 Expiration of application.**

**306.4.1 Application submitted in conjunction with an application for a construction permit.** An application for a certificate of occupancy that is submitted in conjunction with an application for a construction permit shall expire and be void *ab initio* if:

1. no action is taken by the applicant before the 30<sup>th</sup> day after the building official gives the applicant written notice that additional information, plans, diagrams, computations, specifications, or other data or supporting documents are necessary for



issuance of the certificate of occupancy;

2. the application for the construction permit expires; or
3. the construction permit is issued but later expires or is revoked. (Ord. 26029; 26579)

**306.4.2 Application not submitted in conjunction with an application for a construction permit.** An application for a certificate of occupancy that is not submitted in conjunction with an application for a construction permit shall expire and be void *ab initio* if:

1. no inspection is requested by the applicant before the 120<sup>th</sup> day after the date of its filing unless one or more extensions are granted under Subsection 306.4.3, in which case the application shall be void *ab initio* if no inspection is requested by the applicant during the extended time period(s);
2. no action is taken by the applicant before the 30<sup>th</sup> day after the building official gives the applicant written notice that additional information, plans, diagrams, computations, specifications, or other data or supporting documents are necessary for issuance of the certificate of occupancy; or
3. no action is taken by the applicant before the 30<sup>th</sup> day after the building official gives the applicant written notice that corrections and a reinspection are necessary for issuance of the certificate of occupancy. (Ord. 26029; 26579)

**306.4.3 Extensions of time.** The building official may grant one or more extensions of time for periods not exceeding 120 days each for justifiable cause. If a request for extension is made by the applicant or the applicant's agent, the request must be in writing and made within the time period sought to be extended. (Ord. 26029; 26579)

**306.5 Denial.** The building official shall deny an application for a certificate of occupancy if the building official determines:

1. The certificate of occupancy requested does not comply with the codes, the *Dallas Development Code*, other city ordinances, rules, or regulations, or any county, state, or federal laws or regulations;
2. The information, plans, diagrams, computations, specifications, or other data or supporting documents submitted with the application clearly show that the use or occupancy will be operated in violation of the codes, the *Dallas Development Code*, other city ordinances, rules, or regulations, or any county, state, or federal laws or regulations;
3. The application contains false, incomplete, or incorrect information and the applicant has failed to correct or supplement the false, incomplete, or incorrect information within a reasonable time after the building official requests that the information be corrected or supplemented; or

4. The applicant does not possess a required city, county, state, or federal license, permit, or registration to operate the use or occupancy. (Ord. 26579)

**306.6 Issuance.** Unless the application for the certificate of occupancy has expired under Section 306.4 or has been denied under Section 306.5, the building official shall issue a certificate of occupancy after a complete application has been filed, a true and correct copy of any required city, county, state, or federal license, permit, or registration to operate has been provided to the building official, and every necessary inspection has been made to determine compliance with the codes, the *Dallas Development Code*, other city ordinances, rules, or regulations, or any county, state, or federal laws or regulations. (Ord. 26029; 26579)

**306.7 Certificate of occupancy.** A certificate of occupancy must contain the following information:

1. The address of the structure or land.
2. The name and address of the owner of the structure and land.
3. The name and address of the operator of the use or occupancy.
4. The use and occupancy, in accordance with the provisions of the *Dallas Building Code* or the *Dallas Existing Building Code*, whichever applies, and the *Dallas Development Code*.
5. The certificate of occupancy number.
6. The zoning district where the structure of land is located.
7. Identification of any required city, county, state, or federal license, permit, or registration to operate the use or occupancy. (Ord. 26029; 26579)

**306.8 Partial certificate of occupancy.** A partial certificate of occupancy may be issued by the building official for the use or occupancy of a portion of a structure prior to the completion of the entire structure. (Ord. 26029; 26579)

**306.9 Temporary certificate of occupancy.** A temporary certificate of occupancy may be issued by the building official for the temporary use or occupancy of a portion of a structure. The building official shall set a time period during which the temporary certificate of occupancy is valid. When the temporary certificate of occupancy expires, the holder must obtain a certificate of occupancy authorizing the use or occupancy or cease the use or occupancy. The building official may grant one or more extensions of the temporary certificate of occupancy for periods not to exceed 30 days. If a request for extension is made by the applicant or the applicant's agent, the request must be in writing and made within the time period sought to be extended. (Ord. 26029; 26579)

**306.10 Posting.** The certificate of occupancy shall be posted in a conspicuous place in the premises and shall not be removed except by the building official. (Ord. 26029; 26579)

**306.11 Validity.** The issuance of a certificate of occupancy does not grant any vested right or give authority to violate any provision of the codes, the *Dallas Development Code*, other city ordinances, rules, or regulations, or any county, state, or federal laws or regulations. Any certificate of occupancy presuming to give authority to violate any provision of the codes, the *Dallas Development Code*, other city ordinances, rules, or regulations, or any county, state, or federal laws or regulations shall be void *ab initio*. The issuance of a certificate of occupancy shall not prevent the building official from later requiring the correction of errors in any information, plans, diagrams, computations, specifications, or other data or supporting documents, or from preventing a use or occupancy in violation of the codes, the *Dallas Development Code*, other city ordinances, rules, or regulations, or any county, state, or federal laws or regulations. (Ord. 26029; 26579)

**306.12 Voiding of certificate of occupancy.**

**306.12.1 Void *ab initio*.** A certificate of occupancy shall be void *ab initio* if the use or occupancy authorized by that certificate of occupancy is not commenced before the 120<sup>th</sup> day after the date of its issuance unless one or more extensions are granted under Subsection 306.12.2, in which case the certificate of occupancy shall be void *ab initio* if the use or occupancy is not commenced during the extended time period(s). (Ord. 26029; 26579)

**306.12.2 Extensions of time.** The building official may grant one or more extensions of time for periods not exceeding 120 days each if the building official finds that circumstances beyond the control of the holder of the certificate of occupancy have prevented the use or occupancy from being commenced. If a request for extension is made by the applicant or the applicant's agent, the request must be in writing and made within the time period sought to be extended. (Ord. 26029; 26579)

**306.12.3 Void.** A certificate of occupancy shall be void if:

1. A specific use permit required by the *Dallas Development Code* to operate the use or occupancy expires; or
2. A compliance date for the use or occupancy set by ordinance or the board of adjustment in accordance with the *Dallas Development Code* has passed. (Ord. 26579)

**306.13 Revocation of certificate of occupancy.** The building official shall revoke a certificate of occupancy if the building official determines that:

1. the certificate of occupancy is issued in error;
2. the certificate of occupancy is issued on the basis of false, incomplete, or incorrect information supplied;

3. a use or occupancy is being operated in a manner that is a substantial danger of injury or an adverse health impact to any person or property and is in violation of the codes, the *Dallas Development Code*, other city ordinances, rules, or regulations, or any county, state, or federal laws or regulations;
4. the structure or portion of the structure is a substantial danger of injury or an adverse health impact to any person or property and is in violation of the codes, the *Dallas Development Code*, other city ordinances, rules, or regulations, or any county, state, or federal laws or regulations;
5. a required city, county, state, or federal license, permit, or registration to operate the use or occupancy has not been issued, has been revoked, or has expired;
6. the holder of the certificate of occupancy has refused, upon request, to supply the building official with records needed to document the percentage of gross revenue on a quarterly (three-month) basis derived from the sale or service of alcoholic beverages within the required time period; or
7. the use or occupancy authorized by the certificate of occupancy has been discontinued for six months or more. (Ord. 26029; 26579)

**306.14 Written notice.** Written notice of any action taken or determination made by the building official under this section must be given to the owner of the structure and land and to the operator of the use or occupancy at the address shown on the certificate of occupancy by certified mail with a five-day return receipt requested or by hand-delivery. Except when a compliance date has been set in accordance with the *Dallas Development Code*, the notice must state that the action taken or determination made by the building official is final unless appealed. The fact that the notice is returned undelivered or that the return receipt is not signed by the addressee shall not affect the validity of the notice. (Ord. 26579)

**306.15 Appeal of actions and determinations.** Any action taken or determination made by the building official under this section shall be final unless appealed as follows:

1. If the action taken or determination made was pursuant to the codes, an appeal must be made to the building inspection advisory, examining, and appeals board in accordance with Section 208 before the 15<sup>th</sup> day after written notice of the action taken or determination made is given in accordance with Section 306.14; or
2. Except as provided in Paragraph 3, if the action taken or determination made was pursuant to the *Dallas Development Code*, an appeal must be made to the board of adjustment in accordance with the *Dallas Development Code*.
- 3.

4. A certificate of occupancy that is void because a compliance date for the use or occupancy set by ordinance or the board of adjustment in accordance with the *Dallas Development Code* has passed may not be appealed under this subsection. (Ord. 26029; 26579)

**306.16 Stay pending appeal.** An appeal of an action taken or determination made by the building official under this section stays all proceedings in furtherance of the action taken or determination made that is appealed unless the building official certifies in writing to the appropriate board facts supporting the building official's opinion that a stay would cause imminent peril to life or property. Then, the proceedings may be stayed only by a restraining order granted by the district court, after notice to the building official, if due cause is shown. (Ord. 26579)

## **SECTION 307 CERTIFICATE OF APPROVAL**

**307.1 General.** If the work does not require the issuance of a certificate of occupancy, and the inspector finds the electrical installation to be in conformity with the *Dallas Electrical Code*, the inspector shall, if requested, issue to the person making the installation a certificate of approval, with a copy transmitted to the owner and the agency supplying electricity, authorizing the use of the installation and connection to the electricity supply. (Ord. 26029)

**307.2 Electrical code compliance.** Whether an electrical installation complies with the *Dallas Electrical Code* shall be determined by the chief electrical code administrator. (Ord. 26029)

## **SECTION 308 INTERFERENCE WITH EXISTING ELECTRICAL INSTALLATIONS**

**308.1 General.** An unauthorized person shall not change or alter electrical equipment in or on any structure. If in the course of the erection of a structure, electrical equipment is in such a position as to interfere with the erection or completion of the structure, notice must be immediately given to the owner or authorized person installing the electrical equipment, and the needed change must be made by the authorized person or firm. (Ord. 26029)

## **SECTION 309 CONNECTION TO ELECTRICAL SERVICE**

**309.1 General.** A person commits an offense if he makes connection to a supply of electricity, or supplies electricity to any electrical equipment for which a permit is required or that has been disconnected, unless approval has been issued by the building official authorizing the connection and use of the equipment. (Ord. 26029)

## **SECTION 310 BACKFLOW PREVENTION; INSPECTION AND FEES**

**310.1 Definitions.** In this section:

**BACKFLOW PREVENTION DEVICE** means a device or method to prevent backflow into the potable water system.

**BACKFLOW PREVENTION TESTER** means any person engaged in testing backflow prevention devices within the city.

**HIGH HEALTH HAZARD** means a cross-connection, potential cross-connection, or other situation involving any substance that could cause death, illness, or spread of disease, or that has a high probability of causing such effects if introduced into the potable drinking water supply, as determined by the Texas Commission on Environmental Quality. (Ord. 26029)

**310.2 Backflow prevention device installed before October 1, 2000.** A backflow prevention device installed before October 1, 2000 must satisfy the following requirements:

1. The inspection and testing of any backflow prevention device installed pursuant to Section 1003 of the *Dallas Plumbing Code* and Section 290.44(h) of Title 30, *Texas Administrative Code* will be administered by the water utilities department in accordance with Section 49-29 of the *Dallas City Code*.
2. The owner or person in control of premises on which the backflow prevention device is located shall pay a fee to the water utilities department for the inspection and testing in accordance with Section 49-18.6(d) of the *Dallas City Code*. (Ord. 26029)

**310.3 Backflow prevention device installed on or after October 1, 2000.** A backflow prevention device installed on or after October 1, 2000 must satisfy the following requirements:

1. The inspection and testing of any backflow prevention device must be in accordance with this section, Section 1003 of the *Dallas Plumbing Code*, and Section 290.44(h) of Title 30, *Texas Administrative Code*.
2. The owner or person in control of premises on which a backflow prevention device is located shall ensure that:
  - 2.1. all backflow prevention devices are tested upon installation by a registered backflow prevention tester and certified to be operating within specifications; and
  - 2.2. all backflow prevention devices that are installed to provide protection against high health hazards are at least annually tested by a registered backflow prevention tester and certified to be operating within specifications.
3. The owner or person in control of premises on which a backflow prevention device is located, or the person's agent, shall submit the certified test results for each backflow prevention device, along with the filing fee prescribed in Section 303.5.15 of this chapter, to the building inspection division for processing.

4. A backflow prevention tester must hold current certification from the Texas Commission on Environmental Quality and register with the city as a backflow prevention tester in accordance with Subchapter 8 of this chapter. (Ord. 26029)

## **SECTION 311 PROJECT; EXPIRATION OF PROJECT**

**311.1 Definition.** In this section:

**PROJECT** means an endeavor for which one or more permits are required to initiate, continue, or complete. (Ord. 26170)

**311.2 Expiration of project.** A project will expire and be void *ab initio* on the fifth anniversary of the date the first permit application was filed for the project if no progress has been made toward completion of the project. (Ord. 26170)

**311.3 Progress toward completion of project.** Progress toward the completion of a project includes any one of the following:

1. An application for a final plat is submitted.
2. A good-faith attempt is made to file an application for a permit necessary to begin or continue towards completion of the project.
3. Costs have been incurred for developing the project including, without limitation, costs associated with roadway, utility, and other infrastructure facilities designed to serve, in whole or in part, the project (but exclusive of land acquisition) in the aggregate amount of five percent of the most recent appraised market value of the real property on which the project is located.
4. Fiscal security is posted with the city to ensure performance of an obligation required by the city.
5. Utility connection fees or impact fees for the project have been paid to the city. (Ord. 26170)

**SUBCHAPTER 4  
REGISTRATION OF PLUMBING CONTRACTORS**

**SECTION 401  
DEFINITIONS**

**401.1 Definitions.** In this subchapter:

**PLUMBING CONTRACTOR** means any person engaged in plumbing work within the city.

**PLUMBING WORK** means the installation, construction, maintenance, servicing, repair, or modification of:

1. Plumbing as defined by the Texas Plumbing License Law, as amended;
2. A water treatment facility as defined by the Texas Plumbing License Law, as amended;
3. An irrigation system as defined by Article 8751 of Vernon's Texas Civil Statutes, as amended; or
4. An LPG system as defined by the *Texas Liquefied Petroleum Gas Code*, as amended.

**RESPONSIBLE MASTER** means a person licensed as a master plumber under the Texas Plumbing License Law, as amended, who allows his or her master license to be used by a company for the purpose of performing plumbing work and obtaining the required plumbing permits. The responsible master, by allowing his or her master license to be used in this manner, assumes responsibility for all plumbing work performed. A responsible master may allow his or her master license to be used by only one plumbing company. (Ord. 26029)

**SECTION 402  
REGISTRATION REQUIRED**

**402.1 General.** A person who is not registered by the city as a plumbing contractor may not obtain any permit required by this chapter for plumbing work. Plumbing work by a plumbing contractor is limited to the type and scope of work authorized by the state license held by the contractor or the contractor's responsible master. (Ord. 26029)

**402.2 Fraud prohibited.** No person may represent that the person is a registered plumbing contractor within the city, unless the person, in fact, holds a valid certificate of registration issued in accordance with this subchapter. (Ord. 26029)



**SECTION 403**  
**APPLICATION FOR REGISTRATION OF PLUMBING CONTRACTORS**

**403.1 General.** To register with the city to perform plumbing work described in the codes, a plumbing contractor shall apply in person to the building inspection division in writing on forms furnished for that purpose. The application must include:

1. The applicant's name, address, and telephone number;
2. Any other information that may reasonably be required to properly identify the applicant;
3. The name of the responsible master for the applicant's contracting business; and
4. Proof of submission of a certificate of insurance complying with the Texas Plumbing License Law, as amended. (Ord. Nos. 26029; 27107; 28096)

**403.2 Established place of business.** Each applicant for registration shall maintain an established place of business at a permanent location. If the established place of business is within the city, a certificate of occupancy must be secured as required in the *Dallas Development Code*. (Ord. 26029)

**SECTION 404**  
**LICENSED SUPERVISION**

**404.1 Supervision required.** Plumbing work for which a permit is required by this chapter must be supervised by a responsible master. (Ord. 26029)

**404.2 Employment of responsible master.** The owner of a plumbing contracting business who is not licensed to do plumbing work under state law shall continuously employ a responsible master. (Ord. 26029)

**404.3 Designation of responsible master.** The owner of a plumbing contracting business shall designate to the chief plumbing code inspector a responsible master to supervise the plumbing work done by the contractor. The designated person may be the responsible master for only one contractor within the city at any one time. (Ord. 26029)

**404.4 Discontinuation of work.** Should supervision not be continuously provided, the building official may order the work being done by a plumbing contractor to be discontinued until proper supervision and control have been provided and the name of a new responsible master has been submitted to the building inspection division. (Ord. 26029)

**SECTION 405  
SUSPENSION; REVOCATION**

**405.1 Suspension or revocation.** The building official shall suspend or revoke a certificate of registration if the building official finds the contractor or the contractor's authorized agent:

1. Obtains a certificate of registration or permit by the use of fraud or deceit;
2. Intentionally violates a provision of this chapter; or
3. Exhibits incompetency or commits gross negligence or misconduct in the performance of construction work within the city.

**405.2 Appeal.** The contractor may appeal the decision of the building official to the advisory, examining, and appeals board. (Ord. Nos. 26029; 27884; 28096)

**SECTION 406  
EXPIRATION; RENEWAL**

**406.1 Expiration.** A certificate of registration for a contractor holding a state license and a certificate of insurance will expire upon the expiration or termination of the state license or the certificate of insurance, whichever occurs first. (Ord. 26029)

**406.2 Renewal.** A certificate of registration may be renewed by application to the building inspection division in accordance with Section 402 of this subchapter. (Ord. 26029)

**SECTION 407  
ADVERTISEMENT**

**407.1 State license number required.** All advertising by a plumbing contractor that is designed to solicit business must include the state license number of the responsible master for the plumbing contracting business. Advertising that requires the state license number includes printed material, radio ads, television ads, newspaper ads, yellow pages, business cards, solicitations, proposals, quotations, invoices, and other items for the purpose of attracting business. (Ord. 26029)

**407.2 State license number not required.** A state license or certificate number is not required on:

1. A yellow pages listing that does not contain any information except the name, address, and telephone number of the plumbing contractor;
2. Letterhead or a printed form that is not used to solicit business; and

3. Any promotional item of value, such as a ball cap, tee shirt, pen, pencil, or other gift item. (Ord. 26029)

### **SECTION 408 VEHICLE IDENTIFICATION REQUIRED**

**408.1 General.** Each plumbing contractor shall display on both sides of all trucks used in the plumbing contracting business the company name and the state license number of the responsible master for the business in letters and numbers not less than two inches high and in a color sufficiently different from the body of the vehicle so that the letters and numbers are plainly legible at a distance of not less than 100 feet. (Ord. 26029)

### **SECTION 409 EXEMPTION**

**409.1 General.** This subchapter does not apply to a person who:

1. Performs plumbing work on premises owned and occupied solely as the person's homestead; or
2. Is not required to be licensed under state law for the type and scope of plumbing work the person is performing. (Ord. 26029)

**409.2 Permits for limited plumbing work.** Notwithstanding Section 402.1 of this subchapter, a person exempted from registration under this section may obtain permits for limited plumbing work that the person is authorized to perform under state law. (Ord. 26029)

**SUBCHAPTER 4-a  
REGISTRATION OF PLUMBING CONTRACTORS FOR  
MEDICAL GAS AND VACUUM SYSTEMS**

**SECTION 410  
DEFINITIONS**

**410.1 Definitions.** In this subchapter:

**MEDICAL GAS AND VACUUM CONTRACTOR** means any person engaged in medical gas and vacuum work within the city.

**MEDICAL GAS AND VACUUM WORK** means the installation, construction, maintenance, servicing, repair, or modification of medical gas and vacuum systems as defined by the Texas Plumbing License Law, as amended.

**RESPONSIBLE MASTER WITH A MEDICAL GAS ENDORSEMENT** means a person licensed as a master plumber with a medical gas endorsement under the Texas Plumbing License Law, as amended, who allows his or her master license and endorsement to be used by a company for the purpose of performing medical gas and vacuum work and obtaining the required medical gas and vacuum permits. The responsible master, by allowing his or her master license and endorsement to be used in this manner, assumes responsibility for all medical gas and vacuum work performed. The responsible master may allow his or her master license and endorsement to be used by only one plumbing company. (Ord. 26029)

**SECTION 411  
REGISTRATION REQUIRED**

**411.1 General.** A person who is not registered by the city as a plumbing contractor with a medical gas endorsement may not obtain any permit required by this chapter for medical gas and vacuum work. Medical gas and vacuum work by a plumbing contractor with a medical gas endorsement is limited to the type and scope of work authorized by the state license held by the contractor or the contractor's responsible master. (Ord. 26029)

**411.2 Fraud prohibited.** No person may represent that the person is a registered plumbing contractor with a medical gas endorsement within the city, unless the person, in fact, holds a valid certificate of registration issued in accordance with this subchapter. (Ord. 26029)

**SECTION 412  
APPLICATION FOR REGISTRATION OF PLUMBING CONTRACTORS**

**412.1 General.** To register with the city to perform medical gas and vacuum work described in the codes, a plumbing contractor for medical gas and vacuum systems shall apply in person to the building inspection division in writing on forms furnished for that purpose. The application must contain:

1. The applicant's name, address, and telephone number;
2. Any other information that may reasonably be required to properly identify the applicant;
3. The name of the responsible master for the applicant's contracting business; and
4. Proof of submission of a certificate of insurance complying with the Texas Plumbing License Law, as amended. (Ord. Nos. 26029; 27107; 28096)

**412.2 Established place of business.** Each applicant for registration shall maintain an established place of business at a permanent location. If the established place of business is within the city, a certificate of occupancy must be secured as required in the *Dallas Development Code*. (Ord. 26029)

### **SECTION 413 LICENSED SUPERVISION**

**413.1 Supervision required.** Medical gas and vacuum work for which a permit is required by this chapter must be supervised by a responsible master with a medical gas endorsement. (Ord. 26029)

**413.2 Employment of responsible master.** The owner of a plumbing contracting business who is not licensed to do medical gas and vacuum work under state law shall continuously employ a responsible master with a medical gas endorsement. (Ord. 26029)

**413.3 Designation of responsible master.** The owner of a plumbing contracting business performing medical gas and vacuum work within the city shall designate to the chief plumbing inspector a responsible master with a medical gas endorsement to supervise the medical gas and vacuum work done by the contractor. The designated person may be the responsible master for only one contractor within the city at any one time. (Ord. 26029)

**413.4 Discontinuation of work.** Should supervision not be continuously provided, the building official may order the medical gas and vacuum work being done by a plumbing contractor to be discontinued until proper supervision and control have been provided and the name of a new responsible master with a medical gas endorsement has been submitted to the building inspection division. (Ord. 26029)

### **SECTION 414 Reserved. (Ord. 26029, 27884)**

**SECTION 415  
EXPIRATION; RENEWAL**

**415.1 Expiration.** A certificate of registration for a contractor holding a state license with a medical gas endorsement and a certificate of insurance will expire upon the expiration or termination of the state license, the medical gas endorsement, or the certificate of insurance, whichever occurs first. (Ord. 26029)

**415.2 Renewal.** A certificate of registration may be renewed by application to the building inspection division in accordance with Section 412 of this subchapter. (Ord. 26029)

**SECTION 416  
ADVERTISEMENT**

**416.1 State license number required.** All advertising by a plumbing contractor who performs medical gas and vacuum work that is designed to solicit business must include the state license number of the responsible master with a medical gas endorsement for the plumbing contracting business. Advertising that requires the state license number includes printed material, radio ads, television ads, newspaper ads, yellow pages, business cards, solicitations, proposals, quotations, invoices, and other items for the purpose of attracting business. (Ord. 26029)

**416.2 State license number not required.** A state license number is not required on:

1. A yellow pages listing that does not contain any information except the name, address, and telephone number of the plumbing contractor;
2. Letterhead or a printed form that is not used to solicit business; and
3. Any promotional item of value, such as a ball cap, tee shirt, pen, pencil, or other gift item. (Ord. 26029)

**SECTION 417  
VEHICLE IDENTIFICATION REQUIRED**

**417.1 General.** Each plumbing contractor shall display on both sides of all trucks used in the plumbing contracting business the company name and the state license number of the responsible master for the business in letters and numbers not less than two inches high and in a color sufficiently different from the body of the vehicle so that the letters and numbers are plainly legible at a distance of not less than 100 feet. (Ord. 26029)

**SECTION 418**  
**SUSPENSION; REVOCATION**

**418.1 Suspension or revocation.** The building official shall suspend or revoke a certificate of registration if the building official finds the contractor or the contractor's authorized agent:

1. Obtains a certificate of registration or permit by the use of fraud or deceit;
2. Intentionally violates a provision of this chapter; or
3. Exhibits incompetency or commits gross negligence or misconduct in the performance of construction work within the city. (Ord. 28096)

**418.2 Appeal.** The contractor may appeal the decision of the building official to the advisory, examining, and appeals board. (Ord. 28096)

**SUBCHAPTER 5  
REGISTRATION OF MECHANICAL CONTRACTORS**

**SECTION 501  
MECHANICAL CONTRACTOR DEFINED**

**501.1 Definition.** In this subchapter:

**MECHANICAL CONTRACTOR** means a person engaged in the business of installing, constructing, maintaining, servicing, repairing, or modifying heating, ventilating, air-conditioning, or refrigerating equipment or incinerators or other heat-producing equipment. (Ord. 26029)

**SECTION 502  
REGISTRATION REQUIRED**

**502.1 General.** A person who is not registered by the city as a mechanical contractor may not obtain any permit required by this chapter for mechanical work. (Ord. 26029)

**502.2 Fraud prohibited.** No person may represent that the person is a registered mechanical contractor within the city unless the person, in fact, holds a valid certificate of registration issued in accordance with this subchapter. (Ord. 26029)

**SECTION 503  
APPLICATION FOR REGISTRATION**

**503.1 General.** To register with the city to perform mechanical work described in the codes, a mechanical contractor shall apply in person to the building inspection division in writing on forms furnished for that purpose. The application must include:

1. The applicant's name, local address, and telephone number;
2. Any other information that may reasonably be required to properly identify the applicant;
3. The name of the licensed air-conditioning or refrigeration contractor for the applicant's mechanical contracting business; and
4. Proof of submission of a certificate of insurance complying with the Texas Air Conditioning and Refrigeration Contractor License Law, as amended. (Ord. Nos. 26029; 27107; 28096)



**503.2 Established place of business.** Each applicant for registration shall maintain an established place of business at a permanent location. If the established place of business is within the city, a certificate of occupancy must be secured as required in the *Dallas Development Code*. (Ord. 26029)

## **SECTION 504 LICENSED SUPERVISION**

**504.1 Supervision required.** The installing, maintaining, altering, or repairing of mechanical work for which a permit is required by this chapter must be supervised by a licensed air-conditioning or refrigeration contractor as provided by the Texas Air Conditioning and Refrigeration Contractor License Law, as amended. The owner of a mechanical contracting business who is not a licensed air-conditioning or refrigeration contractor, whichever is appropriate, shall continuously employ a licensed air-conditioning or refrigeration contractor. (Ord. 26029)

**504.2 Designation of contractor.** The owner of a mechanical contracting business shall designate a licensed air-conditioning or refrigeration contractor, whichever is appropriate, to the chief mechanical code administrator as the person responsible for, and supervising, the mechanical work done by the mechanical contractor. A designated air-conditioning or refrigeration contractor may be the supervisor of only one mechanical contractor within the city at any one time. (Ord. 26029)

**504.3 Discontinuation of work.** Should supervision not be continuously provided by the licensed air-conditioning or refrigeration contractor, the building official may order the work being done by a mechanical contractor to be discontinued until proper supervision and control has been provided and the name of a new licensed air-conditioning or refrigeration contractor, whichever is appropriate, has been submitted to the building inspection division. (Ord. 26029)

## **SECTION 505 FEES**

**505.1 General.** The following nonrefundable fees shall be charged for each certificate of registration issued under the provisions of this subchapter:

1. The registration fee is \$120.00.
2. The fee for each revision to a certificate of registration is \$30.00. (Ord. Nos. 26029; 28096)

**SECTION 506  
EXPIRATION; RENEWAL**

**506.1 Expiration if not licensed under the Texas Air Conditioning and Refrigeration License Law.** A certificate of registration for a contractor not licensed under the Texas Air Conditioning and Refrigeration Contractor License Law, as amended, will expire at midnight one year from the date of issuance. (Ord. 26029)

**506.2 Expiration if licensed under the Texas Air Conditioning and Refrigeration License Law.** A certificate of registration for a contractor licensed under the Texas Air Conditioning and Refrigeration Contractor License Law, as amended, will expire upon the expiration date of the state license. (Ord. 26029)

**506.3 Renewal.** A certificate of registration may be renewed by application to the building inspection division in accordance with Section 503 of this subchapter. (Ord. 26029)

**SECTION 507  
EXEMPTIONS**

**507.1 General.** This subchapter does not apply to a person who:

1. Performs mechanical work on premises owned and occupied solely as the person's homestead; or
2. Is exempt from the state licensing requirements of the Texas Air Conditioning and Refrigeration Contractor License Law, as amended. (Ord. 26029)

**507.2 Permits for limited mechanical work.** Notwithstanding Section 502.1, a person exempted from registration under this section may obtain permits for limited mechanical work that the person is authorized to perform under state law. (Ord. 26029)

**SECTION 508  
VEHICLE IDENTIFICATION REQUIRED**

**508.1 General.** Each mechanical contractor shall display on both sides of all trucks used in the mechanical contracting business the company name and the state license number of the responsible person for the business in letters and numbers not less than two inches high and in a color sufficiently different from the body of the vehicle so that the letters and numbers are plainly legible at a distance of not less than 100 feet. (Ord. 26029)

**SECTION 509**  
**SUSPENSION; REVOCATION**

**509.1 Suspension or revocation.** The building official shall suspend or revoke a certificate of registration if the building official finds the contractor or the contractor's authorized agent:

1. Obtains a certificate of registration or permit by the use of fraud or deceit;
2. Intentionally violates a provision of this chapter; or
3. Exhibits incompetency or commits gross negligence or misconduct in the performance of construction work within the city. (Ord. 28096)

**509.2 Appeal.** The contractor may appeal the decision of the building official to the advisory, examining, and appeals board. (Ord. 28096)

**SUBCHAPTER 6  
CONSTRUCTION SITE MANAGEMENT**

**SECTION 601  
GENERAL**

**601.1 General.** The provisions of this subchapter apply to every construction activity within the city whether or not a permit is required to perform the construction activity. (Ord. 26029)

**601.2 Definitions.** In this subchapter:

**CONSTRUCTION** means any activity involving:

1. construction, demolition, erection, alteration, or repair of any structure or any portion of or appurtenance to a structure; or
2. excavation, paving, or grading on a property.

**CONTRACTOR** means the person so listed on a permit issued by the building official. When more than one contractor has a permit or is performing construction work on the same project, the provisions of this subchapter apply to the general or prime contractor listed on the building permit. "Contractor" also means the owner of any property on which construction work is being conducted when the construction work either does not require a permit or is being done without a required permit. (Ord. 26029)

**601.3 Other requirements.** A person doing construction within the city shall comply with every restriction, requirement, and condition of the permit, this chapter, the codes, any other applicable city ordinance, and any applicable state or federal law or regulation. (Ord. 26029)

**SECTION 602  
CONSTRUCTION INFORMATION SIGNS**

**602.1 General.** A construction information sign is a required legal notice intended to inform city personnel and the public of each construction site address, what is being constructed, who is responsible for the construction, and where a citizen may call for additional information. A construction information sign required by this section shall be authorized by the sign regulations of the *Dallas Development Code* as a government sign. (Ord. 26029)

**602.2 Signs required.**

**602.2.1 General.** A contractor shall erect and maintain construction information signs, in compliance with regulations promulgated by the building official pursuant to Section 602.4, as a condition of being issued a building permit authorizing one or more of the following construction activities:

1. Construction or erection of a new structure or an addition to an existing structure, including any accessory structure for which a permit is required.
2. Remodeling, alteration, renovation, repair, or finish out of any structure when the value of the work is \$10,000 or more.
3. Demolition of any structure. (Ord. 26029)

**602.2.2 Erection and maintenance of signs.** Each sign must be erected before beginning work and must be maintained until a certificate of occupancy is issued or the final construction inspection is approved. Failure to erect or maintain a required sign is cause for the building official to suspend the permit and stop construction work until the violation is corrected. (Ord. 26029)

### **602.3 Sign content.**

**602.3.1 Required information.** Each construction information sign shall contain the following information:

1. The construction project name, if any.
2. The official city-assigned street address, including any suite number, as it appears on the building permit.
3. The general contractor's name and local telephone number.
4. The words "City of Dallas Construction Information" and the city's construction information telephone number. (Ord. 26029)

**602.3.2 Optional information.** Optional information may be added to the sign when limited to a noncommercial message relating to what is being constructed on the site and the names of the owner, developer, architect, engineer, and any other contractor doing the construction. (Ord. 26029)

**602.4 Sign standards.** The building official shall establish written standards and regulations, not inconsistent with this chapter, the codes, or the sign regulations of the *Dallas Development Code*, relating to the design, layout, size, number, and location of a construction information sign. A contractor shall comply with these standards and regulations established by the building official. (Ord. 26029)

**SECTION 603**  
**PRECONSTRUCTION MEETINGS; SPECIAL CONDITIONS**

**603.1 Preconstruction meetings.** The building official shall call and conduct a preconstruction meeting for any construction project the building official determines may have unusual public impact due to the location, size, density, duration, or nature of the proposed construction. Representatives of the general contractor, major subcontractors, and appropriate city departments shall attend the meetings when requested by the building official. (Ord. 26029)

**603.2 Special conditions.** At a preconstruction meeting, the building official may establish special conditions or restrictions relating to the use and protection of public property during construction. These conditions must be in writing and attached to and made a part of the building permit. Failure to comply with a special condition during construction is cause for the building official to suspend the permit and stop construction work until the violation is corrected. (Ord. 26029)

**SECTION 604**  
**PROTECTION OF PUBLIC PROPERTY**

**604.1 General.** A contractor shall take all reasonable precautions to prevent a construction activity from blocking or damaging public property. (Ord. 26029)

**604.2 Repair and replacement.** A contractor shall, at the contractor's expense, repair or replace any street, sidewalk, alley, curb, gutter, drainage structure, boulevard landscaping, utility, or other public improvement damaged during construction, to equal or better condition than that prior to the start of construction, unless the contractor agrees to pay the city's costs of making the repairs and replacements. (Ord. 26029)

**604.3 Violations.** Failure to make a repair or replacement or failure to pay the city's costs of making a repair or replacement, after notice by the city, is cause for the building official to withhold issuance of a certificate of occupancy or, if in the opinion of the building official there is a significant and immediate public hazard, to suspend the permit and stop construction work until each repair and replacement is satisfactorily completed. (Ord. 26029)

**SECTION 605**  
**CONSTRUCTION TRUCK TRAFFIC**

**605.1 General.** A contractor shall limit and regulate construction truck traffic to, from, and around the construction site in accordance with regulations established by the director of transportation relating to the following:

1. Truck routes to and from the nearest major thoroughfare.
2. Truck ingress, egress, and on-street loading and unloading locations.

3. Truck parking or staging locations, including restrictions on the number of vehicles authorized at any given time of day.
4. Special restrictions based on vehicle weight, vehicle length, street width, and general traffic requirements as necessary to limit damage to public property and to avoid impeding traffic flow in the general vicinity of the construction site. (Ord. 26029)

### **SECTION 606 TRACKAGE AND SPILLAGE CONTROL**

**606.1 General.** A contractor shall take all reasonable precautions to prevent the trackage or spillage of mud, dust, debris, or construction materials on any public street, alley, or sidewalk. If trackage or spillage occurs, the contractor shall immediately and continuously, if necessary, use whatever method is required to keep the public property reasonably clean and free from trackage and spillage. (Ord. 26029)

**606.2 Violations.** Repeated violations of this section or failure to perform cleanup after notice by the city is cause for the building official to suspend the permit and stop construction work until the public property is satisfactorily cleaned and the contractor has demonstrated an ability to keep it clean. (Ord. 26029)

### **SECTION 607 EROSION AND SILTATION CONTROL**

**607.1 General.** A contractor shall take all reasonable precautions to minimize soil erosion and siltation, including, but not limited to, limiting the area of exposed soil, limiting the time soil is exposed, and erecting siltation barriers to prevent washing of soil into any adjacent public or private property, creek, drainage inlet, or flood plain. Any soil washed off a construction site shall be retrieved by the contractor, and any affected drainage facility shall be carefully cleaned to assure full flow capacity. (Ord. 26029)

### **SECTION 608 DRAINAGE AND DEWATERING**

#### **608.1 Site drainage.**

**608.1.1 Adjoining property.** A contractor shall not:

1. Obstruct the existing natural drainage pattern of adjacent public or private property;  
or
2. Redirect or increase the existing quantity or velocity of water draining onto adjoining private property. (Ord. 26029)

**608.1.2 Plans and calculations.** A contractor shall submit detailed drainage plans and engineering calculations when required by the building official. (Ord. 26029)

**608.2 Dewatering.** Ground water or ponded surface water may be removed from a construction site by discharging directly into an available storm sewer inlet, or by other means when approved in writing by the director of public works. (Ord. 26029)

## **SECTION 609 LITTER CONTROL**

**609.1 General.** A person commits an offense if, while doing construction work, he permits construction trash, litter, or debris to be swept, thrown, blown, or deposited into any gutter, street, alley, sidewalk, flood plain, or other public place, or onto any adjacent or nearby private property. (Ord. 26029)

**609.2 Waste containers required.** A person commits an offense if, while doing construction work, he permits construction trash, litter, or debris to accumulate outside of a structure for more than seven days. It is a defense to prosecution under this subsection that:

1. The litter is enclosed within a waste disposal container approved by the building official;  
or
2. The entire construction site is enclosed in a litter control fence not less than five feet high and made of chain link or equivalent material approved by the building official. (Ord. 26029)

**609.3 Final cleanup required.** Every contractor shall at the completion of every construction project remove from the premises all construction trash, litter, debris, and unused materials resulting from the work and shall dispose of the waste materials in accordance with all applicable laws, rules, and regulations. (Ord. 26029)

**609.4 Immediate cleanup required; violations.** The building official may order any person doing construction work to immediately abate any violation of this section by collecting construction trash, litter, or debris from each adjacent or nearby property, by retaining litter on site, or by removing and disposing of all waste material. Failure to abate a violation of this section after notice by the building official shall be cause for the building official to suspend the permit and to stop construction work until the violation is corrected. (Ord. 26029)



**SUBCHAPTER 7  
REGISTRATION OF NON-PREMISE SIGNS**

**SECTION 701  
DEFINITIONS**

**701.1 Definitions.** In this section:

**FAÇADE** means “façade” as defined in Article VII of Chapter 51A of the *Dallas City Code*, as amended.

**NON-PREMISE SIGN** means a “non-premise sign” as defined in Article VII of Chapter 51A of the *Dallas City Code*, as amended.

**PREMISE** means “premise” as defined in Article VII of Chapter 51A of the *Dallas City Code*, as amended.

**PROPERTY** means the premise on which a sign is or will be located.

**SIGN OWNER** means any person with an ownership interest in a sign, or that person’s authorized representative.

**SIGN SUPPORT:**

1. for detached signs, means a “sign support” as defined in Article VII of Chapter 51A of the *Dallas City Code*, as amended; and
2. for attached signs, means the façade to which a sign is attached. (Ord. 26029)

**SECTION 702  
REGISTRATION REQUIRED**

**702.1 General.** A person commits an offense if he owns, erects, reconstructs, alters, relocates, or maintains a non-premise sign that does not have a valid registration sticker attached to the sign or sign support in a prominent location as required by this section. For purposes of this subsection, the term “valid” means that the sticker is current and issued by the building official, and the term “prominent location” means that the sticker is easily visible from a public street or alley. (Ord. 26029)

**702.2 Defenses.** It is a defense to prosecution under Section 702.1 that:

1. the sign is less than 20 square feet in effective area;

2. the sign is a special purpose sign, movement control sign, protective sign, vehicular sign, or government sign as defined in Article VII of Chapter 51A of the *Dallas City Code*, as amended; or
3. a complete application to register or to renew registration of the sign was pending in the office of the building official on the date of the offense. (Ord. 26029)

### **SECTION 703 APPLICATION FOR REGISTRATION**

**703.1 General.** An application for registration of a non-premise sign must be filed with the building official on a form furnished by the city for that purpose. A separate application form must be completed for each sign to be registered. Each application must contain the following:

1. The names, addresses, and telephone numbers of all persons having an ownership interest in the sign or the property.
2. A scaled site plan showing the location of the sign and an elevation drawing showing the dimensions of the sign and sign supports.
3. The legal description of the property.
4. The street address of the sign.
5. A copy of a current plat of the property.
6. A copy of any sign permits issued by the city for the sign.
7. The license number issued for the sign by the Texas Department of Transportation, if applicable.
8. Any other reasonable and pertinent information that the building official determines is necessary to the administration and enforcement of this subchapter. (Ord. 26029)

**703.2 Signed and sworn; registration fee.** The application must be sworn to and signed under oath by the sign owner and be accompanied by the registration fee required by Section 706. (Ord. 26029)

**703.3 Notification and new application.** A sign owner shall notify the building official in writing within 30 calendar days after any change in sign location or ownership and shall file a new application for registration of the sign with the building official. (Ord. 26029)

**SECTION 704**  
**ISSUANCE, CONTENT, NONTRANSFERABILITY,**  
**AND REPLACEMENT OF REGISTRATION STICKER**

**704.1 Issuance.** After determining that the application is complete and the required fee has been paid, the building official shall issue a registration sticker for the sign to the applicant. (Ord. 26029)

**704.2 Content.** The registration sticker must display a registration number and the expiration date of the registration. (Ord. 26029)

**704.3 Nontransferability.** A registration sticker issued under this subchapter may not be transferred to any other sign, location, or person. (Ord. 26029)

**704.4 Replacement.** If a registration sticker becomes lost, stolen, or illegible, the sign owner shall obtain a replacement sticker from the building official after paying the replacement fee prescribed in Section 303.10 of this chapter. (Ord. 26029)

**SECTION 705**  
**EXPIRATION AND RENEWAL OF REGISTRATION**

**705.1 Expiration.** A registration sticker issued under this subchapter automatically expires one year after its date of issuance or upon removal of the sign, whichever occurs first. (Ord. 26029)

**705.2 Renewal.** Registration of a non-premise sign may be renewed by filing an application with the building official in accordance with Section 703 and paying the required registration fee before the current registration sticker expires. If the building official determines that any information previously provided for the sign by the applicant under Section 703.1 has not substantially changed, that same information is not required to be resubmitted in an application to renew registration. (Ord. 26029)

**SECTION 706**  
**FEEES**

**706.1 General.** An applicant shall pay a nonrefundable annual registration fee, in the amount prescribed in Section 303.10 of this chapter, to the building official for each non-premise sign registered under this subchapter. An application for registration or renewal of registration will not be processed until the fee has been paid. (Ord. 26029)

**SECTION 707**  
**INSPECTION BY BUILDING OFFICIAL**

**707.1 General.** The building official may inspect all registered non-premise signs to verify compliance with applicable city ordinances. (Ord. 26029)

**SECTION 708**  
**EFFECT OF REGISTRATION**

**708.1 General.** Registration of a non-premise sign under this subchapter is for inventory purposes and does not mean that the sign has been determined by the city to be in compliance with all applicable laws. (Ord. 26029)

**SUBCHAPTER 8  
REGISTRATION OF BACKFLOW PREVENTION TESTERS**

**SECTION 801  
DEFINITIONS**

**801.1 Definitions.** In this section:

**BACKFLOW PREVENTION DEVICE** means a device or method to prevent backflow into the potable water system.

**BACKFLOW PREVENTION TESTER** means any person engaged in testing backflow prevention devices in the city.

**PLUMBING CONTRACTOR** means any person engaged in plumbing work within the city.

**TCEQ** means the Texas Commission on Environmental Quality. (Ord. 26029)

**SECTION 802  
REGISTRATION REQUIRED FOR BACKFLOW PREVENTION TESTERS**

**802.1 General.** A person who is not registered by the city as a backflow prevention tester may not inspect or test backflow prevention devices as required by this chapter. Backflow testing by a backflow prevention tester is limited to the type and scope of work authorized by the state license or certificate held by the tester. (Ord. 26029)

**802.2 Plumbing contractor requirements.** Backflow prevention testers must also satisfy the plumbing contractor registration requirements of Subchapter 4. (Ord. 26029)

**802.3 Fraud prohibited.** No person may represent that the person is a registered backflow prevention tester within the city, unless the person, in fact, holds a valid certificate of registration issued in accordance with this subchapter. (Ord. 26029)

**SECTION 803  
APPLICATION FOR REGISTRATION**

**803.1 General.** To register with the city to perform backflow prevention testing, a backflow prevention tester shall apply in person to the building inspection division in writing on forms furnished for those purposes. Each application must contain:

1. The applicant's name, local address, and telephone number; and
2. Any other information that may reasonably be required to properly identify the applicant. (Ord. Nos. 26029; 28096)

**803.2 Additional requirements.** Each applicant for registration shall provide, for examination by the building inspection division, an original Texas plumbing license with applicable endorsements or TCEQ certification authorizing the applicant to perform the particular activity for which registration is requested. (Ord. 26029)

**803.3 Established place of business.** Each applicant for registration shall maintain an established place of business at a permanent location. If the established place of business is within the city, a certificate of occupancy must be secured as required by the *Dallas Development Code*. (Ord. 26029)

#### **SECTION 804 FEES**

**804.1 General.** An applicant shall pay a nonrefundable annual registration fee, in the amount prescribed in Section 303.11 of this chapter, to the building official for each certificate of registration issued under this subchapter. An application for registration or renewal of registration will not be processed until the fee has been paid. (Ord. 26029)

#### **SECTION 805 REGISTRATION EXPIRATION; RENEWAL**

**805.1 Expiration.** A certificate of registration for either a backflow prevention tester or a customer service inspector will expire upon the expiration date of the corresponding state license or certificate. (Ord. 26029)

**805.2 Renewal.** A certificate of registration may be renewed by application to the building inspection division in accordance with Section 803 of this subchapter. (Ord. 26029)

#### **SECTION 806 SUSPENSION; REVOCATION**

**806.1 Suspension or revocation.** The building official shall suspend or revoke a certificate of registration if the building official finds the contractor or the contractor's authorized agent:

1. Obtains a certificate of registration or permit by the use of fraud or deceit;
2. Intentionally violates a provision of this chapter; or
3. Exhibits incompetency or commits gross negligence or misconduct in the performance of construction work within the city. (Ord. 28096)

**806.2 Appeal.** The contractor may appeal the decision of the building official to the advisory, examining, and appeals board. (Ord. 28096)

**SUBCHAPTER 9  
REGISTRATION OF IRRIGATION CONTRACTORS**

**SECTION 901  
IRRIGATION CONTRACTORS DEFINED**

**901.1 Definitions.** In this subchapter:

**LICENSED IRRIGATOR** means a person engaged in the business of selling, designing, consulting on, installing, maintaining, altering, repairing, or servicing an irrigation system including the connection of such system to a private or public, raw or potable water supply or any water supply.

**LICENSED INSTALLER** means a person who can only connect a landscape irrigation system to a water supply under the direct supervision of the licensed irrigator. Generally, a licensed installer is regularly employed by a licensed irrigator. A licensed installer may not perform any of the functions of a licensed irrigator without working for a licensed irrigator.

**RESPONSIBLE PERSON** means a person licensed as an irrigator by TCEQ who allows his or her license to be used by a company for the purpose of performing irrigation work and obtaining the required irrigation permits. The responsible person, by allowing his or her license to be used in this manner, assumes responsibility for all irrigation work performed. A licensed irrigator may allow his or her license to be used by only one contractor within the city at any one time.

**TCEQ** means the Texas Commission on Environmental Quality. (Ord. 26029)

**SECTION 902  
REGISTRATION REQUIRED**

**902.1 General.** A person who is not registered by the city as an irrigation contractor may not obtain any permit required by this chapter for irrigation work. (Ord. 26029)

**902.2 Fraud prohibited.** No person may represent that the person is a registered irrigation contractor within the city unless the person, in fact, holds a valid certificate of registration issued in accordance with this subchapter. (Ord. 26029)

**SECTION 903  
APPLICATION FOR REGISTRATION**

**903.1 General.** To register with the city to perform irrigation work described in the codes, an irrigation contractor shall apply in person to the building inspection division in writing on forms furnished for that purpose. The application must include:

1. The applicant's name, local address, telephone number, and other information that may reasonably be required to properly identify the applicant; and

2. The name of the licensed irrigation contractor for the applicant's irrigation contracting business. (Ord. Nos. 26029; 28096)

**903.2 Established place of business.** Each applicant for registration shall maintain an established place of business at a permanent location. If the established place of business is within the city, a certificate of occupancy must be secured as required in the *Dallas Development Code*. (Ord. 26029)

## **SECTION 904 LICENSED SUPERVISION**

**904.1 Supervision required.** A person may not sell, design, consult, install, maintain, alter, repair, or service irrigation systems in this state unless the person is licensed by TCEQ. A person who is licensed as an installer may only connect an irrigation system to a water supply while being under the direct supervision of a licensed irrigator. (Ord. 26029)

**904.2 Designation of contractor.** The owner of an irrigation contracting business shall designate a licensed irrigator to the chief plumbing inspector as the person responsible for, and supervising, the installation of irrigation systems. A designated licensed irrigator may be the supervisor of only one irrigation contractor within the city at any one time. (Ord. 26029)

**904.3 Discontinuation of work.** Should supervision not be continuously provided by the licensed irrigator, the building official may order the work being done by an irrigation contractor to be discontinued until either proper supervision and control have been provided or the name of a new licensed and registered irrigation contractor has been submitted to the building inspection division. (Ord. 26029)

## **SECTION 905 FEES**

**905.1 General.** The following nonrefundable fees shall be charged for each certificate of registration issued under the provisions of this subchapter;

1. The registration fee is \$120.00.
2. The fee for each revision to a certificate of registration is \$30.00. (Ord. Nos. 26029; 28096)

## **SECTION 906 EXPIRATION; RENEWAL**

**906.1 Expiration if not licensed under the Texas Irrigation Contractor License Law.** A certificate of registration for a contractor not licensed under the Texas Irrigation Contractor License Law, as amended, will expire at midnight one year from the date of issuance. (Ord. 26029)



**906.2 Expiration if licensed under the Texas Irrigation Contractor License Law.** A certificate of registration for a contractor licensed under the Texas Irrigation Contractor License Law, as amended, will expire upon the expiration date of the state license. (Ord. 26029)

**906.3 Renewal.** A certificate of registration may be renewed by application to the building inspection division in accordance with Section 903 of this subchapter. (Ord. 26029)

## **SECTION 907 EXEMPTIONS**

**907.1 General.** This subchapter does not apply to a person who:

1. Performs irrigation work on premises owned and occupied solely as the person's homestead; or
2. Is exempt from the state licensing requirements under the Texas Irrigation Contractor License Law, as amended. (Ord. 26029)

**907.2 Permits for limited irrigation work.** Notwithstanding Section 902.1, a person exempted from registration under this section may obtain permits for limited irrigation work that the person is authorized to perform under state law. (Ord. 26029)

## **SECTION 908 VEHICLE IDENTIFICATION REQUIRED**

**908.1 General.** Each irrigation contractor shall display on both sides of all trucks used in the irrigation contracting business the company name and the state license number of the responsible person for the business in letters and numbers not less than two inches high and in a color sufficiently different from the body of the vehicle so that the letters and numbers are plainly legible at a distance of not less than 100 feet. (Ord. 26029)

## **SECTION 909 SUSPENSION; REVOCATION**

**909.1 Suspension or revocation.** The building official shall suspend or revoke a certificate of registration if the building official finds the contractor or the contractor's authorized agent:

1. Obtains a certificate of registration or permit by the use of fraud or deceit;
2. Intentionally violates a provision of this chapter; or
3. Exhibits incompetency or commits gross negligence or misconduct in the performance of construction work within the city. (Ord. 28096)

**909.2 Appeal.** The contractor may appeal the decision of the building official to the advisory, examining, and appeals board. (Ord. 28096)

**SUBCHAPTER 10  
GREEN BUILDING PROGRAM**

**SECTION 1001  
PURPOSE; ADMINISTRATION; PHASES**

**1001.1 Purpose.** The purpose of the green building program is to reduce the use of natural resources, create healthier and more sustainable living environments, and minimize the negative environmental impacts of development in Dallas and the North Texas region. The program addresses all new residential and commercial buildings within the city. (Ord. 27131)

**1001.2 Administration.** The green building program is administered by the department of building inspection. (Ord. 27131)

**1001.3 Phases.** The green building program consists of two phases. (Ord. 27131)

**1001.3.1 Phase 1.** Phase 1 becomes effective October 1, 2009, and includes requirements for energy efficiency, water conservation, and cool roofs for proposed projects affecting less than 50,000 square feet of floor area in a single 12 month period. Proposed projects affecting 50,000 or more square feet of floor area in a single 12 month period must meet the requirements of Section 4303.4 of the *Dallas Building Code*. (Ord. 27131)

**1001.3.2 Phase 2.** Phase 2 becomes effective October 1, 2011. Phase 2 applies to all proposed projects. Proposed projects must be LEED-certifiable, Green Built North Texas-certifiable, or certifiable under an equivalent green building standard. (Ord. 27131)

**SECTION 1002  
PROGRAM REQUIREMENTS**

**1002.1 One- and two-family dwellings.** Proposed projects must comply with the requirements in Section 326 of the *Dallas One- and Two-Family Dwelling Code*. (Ord. 27131)

**1002.2 All other new construction.** Proposed projects must comply with the requirements of Chapter 43 of the *Dallas Building Code*. (Ord. 27131)

**SECTION 1003  
EXPEDITED PLAN REVIEW**

**1003.1 Expedited plan review of green building projects.** An expedited plan review is available for proposed projects that meet the requirements of Sections 1003.1.1 and 1003.1.2. An applicant is not required to register a proposed project with the LEED or Green Built North Texas programs to receive an expedited plan review. (Ord. 27131)

**1003.1.1 Phase 1.** In order to receive an expedited plan review, an applicant must provide a checklist from LEED, Green Built North Texas, or another approved green building standard demonstrating the proposed project is eligible to obtain certification under the selected standard. (Ord. 27131)

**1003.1.2 Phase 2.** In order to receive an expedited plan review, an applicant must provide a checklist demonstrating the project is eligible to obtain a LEED silver or higher certification, or an equivalent certification under another approved green building standard. (Ord. 27131)

## **SECTION 1004 REGULATIONS**

**1004.1 Regulations.** The building official may establish regulations to administer the green building program. (Ord. 27131)

## **SECTION 1005 PUBLIC OUTREACH**

**1005.1 Public spokesperson.** The office of environmental quality serves as the city's spokesperson regarding private sector green building issues. (Ord. 27131)

**1005.2 Outreach program.** The office of environmental quality shall develop and maintain a public outreach program for architects, engineers, developers, land use attorneys, contractors, builders, employers, and city residents. (Ord. 27131)

**SUBCHAPTER 11  
REGISTRATION OF MISCELLANEOUS CONTRACTORS**

**SECTION 1101  
CONTRACTORS DEFINED**

**101.1 Definitions.** In this subchapter, “contractor” means:

**COMMERCIAL GENERAL CONTRACTOR** means a person engaged in the business of constructing a commercial structure, building, or other improvement for the owner or developer and who retains a construction labor force or uses subcontractors.

**CONCRETE/ASPHALT/PAVING CONTRACTOR** means a person engaged in the business of grout and shotcrete work; constructing or paving streets, highways, and public sidewalks; concrete sealing, coating, waterproofing, or damp proofing; and paving residential driveways, commercial parking lots, and other private parking areas.

**DEMOLITION CONTRACTOR** means a person engaged in the business of site preparation, such as excavating and grading, demolition of buildings and other structures, earth moving, and land clearing for all types of sites (e.g., building, nonbuilding, mining). This includes blasting, building demolition, foundation digging (i.e., excavation), concrete breaking and cutting for demolition, foundation drilling, and trenching.

**ENERGY CODE PROVIDER** means a person not employed by the city of Dallas and engaged in the business of reviewing plans or making inspections for verification of compliance with the *Dallas Energy Conservation Code* and reporting such compliance to the building official.

**FENCE CONTRACTOR** means a person engaged in the business of constructing, erecting, altering, and repairing metal or wooden fences, walls, corrals, runs, nailings, cribs, game court enclosures, guard rails and barriers, playground game equipment, backstops, posts, flagpoles, and gates, excluding masonry walls.

**FOUNDATION CONTRACTOR** means a person engaged in the business of pouring and finishing concrete foundations and structural elements. This also includes grout and shotcrete work, concrete pouring and finishing, concrete pumping (i.e., placement), and mud-jacking, and includes gunite contractors and footing and foundation concrete contractors.

**GAS WELL CONTRACTOR** means a person engaged in the business of drilling, installing, or repairing gas wells and pumps by boring, drilling, excavating, casing, cementing, or any other method.

**GAS WELL PROVIDER** means a person not employed by the city of Dallas and is engaged in the business of reviewing plans or making inspections for verification of compliance with the *Dallas Development Code* and reporting such compliance to the building official.

**GREEN BUILDING PROVIDER** means a person not employed by the city of Dallas and engaged in the business of reviewing plans or making inspections for verification of compliance with the green building program and reporting such compliance to the building official.

**LANDSCAPE CONTRACTOR** means a person that is engaged in the business of constructing, maintaining, repairing, installing, or subcontracting the development of landscape systems and facilities. A landscape contractor prepares and grades plots and areas of land for the installation of any architectural, horticultural, and decorative treatment or arrangement.

**POOL CONTRACTOR** means a person engaged in the business of constructing swimming pools, spas, or hot tubs, including installation of solar heating equipment using those trades or skills necessary for such construction.

**RESIDENTIAL GENERAL CONTRACTOR** means a person who constructs residential structures, buildings, or other improvements on property that is not the contractor's homestead.

**ROOF CONTRACTOR** means a person engaged in the business of installing and repairing products and surfaces that seal, waterproof, and weatherproof structures. This work is performed to prevent water or its derivatives, compounds, or solids from penetrating such protection and gaining access to material or space beyond. In the course of this work, the contractor examines and/or prepares surfaces and uses the following material: asphaltum, pitch, tar, felt, glass fabric, urethane foam, metal roofing systems, flax, shakes, shingles, roof tile, slate, or any other roofing, waterproofing, or membrane materials or a combination thereof.

**TREE SERVICE CONTRACTOR** means a person engaged in the business of tree service work that includes cutting, trimming, pruning, removing, grinding, or otherwise modifying established trees in accordance with the ANSI A300 Standard Practice for Trees, Shrubs, and Other Woody Plant Maintenance and the ANSI Z-133.1 Safety Standards. (Ord. 28096)

## **SECTION 1102 REGISTRATION REQUIRED**

**1102.1 General.** A contractor listed in Section 1101 who is not registered by the city may not obtain any permit required by this chapter for work defined in Section 1101. (Ord. 28096)

**1102.2 Fraud prohibited.** No person may represent that the person is a registered contractor listed in Section 1101 within the city limits unless the person, in fact, holds a valid certificate of registration in accordance with this subchapter. (Ord. 28096)

## **SECTION 1103 APPLICATION FOR REGISTRATION**

**1103.1 General.** To register with the city as a contractor listed in Section 1101 to perform work described in Section 1101, a person shall apply to the building inspection division in writing on forms furnished for that purpose. The contractor may apply in person or send an agent to apply on behalf of the contractor. The application must include:

1. The contractor's name, local address, and telephone number;
2. The name, local address, and telephone number of the contractor's agent who applies on behalf of the contractor, if applicable;
3. Any other information that may reasonably be required to properly identify the contractor or the contractor's agent; and
4. The name, address, and telephone number of the contractor's place of business. (Ord. 28096)

**1103.2 Established place of business.** Each applicant for registration shall maintain an established place of business at a permanent location. If the established place of business is within the city, a certificate of occupancy must be secured as required in the *Dallas Development Code*. (Ord. 28096)

#### **SECTION 1104 FEES**

**1104.1 General.** The following nonrefundable fees shall be charged for each certificate of registration issued under the provisions of this subchapter:

1. The registration fee is \$120.00.
2. The fee for each revision to a certificate of registration is \$30.00. (Ord. 28096)

#### **SECTION 1105 EXPIRATION; RENEWAL**

**1105.1 Expiration.** A certificate of registration granted in accordance with this subchapter expires at midnight one year from the date of issuance. (Ord. 28096)

**1105.2 Renewal.** A certificate of registration may be renewed by application to the building inspection division in accordance with Section 1103 of this subchapter. (Ord. 28096)

#### **SECTION 1106 SUSPENSION; REVOCATION**

**1106.1 Suspension or revocation.** The building official shall suspend or revoke a certificate of registration granted under this subchapter if the building official finds the contractor or the contractor's authorized agent:

1. Obtains a certificate of registration or permit by the use of fraud or deceit;
2. Intentionally violates a provision of this chapter; or

3. Exhibits incompetency or commits gross negligence or misconduct in the performance of construction work within the city. (Ord. 28096)

**1106.2 Appeal.** The contractor may appeal the decision of the building official to the advisory, examining, and appeals board. (Ord. 28096)