

10-30-18

ORDINANCE NO. 31040

An ordinance amending Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," and Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by adding a new Division 51-9.500 and a new Division 51A-9.500; providing for ceremonial street naming; amending Section 51A-1.105; providing an updated fee schedule for street name change applications; providing a fee for ceremonial street naming; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Article IX, "Thoroughfares," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended by adding Division 51-9.500, "Ceremonial Street Naming," to read as follows:

"Division 51-9.500. Ceremonial Street Naming.

This division incorporates by reference the language of Division 51A-9.500 of Chapter 51A of the Dallas Development Code, as amended."

SECTION 2. That Subsection (l), "Fees for a Street Name Change," of Section 51A-1.105, "Fees," of Article I, "General Provisions," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(l) Fees for a street name change and for a ceremonial street naming.

(1) The following fees are required for a street name change.

(A) A street name change fee must be paid to the director before an application will be processed.

(B) A fee for new street identification signs must be paid to the director of sustainable development and construction within 60 days of the approval of a street name change by the city council.

(C) A fee for change of official address records must be paid to the building official within 60 days of the approval of a street name change by the city council.

(D[2]) Fee schedule.

(i[A]) <u>Application Fee.</u>	<u>Amount</u>
If the street is less than one-fourth mile	<u>\$1,500.00</u> [\$750.00]
If the street is less than one-half mile but more than or equal to one-fourth mile	<u>\$2,100.00</u> [\$1,050.00]
If the street is less than one mile but more than or equal to one-half mile	<u>\$2,700.00</u> [\$1,350.00]
If the street is more than or equal to one mile	<u>\$2,700.00</u> [\$1,350.00] for first mile plus <u>\$600.00</u> [\$300.00] for each additional one-fourth mile.

(ii[B]) <u>Street Identification Sign Fee.</u>	<u>Amount</u>
For each blade to be replaced	\$1130.00
For each mast arm to be replaced	\$233.00
For Texas Department of Transportation signs to be replaced	To be determined based upon Texas Department of Transportation cost calculation at the time of installation.

(iii)(E) <u>Change of Official Address Fee.</u>	<u>Amount</u>
For each address change up to 10	\$150.00
For more than 10 address changes	\$1,500.00 for the first ten address changes plus \$113.00 per hour of service required for additional address changes.

(E)(3) No fee is required for street name change applications filed by the governmental entities listed in Section 51A-1.105.1.

(2) The following fee is required for a ceremonial street naming.

(A) A ceremonial street naming fee must be paid to the director before an application will be processed.

(B) Fee schedule.

<u>Application Fee</u>	<u>Amount</u>
<u>If the street is less than one-fourth mile</u>	<u>\$750.00</u>
<u>If the street is less than one-half mile but more than or equal to one-fourth mile</u>	<u>\$1,050.00</u>
<u>If the street is less than one mile but more than or equal to one-half mile</u>	<u>\$1,350.00</u>
<u>If the street is more than or equal to one mile</u>	<u>\$1,350.00 for first mile plus \$300.00 for each additional one-fourth mile.</u>

(C) Additional fees may be required for production and installation of ceremonial street name toppers.

(D) No fee is required for a ceremonial street naming application filed by the governmental entities listed in Section 51A-1.105.1."

SECTION 3. That Article IX, "Thoroughfares," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended by adding a new Division 51A-9.500, "Ceremonial Street Naming," to read as follows:

"Division 51A-9.500. Ceremonial Street Naming.

SEC. 51A-9.501. PURPOSE.

The purpose of this division is to commemorate individuals who have made significant contributions to the community, but without causing any disruption of the existing street names and abutting uses.

SEC. 51A-9.502. GENERAL PROVISIONS.

(a) Only public streets may be granted ceremonial street naming by the process contained in this division.

(b) A ceremonial street naming application may only be initiated by:

(1) an owner of property abutting the portion of the street to receive the ceremonial street naming if the property owner submits a petition showing 51 percent of the owners of all abutting lots of that portion of the street are in support of the ceremonial street name; or

(2) a city council member with concurrence of two other council members.

(c) Ceremonial street names must be a person's name.

SEC. 51A-9.503. PROCESS.

(a) Application. An application for a ceremonial street naming must be filed with the department on an application form furnished by the director. The application must include the following:

(1) The application fee for an owner initiated ceremonial street naming.

(2) A statement of the reasons supporting a ceremonial street naming including a showing that the prospective honoree had a minimum of 10 years community involvement and demonstrated an extraordinary and consistent voluntary commitment and dedication to the community, or has contributed significantly to City of Dallas.

(3) A map showing the location of the street and the portion of the street receiving the ceremonial street name.

(b) Notice.

(1) Prior to the public hearing before the city council, the director shall give notice of the public hearing in the official newspaper of the city at least 15 days before the hearing.

(2) Notice of the public hearing must be given to the abutting property owners not less than 15 days before the date set for the hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved tax roll. This notice must be written in English and Spanish if the area of request is located wholly or partly within a census tract in which 50 percent or more of the inhabitants are persons of Spanish origin or descent according to the most recent federal decennial census.

(3) Required notification signs must be posted along the street at least 15 days before the date of the hearing.

(c) Public hearing. The city council may approve the application based on the testimony presented at the public hearing and a determination that the application meets the ceremonial street naming criteria standards. The application may be approved by a majority vote of the members present, except the favorable vote of three-fourths of all members of the city council is required if a written protest against the ceremonial street naming has been signed by 20 percent of all abutting property owners.

(d) Early removal. The same application, notice, and hearing process must be followed to remove a ceremonial street name.

SEC. 51A-9.504.

STANDARDS FOR CEREMONIAL STREET NAMING

(a) In general.

(1) Except as provided in this subsection:

(A) Prospective honorees must have had a minimum of 10 years community involvement and demonstrated an extraordinary and consistent voluntary commitment and dedication to the community, or have contributed significantly to the City of Dallas.

(B) Use of a ceremonial street naming is prohibited until at least two years after the death of the person to be honoured.

(C) Individuals who have already been honored on one street, whether ceremonial or official, may not be honored on another street.

(2) The standards in this subsection may be waived by a three quarters vote of the city council.

(b) Additional standards.

- (1) Ceremonial street naming cannot contain a product name or be used for a commercial purpose.
- (2) Ceremonial street naming must be a person's name.
- (3) A ceremonial street naming sign topper must have "In Honor of" as the top line.
- (4) No portion of a street may have more than one ceremonial street name.

SEC. 51A-9.505. NOTIFICATION OF CEREMONIAL STREET NAMING.

If the request for a ceremonial street naming is approved by the city council, the subdivision administrator shall send written notice of the city council's action to abutting property owners.

SEC. 51A-9.506. EFFECTIVE DATE OF CEREMONIAL STREET NAME AND END DATE.

Providing that all required fees have been paid by the applicant, a ceremonial street name approved by the city council takes effect 60 days after the date of its approval unless city council sets a later effective date. The ceremonial street name ends 10 years after the effective date.

SEC. 51A-9.507. INSTALLATION AND REPLACEMENT.

(a) Installation. The director of the transportation department is responsible for the fabrication and installation of the ceremonial street name toppers.

(b) Removal. The department is not responsible for replacing ceremonial street naming toppers due to vandalism, theft, and normal wear and tear. The department may remove any ceremonial street name topper that has become unsightly without replacing it."

SECTION 4. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 5. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

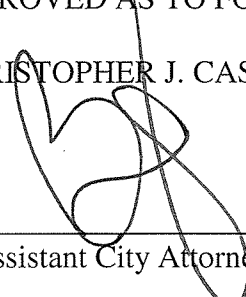
SECTION 6. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 7. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, Interim City Attorney

By  _____
Assistant City Attorney

NOV 14 2018

Passed _____



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL NOV 14 2018

ORDINANCE NUMBER 31040

DATE PUBLISHED NOV 17 2018

ATTESTED BY: