

**JUNE 22, 2016 CITY COUNCIL ADDENDUM
CERTIFICATION**

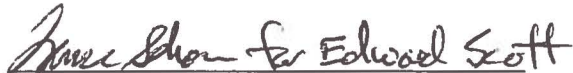
This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated June 22, 2016. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



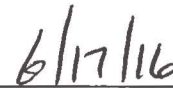
A.C. Gonzalez
City Manager



Date



Jeanne Chipperfield
Chief Financial Officer



Date

RECEIVED

2016 JUN 17 PM 5:12

CITY SECRETARY
DALLAS, TEXAS

ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, JUNE 22, 2016
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.

REVISED ORDER OF BUSINESS

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m. **INVOCATION AND PLEDGE OF ALLEGIANCE**

OPEN MICROPHONE

CLOSED SESSION

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 42

CONSENT ADDENDUM

Items 1 - 20

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 43 - 53
Addendum Item 21

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 54 - 69
Addendum Items 22 - 24

SUPPLEMENTAL NOTICE

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

**ADDENDUM
CITY COUNCIL MEETING
JUNE 22, 2016
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Thomas and Carol Stumpf v. City of Dallas and Johnny Lynn Rudder, Civil Action No. 3:15-CV-1944-N, United States District Court for the Northern District of Texas, Dallas Division.
- Kenneth E. Albert v. City of Dallas, Cause No. 199-00697-94; Anthony Arredondo v. City of Dallas, Cause No. 199-1743-99; David L. Barber v. City of Dallas, Cause No. 199-624-95; David S. Martin v. City of Dallas, Cause No. 1-95-506; George G. Parker v. City of Dallas, Cause No. 1-95-107; Kevin Michael Willis v. City of Dallas, Cause No. 199-200-95.

Personnel (Sec. 551.074 T.O.M.A.)

- Discussion regarding the search for and hiring of a candidate for the position of city manager.

CONSENT ADDENDUM

Business Development & Procurement Services

Employee/Retiree Health Benefits Contracts

Note: Addendum Item Nos. 1, 2 and 3 must be considered collectively.

1. * Authorize a three-year service contract, with two one-year renewal options, effective immediately to prepare for services effective for the period January 1, 2017 through December 31, 2019 with Cigna Health and Life Insurance Company for administrative services related to medical claims adjudication; healthcare provider network; Family Medical Leave Act; COBRA; and flexible spending accounts and related services for the City's employee leave and benefit programs, most advantageous proposer of four - Not to exceed \$14,000,000 - Financing: Employee Benefits Current Funds (to be paid from and in accordance with the contribution rates approved annually by the City Council and subject to annual appropriations)
2. * Authorize a three-year service contract, with two one-year renewal options, effective immediately to prepare for services effective for the period January 1, 2017 through December 31, 2019 with **(1)** Metropolitan Life Insurance Company for a fully insured dental plan; and **(2)** Davis Vision, Inc. for a fully-insured vision plan, most advantageous proposer of seven - Financing: Employee Benefit Current Funds (to be paid by employee/retiree payroll and pension deductions)

**ADDENDUM
CITY COUNCIL MEETING
JUNE 22, 2016**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Business Development & Procurement Services (Continued)

Note: Addendum Item Nos. 1, 2 and 3 must be considered collectively.

Employee/Retiree Health Benefits Contracts

3. * Authorize a three-year service contract, with two one-year renewal options, for the period January 1, 2017 through December 31, 2019 with CaremarkPCS Health, LLC, for prescription benefit management; with Caremark receiving a \$1.10 administrative fee for each prescription filled, most advantageous proposer of six - Not to exceed \$990,000 - Financing: Employee Benefits Current Funds (subject to annual appropriations)
4. Authorize **(1)** the rejection of proposals received for food and beverage services at the Morton H. Meyerson Symphony Center and Dallas City Performance Hall; and **(2)** the re-advertisement for new proposals - Financing: No cost consideration to the City

City Attorney's Office

5. Authorize **(1)** acceptance of the 2016-17 Veterans Treatment Court Grant from the Texas Veterans Commission's Fund for Veteran's Assistance for expansion of the South Oak Cliff Community Court to include the South Oak Cliff Veterans Treatment Court project for the period July 1, 2016 through June 30, 2017; **(2)** approval of creating two new full-time positions to execute the proposed project; and **(3)** execution of the grant agreement - Not to exceed \$300,000 - Financing: Texas Veterans Commission Grant Funds
6. Authorize Supplemental Agreement No. 1 to the professional services contract with Messer, Rockefeller & Fort, PLLC for additional legal services in the matter styled Thomas and Carol Stumpf v. City of Dallas and Johnny Lynn Rudder, Civil Action No. 3:15-CV-1944-N, United States District Court for the Northern District of Texas, Dallas Division - Not to exceed \$75,000, from \$50,000 to \$125,000 - Financing: Current Funds

Code Compliance

7. An ordinance amending Chapter 17 of the Dallas City Code by **(1)** adopting new food establishment rules promulgated by the Texas Department of State Health Services; **(2)** providing additional requirements for certain equipment; **(3)** providing additional requirements for mobile food establishments; **(4)** providing additional requirements for variances for dog friendly patios; **(5)** providing certain Heimlich Maneuver poster display requirements; and **(6)** making conforming changes; and providing a penalty not to exceed \$2,000 - Financing: No cost consideration to the City

**ADDENDUM
CITY COUNCIL MEETING
JUNE 22, 2016**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Convention and Event Services

8. Ratify an emergency construction contract with Hoffman Texas, Inc. dba Roto-Rooter Service and Plumbing for sewer line repairs at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed \$184,690 - Financing: Convention and Event Services Current Funds

Economic Development

9. Authorize the Office of Economic Development to issue a Notice of Funding Availability in an amount up to \$3 million in accordance to the Public/Private Partnership Program Guidelines & Criteria to grocery operators, shopping center owners, retail developers and other associated real estate professionals in order to secure the development of one or more grocery stores in Southern Dallas Food Deserts - Financing: No cost consideration to the City
10. Authorize **(1)** a public hearing to be held on August 10, 2016 to receive comments concerning the advisability of creating the South Dallas/Fair Park Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code (the "Act") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the hearing **(2)** a resolution approving creation of the District for seven years and approving the District's Service Plan for 2017-2023 - Financing: No cost consideration to the City

Fire

11. An ordinance amending Chapter 16 "Dallas Fire Code" of the Dallas City Code, to adopt the 2015 International Fire Code, as amended - Financing: No cost consideration to the City

Housing/Community Services

12. Authorize an amendment to Resolution No. 15-0822, previously approved on April 22, 2015, for a conditional grant agreement in the amount of \$450,000 with NP Community Development Corporation dba Heroes House to extend the loan agreement from June 30, 2016 to October 31, 2016 - Financing: No cost consideration to the City

**ADDENDUM
CITY COUNCIL MEETING
JUNE 22, 2016**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Housing/Community Services (Continued)

13. Authorize an amendment to Resolution No. 15-2214, previously approved on December 9, 2015, for the Loan Agreement between TEOF Hotel LP, a Texas limited partnership, and the City of Dallas to provide for refinancing of the developer's first lien loan for development of the Lorenzo Hotel project located at 1011 South Akard Street from \$12,912,615 to \$17,850,000 - Financing: No cost consideration to the City
14. Authorize an amendment to Resolution No. 16-0844, previously approved on May 25, 2016, for **(1)** a housing development loan in an amount not to exceed \$250,000; and **(2)** a conditional grant agreement in an amount not to exceed \$200,000 with KAH Holdings, Inc. dba Karrington & Company for construction of ten single family homes for the Ferguson Road Townhomes Project to be located in 7839 Ferguson Road to change the funding from 2012 Bond Funds to 2015-16 HOME Investment Partnerships Program Grant Funds - Financing: No cost consideration to the City

Planning and Urban Design

15. Authorize **(1)** a resolution endorsing a preferred location for a deck in the Southern Gateway Project Corridor; and **(2)** a commitment to explore funding options for construction of a deck park - Financing: This action has no cost consideration to the City (see Fiscal Information for future potential costs)

Police

16. Authorize an increase in the escrow account with Dallas County for payment of appropriate fees charged to recover costs as billed for scofflaw registration denial services as part of the multi-year Interlocal Agreement with Dallas County in accordance with the Texas Transportation Code to deny registration or re-registration of vehicles if the registered owner has **(1)** a warrant for delinquent Class C misdemeanor traffic offenses for failure to appear or resolve cases as provided in Chapter 702 - Refusal to Register Vehicle; or **(2)** vehicle registration denial for offenders who fail to pay delinquent civil violations as provided in the Transportation Code, Chapter 707 - Not to exceed \$10,000 - Financing: Current Funds
17. Authorize Supplemental Agreement No. 9 to the contract with Xerox State and Local Solutions, Inc. (formerly ACS State and Local Solutions, Inc.) to extend the contract term from August 3, 2016 through September 14, 2016 for services related to meter operations and a parking management information system - Estimated Net Parking Revenue: \$937,500

**ADDENDUM
CITY COUNCIL MEETING
JUNE 22, 2016**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Public Works Department

18. Authorize an increase in the construction contract with Texas Standard Construction, Ltd. for construction of tinted, stamped concrete pedestrian crosswalks and barrier-free ramp improvements at the intersections of Martin Luther King, Jr. Boulevard at South Trunk Avenue, J. B. Jackson, Jr. Boulevard and Robert B. Cullum Boulevard for Street Reconstruction Project Group 12-637- Not to exceed \$747,377, from \$19,989,714 to \$20,737,091 - Financing: Current Funds

Streets

19. An ordinance amending Chapter 7A of the Dallas City Code by adding a shopping cart definition; adding a new Section 7A-3.1, "City Removal of Shopping Cart from a Public Place"; providing that a shopping cart found by the City in a public place is declared a public nuisance; providing that a shopping cart found by the City in a public place shall be treated as litter; providing that, upon collection from a public place, the City may immediately dispose of the shopping cart; amending Chapter 31, "Offenses - Miscellaneous," of the Dallas City Code by amending Section 40 to clarify the definition of shopping cart; deleting the labelling requirements; deleting the provision that the City of Dallas will return the shopping cart to its owner upon payment of a recovery fee - Financing: No cost consideration to the City

Trinity Watershed Management

20. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Post Apartment Homes, L.P., a Georgia limited partnership, et al., Cause No. CC-15-06484-C, pending in Dallas County Court at Law No. 3, to acquire a subsurface easement under approximately 3,811 square feet of land, located on Woodall Rodgers Freeway at its intersection with Maple-Routh Connection for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$99,275 (\$95,275 being the amount of the award, plus closing costs and title expenses not to exceed \$4,000); an increase of \$26,677 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

**ADDENDUM
CITY COUNCIL MEETING
JUNE 22, 2016**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

Mayor and City Council

21. Authorize the City Manager to initiate a public safety initiative to address animal neglect, abuse and exploitation to support public health, welfare, peace and safety of the residents of Dallas, their pets and property - Financing: No cost consideration to the City (via Councilmembers Arnold, Medrano, Young, Clayton and McGough)

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - INDIVIDUAL

22. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-10(A) Single Family District and public school other than open enrollment charter school uses on property zoned an R-10(A) Single Family District, on the east corner of San Leandro Drive and Saint Francis Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan, and conditions
Z145-285(SM)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

23. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of West Illinois Avenue and Toluca Avenue
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions
Z156-216(OTH)
Note: This item was considered by the City Council at a public hearing on June 15, 2016, and was deferred until June 22, 2016, with the public hearing open

**ADDENDUM
CITY COUNCIL MEETING
JUNE 22, 2016**

ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

SPECIAL PROVISION SIGN DISTRICT - INDIVIDUAL

24. A public hearing to receive comments regarding an application to amend Section 51A-7.1000 West End Sign District to create a subdistrict within the West End Special Provision Sign District to allow an attached sign/supergraphic on an historic structure at the northeast corner of Elm Street and Record Street and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval of conditions
SPSD156-002

CORRECTIONS:

Economic Development

15. Authorize **(1)** a service contract for the design development and implementation of a website and digital content strategy for the Office of Economic Development to replace the existing website in the amount of \$77,246; and **(2)** a for five-year years service contract for of hosting, maintenance and support in the amount of \$28,000 with Icon Enterprises, Inc. dba CivicPlus, most advantageous proposer of eleven - Total not to exceed \$105,246 - Financing: Public/Private Partnership Funds

Note: Item Nos. 50 and 51
must be considered collectively.

Gaston Hotel and Area Wide Improvements

50. * Authorize **(1)** a Project Specific Agreement to the Master Agreement with Dallas County for public infrastructure improvements to facilitate the commercial development in the Baylor area; **(2)** the receipt and deposit of funds in an amount not to exceed \$450,000, pursuant to the City's Business Development Chapter 380 Grant Program; and **(3)** an increase in appropriations in an amount not to exceed \$450,000 in the Capital Projects Reimbursement Fund - Not to exceed \$450,000 - Financing: Capital Projects Reimbursement Funds

**ADDENDUM
CITY COUNCIL MEETING
JUNE 22, 2016**

CORRECTIONS: (Continued)

Economic Development (Continued)

Note: Item Nos. 50 and 51 must be considered collectively.

Gaston Hotel and Area Wide Improvements

51. * Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with ~~Baylor Scott & White Health~~, GMV Gaston, LP and Gatehouse Gaston Development, LLC for the development of a full-service hotel to be located on a tract of land addressed as 3301-3309, 3401 Gaston Avenue, 3302 Floyd Street, and 910-916 North Hall Street and the associated public and private improvements including site and area wide street improvements - Not to exceed \$450,000 - Financing: Capital Projects Reimbursement Funds

DELETION:

Planning and Urban Design

67. A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Gus Thomasson Road from Easton Road to Mesquite City Limits from an existing (EXISTING) roadway designation to a special four-lane divided (SPCL 4D) roadway within 80 to 85 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

ADDENDUM DATE June 22, 2016

ITEM		IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
#	OK	DEF								
1				All	C	PBD, HRD	\$14,000,000.00	6.04%	13.86%	Employee/Retiree Health Benefits Contracts: Authorize a three-year service contract, with two one-year renewal options, effective immediately to prepare for services effective for the period January 1, 2017 through December 31, 2019 with Cigna Health and Life Insurance Company for administrative services related to medical claims adjudication; healthcare provider network; Family Medical Leave Act; COBRA; and flexible spending accounts and related services for the City's employee leave and benefit programs, most advantageous proposer of four - Not to exceed \$14,000,000 - Financing: Employee Benefits Current Funds (to be paid from and in accordance with the contribution rates approved annually by the City Council and subject to annual appropriations)
2				All	C	PBD, HRD	NC	NA	NA	Employee/Retiree Health Benefits Contracts: Authorize a three-year service contract, with two one-year renewal options, effective immediately to prepare for services effective for the period January 1, 2017 through December 31, 2019 with (1) Metropolitan Life Insurance Company for a fully insured dental plan; and (2) Davis Vision, Inc. for a fully-insured vision plan, most advantageous proposer of seven - Financing: Employee Benefit Current Funds (to be paid by employee/retiree payroll and pension deductions)
3				All	C	PBD, HRD	\$990,000.00	76.20%	23.80%	Employee/Retiree Health Benefits Contracts: Authorize a three-year service contract, with two one-year renewal options, for the period January 1, 2017 through December 31, 2019 with CaremarkPCS Health, LLC, for prescription benefit management; with Caremark receiving a \$1.10 administrative fee for each prescription filled, most advantageous proposer of six - Not to exceed \$990,000 - Financing: Employee Benefits Current Funds (subject to annual appropriations)
4				All	C	PBD, OCA	NC	NA	NA	Authorize (1) the rejection of proposals received for food and beverage services at the Morton H. Meyerson Symphony Center and Dallas City Performance Hall; and (2) the re-advertisement for new proposals - Financing: No cost consideration to the City
5				N/A	C	ATT	GT	NA	NA	Authorize (1) acceptance of the 2016-17 Veterans Treatment Court Grant from the Texas Veterans Commission's Fund for Veteran's Assistance for expansion of the South Oak Cliff Community Court to include the South Oak Cliff Veterans Treatment Court project for the period July 1, 2016 through June 30, 2017; (2) approval of creating two new full-time positions to execute the proposed project; and (3) execution of the grant agreement - Not to exceed \$300,000 - Financing: Texas Veterans Commission Grant Funds
6				N/A	C	ATT	\$75,000.00	100.00%	0.00%	Authorize Supplemental Agreement No. 1 to the professional services contract with Messer, Rockefeller & Fort, PLLC for additional legal services in the matter styled Thomas and Carol Stumpf v. City of Dallas and Johnny Lynn Rudder, Civil Action No. 3:15-CV-1944-N, United States District Court for the Northern District of Texas, Dallas Division - Not to exceed \$75,000, from \$50,000 to \$125,000 - Financing: Current Funds
7				All	C	CCS	NC	NA	NA	An ordinance amending Chapter 17 of the Dallas City Code by (1) adopting new food establishment rules promulgated by the Texas Department of State Health Services; (2) providing additional requirements for certain equipment; (3) providing additional requirements for mobile food establishments; (4) providing additional requirements for variances for dog friendly patios; (5) providing certain Heimlich Maneuver poster display requirements; and (6) making conforming changes; and providing a penalty not to exceed \$2,000 - Financing: No cost consideration to the City
8				2	C	CES	\$184,689.62	NA	NA	Ratify an emergency construction contract with Hoffman Texas, Inc. dba Roto-Rooter Service and Plumbing for sewer line repairs at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed \$184,690 - Financing: Convention and Event Services Current Funds
9				3, 4, 5, 6, 7, 8	C	ECO	NC	NA	NA	Authorize the Office of Economic Development to issue a Notice of Funding Availability in an amount up to \$3 million in accordance to the Public/Private Partnership Program Guidelines & Criteria to grocery operators, shopping center owners, retail developers and other associated real estate professionals in order to secure the development of one or more grocery stores in Southern Dallas Food Deserts - Financing: No cost consideration to the City

ADDENDUM DATE June 22, 2016

ITEM		IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
#	OK	DEF								
10				7	C	ECO	NC	NA	NA	Authorize (1) a public hearing to be held on August 10, 2016 to receive comments concerning the advisability of creating the South Dallas/Fair Park Public Improvement District (the "District"), in accordance with Chapter 372 of the Texas Local Government Code (the "Act") for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the hearing (2) a resolution approving creation of the District for seven years and approving the District's Service Plan for 2017-2023 - Financing: No cost consideration to the City
11				All	C	FIR	NC	NA	NA	An ordinance amending Chapter 16 "Dallas Fire Code" of the Dallas City Code, to adopt the 2015 International Fire Code, as amended - Financing: No cost consideration to the City
12				3	C	HOU	NC	NA	NA	Authorize an amendment to Resolution No. 15-0822, previously approved on April 22, 2015, for a conditional grant agreement in the amount of \$450,000 with NP Community Development Corporation dba Heroes House to extend the loan agreement from June 30, 2016 to October 31, 2016 - Financing: No cost consideration to the City
13				2	C	HOU	NC	NA	NA	Authorize an amendment to Resolution No. 15-2214, previously approved on December 9, 2015, for the Loan Agreement between TEOF Hotel LP, a Texas limited partnership, and the City of Dallas to provide for refinancing of the developer's first lien loan for development of the Lorenzo Hotel project located at 1011 South Akard Street from \$12,912,615 to \$17,850,000 - Financing: No cost consideration to the City
14				9	C	HOU	NC	NA	NA	Authorize an amendment to Resolution No. 16-0844, previously approved on May 25, 2016, for (1) a housing development loan in an amount not to exceed \$250,000; and (2) a conditional grant agreement in an amount not to exceed \$200,000 with KAH Holdings, Inc. dba Karrington & Company for construction of ten single family homes for the Ferguson Road Townhomes Project to be located in 7839 Ferguson Road to change the funding from 2012 Bond Funds to 2015-16 HOME Investment Partnerships Program Grant Funds - Financing: No cost consideration to the City
15				1, 3, 4, 8	C	PNV	NC	NA	NA	Authorize (1) a resolution endorsing a preferred location for a deck in the Southern Gateway Project Corridor; and (2) a commitment to explore funding options for construction of a deck park - Financing: This action has no cost consideration to the City (see Fiscal Information for future potential costs)
16				All	C	POL	\$10,000.00	NA	NA	Authorize an increase in the escrow account with Dallas County for payment of appropriate fees charged to recover costs as billed for scofflaw registration denial services as part of the multi-year Interlocal Agreement with Dallas County in accordance with the Texas Transportation Code to deny registration or re-registration of vehicles if the registered owner has (1) a warrant for delinquent Class C misdemeanor traffic offenses for failure to appear or resolve cases as provided in Chapter 702 - Refusal to Register Vehicle; or (2) vehicle registration denial for offenders who fail to pay delinquent civil violations as provided in the Transportation Code, Chapter 707 - Not to exceed \$10,000 - Financing: Current Funds
17				N/A	C	POL	REV \$937,500	NA	NA	Authorize Supplemental Agreement No. 9 to the contract with Xerox State and Local Solutions, Inc. (formerly ACS State and Local Solutions, Inc.) to extend the contract term from August 3, 2016 through September 14, 2016 for services related to meter operations and a parking management information system - Estimated Net Parking Revenue: \$937,500
18				7	C	PBW	\$747,377.00	100.00%	26.59%	Authorize an increase in the construction contract with Texas Standard Construction, Ltd. for construction of tinted, stamped concrete pedestrian crosswalks and barrier-free ramp improvements at the intersections of Martin Luther King, Jr. Boulevard at South Trunk Avenue, J. B. Jackson, Jr. Boulevard and Robert B. Cullum Boulevard for Street Reconstruction Project Group 12-637- Not to exceed \$747,377, from \$19,989,714 to \$20,737,091 - Financing: Current Funds

ADDENDUM DATE June 22, 2016

ITEM		IND		DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
#	OK	DEF								
19				All	C	STS, CCS, POL	NC	NA	NA	An ordinance amending Chapter 7A of the Dallas City Code by adding a shopping cart definition; adding a new Section 7A-3.1, "City Removal of Shopping Cart from a Public Place"; providing that a shopping cart found by the City in a public place is declared a public nuisance; providing that a shopping cart found by the City in a public place shall be treated as litter; providing that, upon collection from a public place, the City may immediately dispose of the shopping cart; amending Chapter 31, "Offenses - Miscellaneous," of the Dallas City Code by amending Section 40 to clarify the definition of shopping cart; deleting the labelling requirements; deleting the provision that the City of Dallas will return the shopping cart to its owner upon payment of a recovery fee - Financing: No cost consideration to the City
20				14	C	TWM, ATT	\$99,275.00	NA	NA	Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Post Apartment Homes, L.P., a Georgia limited partnership, et al., Cause No. CC-15-06484-C, pending in Dallas County Court at Law No. 3, to acquire a subsurface easement under approximately 3,811 square feet of land, located on Woodall Rodgers Freeway at its intersection with Maple-Routh Connection for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project; and (2) settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$99,275 (\$95,275 being the amount of the award, plus closing costs and title expenses not to exceed \$4,000); an increase of \$26,677 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds
21				All	I	MCC	NC	NA	NA	Authorize the City Manager to initiate a public safety initiative to address animal neglect, abuse and exploitation to support public health, welfare, peace and safety of the residents of Dallas, their pets and property - Financing: No cost consideration to the City (via Councilmembers Arnold, Medrano, Young, Clayton and McGough)
22				9	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-10(A) Single Family District and public school other than open enrollment charter school uses on property zoned an R-10(A) Single Family District, on the east corner of San Leandro Drive and Saint Francis Avenue
23				4	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of West Illinois Avenue and Toluca Avenue
24				14	PH	DEV	NC	NA	NA	A public hearing to receive comments regarding an application to amend Section 51A-7.1000 West End Sign District to create a subdistrict within the West End Special Provision Sign District to allow an attached sign/supergraphic on an historic structure at the northeast corner of Elm Street and Record Street and an ordinance granting the amendments

TOTAL \$16,106,341.62

KEY FOCUS AREA: E-Gov

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Human Resources

CMO: Jeanne Chipperfield, 670-7804
A. C. Gonzalez, 670-3302

MAPSCO: N/A

SUBJECT

Employee/Retiree Health Benefits Contracts

- * Authorize a three-year service contract, with two one-year renewal options, effective immediately to prepare for services effective for the period January 1, 2017 through December 31, 2019 with Cigna Health and Life Insurance Company for administrative services related to medical claims adjudication; healthcare provider network; Family Medical Leave Act; COBRA; and flexible spending accounts and related services for the City's employee leave and benefit programs, most advantageous proposer of four - Not to exceed \$14,000,000 - Financing: Employee Benefits Current Funds (to be paid from and in accordance with the contribution rates approved annually by the City Council and subject to annual appropriations)
- * Authorize a three-year service contract, with two one-year renewal options, effective immediately to prepare for services effective for the period January 1, 2017 through December 31, 2019 with **(1)** Metropolitan Life Insurance Company for a fully insured dental plan; and **(2)** Davis Vision, Inc. for a fully-insured vision plan, most advantageous proposer of seven - Financing: Employee Benefit Current Funds (to be paid by employee/retiree payroll and pension deductions)
- * Authorize a three-year service contract, with two one-year renewal options, for the period January 1, 2017 through December 31, 2019 with CaremarkPCS Health, LLC, for prescription benefit management; with Caremark receiving a \$1.10 administrative fee for each prescription filled, most advantageous proposer of six - Not to exceed \$990,000 - Financing: Employee Benefits Current Funds (subject to annual appropriations)

BACKGROUND

These service contracts will provide the City employee leave and health plan administration and related insurance services for thirty-six months. In February 2016, the City issued a Request for Competitive Sealed Proposal (RFCSP) seeking a Third-Party Administrator (TPA) to provide medical administration and claims processing services, prescription drug services, disease management, Vision, and Dental insurance plans.

To obtain the most competitive pricing, proposals were accepted for bundled and unbundled services. All proposers were asked to give presentations related to their respective services and each service presented was scored by the Evaluation Committee. Holmes Murphy, the City's employee benefits consultant, prepared the financial analysis of all proposals.

The contract with Cigna Health and Life Insurance Company will provide claims processing administration; medical management; provider network access; utilization review; large-case management; 24-hour customer service; Employee Assistance Programs; COBRA and direct bill services; Flexible Spending Account administration; disease management; FMLA administration; and they will also coordinate plan accumulators with CaremarkPCS Health, LLC.

A seven member committee from the following departments reviewed and evaluated the proposals:

- Human Resources (1)
- Fire-Rescue (1)
- City Controller's Office (1)
- Police (1)
- Office of Risk Management (1)
- Business Development and Procurement Services (2)*

*Business Development and Procurement Services only evaluated the Business Inclusion and Development Plan and the financial summary.

The successful proposers were selected by the committee on the basis of demonstrated competence and qualifications under the following criteria:

- Financial Summary 30%
- Capability and Expertise 30%
- Overall Approach and Methodology 25%
- Business Inclusion and Development Plan 15%

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,017 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

The recommended vendors meet the wage floor rate of \$10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On June 15, 2011, City Council authorized a three-year service contract, with two one-year renewal options, for the period January 1, 2012 through December 31, 2014 with United Healthcare Services, Inc. for (1) Medical Third-Party Administration services; (2) fully-insured Medicare Advantage HMO, AARP Medicare Supplement, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their eligible spouses; and (3) fully-insured vision and dental plans, by Resolution No. 11-1635.

On June 15, 2011, the City Council authorized a three-year service contract, with two one-year renewal options, with CaremarkPCS Health, LLC for the period January 1, 2012 through December 31, 2014 for prescription benefit management by Resolution No. 11-1635.

On August 27, 2014, City Council authorized the first one-year extension of the three-year service contract with UnitedHealthcare Services, Inc. for the period January 1, 2015 through December 31, 2015 for services including: (1) Medical Third-Party Administration services; (2) fully-insured Medicare Advantage HMO, AARP Medicare Supplement, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their eligible spouses; (3) fully-insured vision and dental plans; and (4) a Diabetes Prevention and Control Alliance Program by Resolution No. 14-1377.

On August 27, 2014, City Council authorized the first one-year extension of the three-year service contract with CaremarkPCS Health, LLC for the period January 1, 2015 through December 31, 2015, to provide Pharmacy Benefits Management services by Resolution 14-1378.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS) (Continued)

On June 17, 2015, City Council authorized the second one-year extension of the three-year service contract with UnitedHealthcare Services, Inc. for the period January 1, 2016 through December 31, 2016, for services including: (1) Medical Third-Party Administration services; (2) fully-insured Medicare Advantage HMO, AARP Medicare Supplement, and enhanced Medicare “Part D” prescription drug plans for Medicare eligible retirees and their eligible spouses; (3) fully-insured vision and dental plans; and (4) a Diabetes Prevention and Control Alliance Program by Resolution No. 15-1239.

On June 17, 2015, City Council authorized the second one-year extension of the three-year service contract with CVS/Caremark for the period January 1, 2016 through December 31, 2016 to provide Pharmacy Benefits Management services by Resolution No. 15-1240.

On June 8, 2016, City Council was briefed.

FISCAL INFORMATION

\$14,990,000.00 - Employee Benefits Current Funds (subject to annual appropriations)

M/WBE INFORMATION

- 186 - Vendors contacted
- 186 - No response
 - 0 - Response (Bid)
 - 0 - Response (No Bid)
 - 0 - Successful

1,017 M/WBE and Non-M/WBE vendors were contacted

The recommended awardees have fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Cigna Health and Life Insurance Company

White Male	105	White Female	749
Black Male	14	Black Female	113
Hispanic Male	4	Hispanic Female	41
Other Male	3	Other Female	27

ETHNIC COMPOSITION (Continued)

CaremarkPCS Health, LLC

White Male	162	White Female	243
Black Male	66	Black Female	234
Hispanic Male	24	Hispanic Female	53
Other Male	45	Other Female	67

Davis Vision, Inc.

White Male	222	White Female	332
Black Male	59	Black Female	100
Hispanic Male	99	Hispanic Female	109
Other Male	24	Other Female	21

Metropolitan Life Insurance Company

White Male	479	White Female	931
Black Male	35	Black Female	209
Hispanic Male	26	Hispanic Female	84
Other Male	28	Other Female	62

PROPOSAL INFORMATION

The following proposals were received from solicitation number BKZ1610 and read on April 1, 2016. These contracts are being awarded by group to the vendors who provided the most advantageous proposals to the City. Information related to this solicitation is available upon request.

*Denotes successful proposers

<u>Proposers</u>	<u>Address</u>	<u>Amount</u>
*Cigna Health and Life Insurance Company	185 Assylum St. Hartford, CT 06103	Multiple Groups
*CaremarkPCS Health, LLC	445 Great Circle Rd. Nashville, TN 37228	Multiple Groups
*Davis Vision, Inc.	175 East Houston St. San Antonio, TX 78205	Multiple Groups

PROPOSAL INFORMATION (Continued)

<u>Proposers</u>	<u>Address</u>	<u>Amount</u>
*Metropolitan Life Insurance Company	Two Galleria Tower 13455 Noel Rd. Suite 2110 Dallas, TX 75240	Multiple Groups
Blue Cross and Blue Shield of Texas	1001 East Lookout Dr. Richardson, TX 75082	Multiple Groups
Aetna Life Insurance Company	151 Farmington Ave. Hartford, CT 06156	Multiple Groups
United Healthcare Services, Inc.	1311 W. President George Bush Hwy. Richardson, TX 75080	Multiple Groups
Express Scripts, Inc.	One Express Way St. Louis, MO 63121	Multiple Groups
Block Vision of Texas, Inc., dba Superior Vision of Texas	4100 Alpha Rd. Suite 910 Dallas, TX 75244	Multiple Groups
Delta Dental Insurance Company	1701 Shoal Creek Suite 240 Highland Village, TX 75077	Multiple Groups
United Concordia, LLC.	4401 Deer Path Rd. Harrisburg, PA 17110	Multiple Groups
Omada Health, Inc.	500 Sansomme St. Suite 200 San Francisco, CA 94111	Multiple Groups
Deer Oaks EAP Services, LLC	126 East Main Plaza Suite 8 San Antonio, TX 78205	Multiple Groups
Castlight Health, Inc.	121 Spear St. Suite 300 San Francisco, CA 94610	Multiple Groups

OWNERS

Cigna Health and Life Insurance Company

Mathew Manders, President

CaremarkPCS Health, LLC

Daniel P. Davison, President

Mark C. Proulx, Senior Vice President

Sara M. Hankins, Secretary

Davis Vision, Inc.

Danny L. Bentley, President

John Brian Bitzer, Vice President

Edward August Bittner, Secretary

Michael John Kincaid, Treasurer

Metropolitan Life Insurance Company

Steven A. Kandarian, President

Robert T. Johnson III, Vice President

Timothy Ring, Secretary

Marlene Debel, Treasurer

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract, with two one-year renewal options, effective immediately to prepare for services effective for the period January 1, 2017 through December 31, 2019 with Cigna Health and Life Insurance Company for administrative services related to medical claims adjudication; healthcare provider network; Family Medical Leave Act; COBRA; and flexible spending accounts and related services for the City's employee leave and benefit programs, most advantageous proposer of four - Not to exceed \$14,000,000 - Financing: Administrative fees to be paid from Employee Benefits Current Funds (in accordance with the contribution rates approved annually by the City Council and subject to annual appropriations)

Cigna Health and Life Insurance Company is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$846,000.00	6.04%
Total non-local contracts	\$13,154,000.00	93.96%
TOTAL CONTRACT	\$14,000,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
K Strategies Group	BFDB06673Y0317	\$150,000.00	17.73%
Focus Public Relations	BMDB01348N0117	\$150,000.00	17.73%
Dream Blg Media Solutions	BMDB16954N0616	\$76,500.00	9.04%
BridgeWork Partners	HFWB74608N1217	\$240,000.00	28.37%
Pursuit of Excellence Inc	HFDF01219N0417	\$150,000.00	17.73%
Alliance of Diversity Printers LLC	HFDB10138N0117	\$79,500.00	9.40%
Total Minority - Local		\$846,000.00	100.00%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Cushion Employer Services	BMDB13980N0716	\$285,000.00	2.17%
The Urban Circle	BMMB60125N0517	\$225,000.00	1.71%
The Bracane Company	WFWB40297N1116	\$585,000.00	4.45%
Total Minority - Non-local		\$1,095,000.00	8.32%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$376,500.00	44.50%	\$886,500.00	6.33%
Hispanic American	\$469,500.00	55.50%	\$469,500.00	3.35%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$585,000.00	4.18%
Total	\$846,000.00	100.00%	\$1,941,000.00	13.86%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a three-year service contract, with two one-year renewal options, for the period January 1, 2017 through December 31, 2019 with CaremarkPCS Health, LLC, for prescription benefit management; with Caremark receiving a \$1.10 administrative fee for each prescription filled, most advantageous proposer of six - Not to exceed \$990,000 - Financing: Employee Benefits Current Funds (subject to annual appropriations)

CaremarkPCS Health, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and propose to use the following sub-contractor.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$754,380.00	76.20%
Total non-local contracts	\$235,620.00	23.80%
TOTAL CONTRACT	\$990,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Universal Printing Company	WFWB54905N1216	\$235,620.00	100.00%
Total Minority - Non-local		\$235,620.00	100.00%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$235,620.00	23.80%
Total	\$0.00	0.00%	\$235,620.00	23.80%

June 22, 2016

WHEREAS, on June 15, 2011, City Council authorized a three-year service contract, with two one-year renewal options, for the period January 1, 2012 through December 31, 2014 with United HealthCare Services, Inc. for (1) Medical Third-Party Administration services; (2) fully-insured Medicare Advantage HMO, AARP Medicare Supplement, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their eligible spouses; and (3) fully-insured vision and dental plans, in an amount not to exceed \$18,919,918.07, by Resolution No. 11-1635; and

WHEREAS, on August 27, 2014, City Council authorized the first one-year extension of the three-year service contract with UnitedHealthcare Services, Inc. for the period January 1, 2015 through December 31, 2015 for services including: (1) Medical Third-Party Administration services; (2) fully-insured Medicare Advantage HMO, AARP Medicare Supplement, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their eligible spouses; (3) fully-insured vision and dental plans; and (4) a Diabetes Prevention and Control Alliance Program, in an amount not to exceed \$6,306,640, from \$18,919,919 to \$25,226,559, by Resolution No. 14-1377; and

WHEREAS, on June 17, 2015, City Council authorized the second one-year extension of the three-year service contract with UnitedHealthcare Services, Inc. for the period January 1, 2016 through December 31, 2016, for services including: (1) Medical Third-Party Administration services; (2) fully-insured Medicare Advantage HMO, AARP Medicare Supplement, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their eligible spouses; (3) fully-insured vision and dental plans; and (4) a Diabetes Prevention and Control Alliance Program in an amount not to exceed \$6,906,640, from \$25,226,559 to \$32,133,199, by Resolution No. 15-1239;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a three-year service contract, effective immediately to prepare for services effective for the period January 1, 2017 through December 31, 2019, with two one-year renewal options, upon approval as to form by the City Attorney, with Cigna Health and Life Insurance Company (VC15730) for administrative services related to medical claims adjudication; healthcare provider network; Family Medical Leave Act; COBRA; Employee Assistance Programs and flexible spending accounts and related services for the City's employee leave and benefit programs. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Cigna Health and Life Insurance Company shall be based only on the amount of the services directed to be performed by the City and properly performed by Cigna Health and Life Insurance Company under the contract.

June 22, 2016

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$14,000,000.00 (in accordance with the contribution rates approved annually by the City Council and subject to annual appropriations) from Service Contract number CIGNAEHBFY17.

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

June 22, 2016

WHEREAS, on June 15, 2011, City Council authorized a three-year service contract, with two one-year renewal options, for the period January 1, 2012 through December 31, 2014 with United HealthCare Services, Inc. for (1) Medical Third-Party Administration services; (2) fully-insured Medicare Advantage HMO, AARP Medicare Supplement, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their eligible spouses; and (3) fully-insured vision and dental plans, in an amount not to exceed \$18,919,918.07, by Resolution No. 11-1635; and,

WHEREAS, on August 27, 2014, City Council authorized the first one-year extension of the three-year service contract with UnitedHealthcare Services, Inc. for the period January 1, 2015 through December 31, 2015 for services including: (1) Medical Third-Party Administration services; (2) fully-insured Medicare Advantage HMO, AARP Medicare Supplement, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their eligible spouses; (3) fully-insured vision and dental plans; and (4) a Diabetes Prevention and Control Alliance Program, in an amount not to exceed \$6,306,640, from \$18,919,919 to \$25,226,559, by Resolution No. 14-1377; and,

WHEREAS, on June 17, 2015, City Council authorized the second one-year extension of the three-year service contract with UnitedHealthcare Services, Inc. for the period January 1, 2016 through December 31, 2016, for services including: (1) Medical Third-Party Administration services; (2) fully-insured Medicare Advantage HMO, AARP Medicare Supplement, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their eligible spouses; (3) fully-insured vision and dental plans; and (4) a Diabetes Prevention and Control Alliance Program in an amount not to exceed \$6,906,640, from \$25,226,559 to \$32,133,199, by Resolution No. 15-1239; and,

WHEREAS, the health benefits market changes rapidly and based on proposals received during this procurement process, the most advantageous proposals will require separate contracts with Cigna, MetLife, and Davis;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a three-year service contract, effective immediately for administrative services during the period January 1, 2017 through December 31, 2019, with two one-year renewal options, upon approval as to form by the City Attorney, with **(1)** Metropolitan Life Insurance Company (VS90874) for fully insured dental plans; and **(2)** Davis Vision, Inc. (VS000061613) for a fully-insured vision plan. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Metropolitan Life Insurance Company and Davis Vision, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Metropolitan Life Insurance Company and Davis Vision, Inc. under the contract.

June 22, 2016

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 0265, Dept. PER, various object codes to Metropolitan Life Insurance Company (Vendor #VS90874) for a fully insured dental plan on the behalf of City employees and retirees to be reimbursed through employee/ retiree payroll deductions.

Section 3. That the Chief Financial Officer is hereby authorized to make employee/retiree payroll deductions to reimburse the City to Fund 0265, Dept. PER, various revenue codes for a fully insured dental plan.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds from Fund 0265, Dept. PER, various object codes to Davis Vision (Vendor #VS0000061613) for a fully insured vision plan on the behalf of City employees and retirees to be reimbursed through employee/ retiree payroll deductions.

Section 5. That the Chief Financial Officer is hereby authorized to make employee/retiree payroll deductions to reimburse the City to Fund 0265, Dept. PER, various revenue codes for a fully insured vision plan.

June 22, 2016

WHEREAS, on June 15, 2011, the City Council authorized a three-year service contract, with two one-year renewal options, for the period January 1, 2012 through December 31, 2014 with CVS/Caremark, in an amount not to exceed \$800,000, by Resolution No. 11-1635; and,

WHEREAS, on August 27, 2014, City Council authorized the first one-year extension of the three-year service contract with CVS/Caremark for the period January 1, 2015 through December 31, 2015, to provide Pharmacy Benefits Management services, in an amount not to exceed \$270,000, from \$800,000 to \$1,070,000, by Resolution 14-1378; and,

WHEREAS, on June 17, 2015, City Council authorized the second one-year extension of the three-year service contract with CVS/Caremark for the period January 1, 2016 through December 31, 2016, in an amount not to exceed \$270,000, from \$1,070,000 to \$1,340,000, by Resolution No. 15-1240;

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute a three-year service contract, with two one-year renewal options, for the period January 1, 2017 through December 31, 2019, upon approval as to form by the City Attorney, with CaremarkPCS Health, LLC (VC15738) for prescription benefit management. CaremarkPCS Health, LLC receives a \$1.10 administrative fee for each prescription filled. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to CaremarkPCS Health, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by CaremarkPCS Health, LLC under the contract.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$990,000.00 (subject to annual appropriations) from Service Contract number CVSPHARMFY17.

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

ADDENDUM ITEM # 4

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Office of Cultural Affairs

CMO: Jeanne Chipperfield, 670-7804
Joey Zapata, 670-1204

MAPSCO: N/A

SUBJECT

Authorize **(1)** the rejection of proposals received for food and beverage services at the Morton H. Meyerson Symphony Center and Dallas City Performance Hall; and **(2)** the re-advertisement for new proposals - Financing: No cost consideration to the City

BACKGROUND

This item is on the addendum to complete a new solicitation process and to allow for continued services without interruption.

This action will authorize the rejection of proposals received for solicitation BTZ1519 for Food and Beverage Services at the Morton H. Meyerson Symphony Center and Dallas City Performance Hall. Office of Cultural Affairs will modify the specifications. Office of Cultural Affairs further determined it would be more advantageous to the City to reject the proposal and re-advertise a new solicitation to encourage more competition.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Arts, Culture and Libraries Committee on June 20, 2016.

FISCAL INFORMATION

No cost consideration to the City.

June 22, 2016

WHEREAS, on September 3, 2015, two proposals were received for food and beverage services at the Morton H. Meyerson Symphony Center and Dallas City Performance Hall; and,

WHEREAS, it has been determined that it is in the best interest of the City of Dallas to reject the two proposals that were received for food and beverage services at the Morton H. Meyerson Symphony Center and Dallas City Performance Hall;

NOW, THEREFORE,

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

Section 1. That the two proposals received for food and beverage services at the Morton H. Meyerson Symphony Center and Dallas City Performance Hall are hereby rejected and authorization to solicit new bids is granted.

Section 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: E-Gov
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): N/A
DEPARTMENT: City Attorney's Office
CMO: Christopher D. Bowers, 670-3491
MAPSCO: N/A

SUBJECT

Authorize **(1)** acceptance of the 2016-17 Veterans Treatment Court Grant from the Texas Veterans Commission's Fund for Veteran's Assistance for expansion of the South Oak Cliff Community Court to include the South Oak Cliff Veterans Treatment Court project for the period July 1, 2016 through June 30, 2017; **(2)** approval of creating two new full-time positions to execute the proposed project; and **(3)** execution of the grant agreement - Not to exceed \$300,000 - Financing: Texas Veterans Commission Grant Funds

BACKGROUND

This item will authorize the acceptance and execution of the Veterans Treatment Court Grant from the Texas Veterans Commission's Fund for Veterans' Assistance. The Commission awarded the City a one-year grant with the project period from July 1, 2016 to June 30, 2017. The Veterans Treatment Court (VTC) seeks to identify veterans with chemical dependency who have at least one unadjudicated City of Dallas criminal citation. Eligible veterans will be offered an opportunity to participate in the VTC program where their criminal citations will be adjudicated and they will be assessed and assigned a case manager and referred to services such as alcohol/drug treatment and recovery support services. The VTC docket will be held at the South Oak Cliff Community Court, which is located inside the Dallas Area Rapid Transit Police Headquarters at 2111 South Corinth Street.

The Texas Veterans Commission has awarded the City \$300,000.00 in support of the VTC program for the first year. This includes the funding of two new full-time positions (Coordinator I and Manager I).

This item is on the addendum due to legal deadlines before the next available agenda.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Budget, Finance & Audit Committee on June 20, 2016.

FISCAL INFORMATION

\$300,000.00 - Texas Veterans Commission Grant Funds

June 22, 2016

WHEREAS, the City of Dallas seeks to add a Veterans Treatment Court docket at the South Oak Cliff Community Court that will incorporate alcohol/drug treatment, recovery support services, screening, assessment, case management, and program coordination specifically for veterans; and

WHEREAS, the Fund for Veterans Assistance of the Texas Veterans Commission has awarded the City a one-year grant with the project period from July 1, 2016 to June 30, 2017; and

WHEREAS, the Texas Veterans Commission's Fund for Veterans Assistance has made grant funds available during the 2015-16 fiscal year and partially during the 2016-17 fiscal year to offer veterans facing criminal charges for substance abuse and possession an opportunity to enter a substance abuse recovery program in lieu of jail time; and

WHEREAS, such grant funding was awarded to the City on May 18, 2016; and

WHEREAS, the grant funding would benefit the City in its endeavor to reduce crime and help affected veterans become drug free and self-sufficient; and

WHEREAS, the City finds it in the best interest of the City's residents that the grant funds be accepted for the 2015-16 fiscal year and partially during the 2016-17 fiscal year; and

WHEREAS, the City agrees that in the event of loss or misuse of the grant funds, the City will return the funds identified as ineligible to the Texas Veterans Commission; and

WHEREAS, the City designates the City Manager or his designee as the grantee's authorized official, who has the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City; **Now, Therefore,**

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

Section 1. That the City Manager is hereby authorized to **(1)** accept the 2016-17 Veterans Treatment Court Grant (Grant No. VTC160381) from the Texas Veterans Commission for expansion of the South Oak Cliff Community Court to include the South Oak Cliff Veterans Treatment Court project for the period July 1, 2016 through June 30, 2017 in an amount not to exceed \$300,000.00; **(2)** approve creating two new full-time positions to execute the proposed project; and **(3)** execute the grant agreement.

Section 2. That the City Manager is hereby authorized to establish appropriations in the Veterans Treatment Court Expansion Project Grant Fund S302, Department ATT, Unit 1955, various Object Codes per the attached Schedule, in an amount not to exceed \$300,000.00.

June 22, 2016

Section 3. That the Chief Financial Officer is hereby authorized to deposit grant funds in an amount not to exceed \$300,000.00 into Fund S302, Department ATT, Unit 1955, and Revenue Source 6516.

Section 4. That the Chief Financial Officer is hereby authorized to disburse grant funds from Fund S302, Department ATT, Unit 1955, in accordance with the attached schedule, in an amount not to exceed \$300,000.00.

Section 5. That the City Manager is hereby authorized to create two new full-time positions:

1. Coordinator I - who will coordinate the efforts of the court, the social service and case management clinic, and the service providers to maximize effectiveness of court operations, sentences, and compliance monitoring.
2. Manager I - who will manage the cases of the court as well as coordinating outreach efforts with the Coordinator to recruit and retain clients.

**These two positions will come at no cost to the City during the grant period.*

Section 6. That the City Manager is hereby authorized to reimburse the Texas Veterans Commission Fund for Veterans Assistance of any expenditure found ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

Section 7. That the City Manager shall keep the appropriate City Council Committee informed of all final Texas Veterans Commission Fund for Veterans Assistance monitoring reports not later than 30 days after the receipt of the report.

Section 8. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Texas Veterans Commission-Veterans Treatment Court Grant

Fund S302

Dept. ATT

Unit 1955

July 1, 2016 - June 30, 2017

		FY16-FY17 Budget
Obj.		
1101	Salaries	138,923.00
1301	Pension	19,213.05
1303	Life Insurance	48
1304	Health Insurance	11,344.00
1306	FICA	2,014.38
1309	Wellness	66
2252	Metered Postage	150.00
3070	Professional Services	110,300.00
3361	Professional Development	5,938.00
3851	Pension Bond Debt	12,003.57
Total		\$300,000.00

KEY FOCUS AREA: E-Gov
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): N/A
DEPARTMENT: City Attorney's Office
CMO: Christopher D. Bowers, 670-3491
MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with Messer, Rockefeller & Fort, PLLC for additional legal services in the matter styled Thomas and Carol Stumpf v. City of Dallas and Johnny Lynn Rudder, Civil Action No. 3:15-CV-1944-N, United States District Court for the Northern District of Texas, Dallas Division - Not to exceed \$75,000, from \$50,000 to \$125,000 - Financing: Current Funds

BACKGROUND

Supplemental Agreement No. 1 will authorize Messer, Rockefeller & Fort, PLLC to provide additional legal services necessary to represent former paramedic Johnny Lynn Rudder in the matter styled Thomas and Carol Stumpf v. City of Dallas and Johnny Lynn Rudder, Civil Action No. 3:15-CV-1944-N, United States District Court for the Northern District of Texas, Dallas Division.

This item is on the addendum due to legal deadlines before the next available agenda.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Council was briefed in Closed Session on June 8, 2016.

Council will be briefed in Closed Session on June 22, 2016.

FISCAL INFORMATION

\$75,000.00 - Current Funds

M/WBE INFORMATION

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Resolution No. 08-2826, as amended.

OWNER

Messer, Rockefeller & Fort, PLLC

Wm Andrew Messer, Partner

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the professional services contract with Messer, Rockefeller & Fort, PLLC for additional legal services in the matter styled Thomas and Carol Stumpf v. City of Dallas and Johnny Lynn Rudder, Civil Action No. 3:15-CV-1944-N, United States District Court for the Northern District of Texas, Dallas Division - Not to exceed \$75,000, from \$50,000 to \$125,000 - Financing: Current Funds

Messer, Rockefeller & Fort, PLLC is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$75,000.00	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$75,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$0.00	0.00%

June 22, 2016

WHEREAS, the City of Dallas is involved in a lawsuit styled Thomas and Carol Stumpf v. City of Dallas and Johnny Lynn Rudder, Civil Action No. 3:15-CV-1944-N, United States District Court for the Northern District of Texas, Dallas Division; and,

WHEREAS, on July 16, 2015, pursuant to Administrative Action No. 15-6297, the City authorized a professional services contract with Messer, Rockefeller & Fort, PLLC for legal services necessary to represent former paramedic Johnny Lynn Rudder, in an amount not to exceed \$50,000.00; and,

WHEREAS, the professional services of Messer, Rockefeller & Fort, PLLC continue to be necessary for representation of former paramedic Johnny Lynn Rudder; **Now, Therefore,**

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

Section 1. That, following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into Supplemental Agreement No. 1 to the professional services contract with Messer, Rockefeller & Fort, PLLC for additional services in the matter styled Thomas and Carol Stumpf v. City of Dallas and Johnny Lynn Rudder, Civil Action No. 3:15-CV-1944-N, United States District Court for the Northern District of Texas, Dallas Division; in an amount not to exceed \$75,000.00, increasing the original contract amount from \$50,000.00 to \$125,000.00.

Section 2. That the Chief Financial Officer is hereby authorized to disburse, in periodic payments to Messer, Rockefeller & Fort, PLLC an amount not to exceed \$75,000.00 from Fund 0192, Department ORM, Unit 3890, Obj. 3033, Encumbrance No. ATT019215I004, Vendor No. VC14156.

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Code Compliance

CMO: Joey Zapata, 670-3009

MAPSCO: N/A

SUBJECT

An ordinance amending Chapter 17 of the Dallas City Code by **(1)** adopting new food establishment rules promulgated by the Texas Department of State Health Services; **(2)** providing additional requirements for certain equipment; **(3)** providing additional requirements for mobile food establishments; **(4)** providing additional requirements for variances for dog friendly patios; **(5)** providing certain Heimlich Maneuver poster display requirements; and **(6)** making conforming changes; and providing a penalty not to exceed \$2,000 - Financing: No cost consideration to the City

BACKGROUND

The proposed ordinance would add Section 17-14.1 and amend Sections 17-1.1, 17-1.5, 17-1.6, 17-2.1, 17-2.2, 17-3.1, 17-3.2, 17-4.1, 17-4.2, 17-5.1, 17-5.2, 17-6.1, 17-6.2, 17-7.1, 17-8.1, 17-8.2, 17-9.1, 17-9.2, 17-10.1, 17-10.2, 17-11.2, 17-12.1, 17-13.1 of the Dallas City Code to: (1) expand Texas Food Establishment Rules (TFER) definitions and add new TFER requirements; (2) require a hand wash sink within 25 linear feet of a food preparation area; (3) locate grease traps outside the food preparation areas; (4) add language to increase accessibility to equipment for cleaning and to prevent contamination from dust producing equipment and/or prevent contamination from exposed or unprotected water lines; (5) require proof of insurance for mobile food establishments and storage location requirements for push carts; (6) limit the booth size for temporary food establishments to 15 x 15 and limit the number of time/temperature for safety (TCS) menu items within a permitted booth to no more than four; (7) provide additional requirements for dog friendly patios at food establishments; and (8) provide a definition of extensively remodeled that applies to non-TFER change.

This item was placed on the addendum following a June 10, 2016 meeting with the Greater Dallas Restaurant Association and a June 13, 2016, briefing memo to the Quality of Life & Environment Committee.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed to the Quality of Life and Environment Committee on February 22, 2016.

Information about this item was provided to the Quality of Life and Environment Committee on April 11, 2016 and June 13, 2016.

FISCAL INFORMATION

No cost consideration to the City

ORDINANCE NO. _____

An ordinance amending Chapter 17, “Food Establishments,” of the Dallas City Code by amending Sections 17-1.1, 17-1.5, 17-1.6, 17-2.1, 17-2.2, 17-3.1, 17-3.2, 17-4.1, 17-4.2, 17-5.1, 17-5.2, 17-6.1, 17-6.2, 17-7.1, 17-8.1, 17-8.2, 17-9.1, 17-9.2, 17-10.1, 17-10.2, 17-11.2, 17-12.1, 17-13.1, and adding Section 17-14.1; adopting new food establishment rules promulgated by the Texas Department of State Health Services; providing additional requirements for certain equipment; providing additional requirements for mobile food establishments; providing additional requirements for temporary food establishments; providing additional requirements for variances for dog friendly patios; providing certain Heimlich maneuver poster display requirements; making conforming changes; providing a penalty not to exceed \$2,000; providing a savings clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Section 17-1.1, “Purpose,” of Article I, “Food Establishments Generally,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“SEC. 17-1.1. PURPOSE.

The purpose set forth in Section 228.1 [~~229.161~~] of the Texas Food Establishment Rules is hereby adopted and made a part of this chapter by reference.”

SECTION 2. That Section 17-1.5, “Definitions,” of Article I, “Food Establishments Generally,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“SEC. 17-1.5. DEFINITIONS.

(a) Except for the terms defined in Subsection (b), t[F]he definitions set forth in Section 228.2 [229.162] of the Texas Food Establishment Rules are hereby adopted and made a part of this chapter by reference~~[, except that the definitions for “adulterated food,” “child care center,” “department,” “food establishment,” “mobile food establishment,” “permit,” “person in charge,” “premises,” “pushcart,” “regulatory authority,” “roadside food vendor,” and “temporary food establishment” contained in Section 229.162 are not adopted].~~

(b) In addition to the definitions adopted in Subsection (a), the following terms have the following meanings in this chapter:

(1) ADULTERATED means the condition of food that:

(A) contains a poisonous or deleterious substance in a quantity that may render it injurious to health; or

(B) contains an added poisonous or deleterious substance:

(i) for which no safe tolerance has been established or accepted by a governmental agency; or

(ii) in excess of a safe tolerance, established or accepted by a governmental agency; or

(C) consists in whole or part of a filthy, putrid, or decomposed substance; or

(D) is unsafe for human consumption; or

(E) was processed, prepared, or otherwise handled under an unsanitary condition that may have contaminated the food or rendered it injurious to health; or

(F) is in whole or part the product of a diseased animal or an animal that did not die by slaughter; or

(G) the container of which is composed in whole or part of a poisonous or deleterious substance that may render the food injurious to health; or

(H) is not in a safe, sound condition, free from spoilage, filth, and other contamination.

(2) CATERING SERVICE means a food establishment, other than a mobile food preparation vehicle, that:

(A) prepares or serves food on premises in control of another; or

(B) prepares food on the premises of a fixed food establishment and delivers the food to a different location to be served.

(3) COMMISSARY means a food establishment that serves as an operating base for a mobile food establishment and where:

(A) food, containers, or supplies are kept, handled, prepared, packaged, or stored for use by a mobile food establishment; and

(B) a mobile food establishment is stored, parked, serviced, cleaned, supplied, and maintained.

(4) DEPARTMENT means the department designated by the city manager to enforce and administer this chapter.

(5) DIRECTOR means the director of the department, the city health authority, or the environmental health officer and includes representatives, agents, or city employees designated by the director of the department, the city health authority, or the environmental health officer to enforce or administer this chapter; except that, in Section 17-10.2(p), the term refers only to the director of the department.

(6) EXTENSIVELY REMODELED means the expenditure of at least \$25,000 or an amount equal to at least 10 percent of the assessed value of the facility, whichever is more, for the purpose of repairs or remodeling, but does not include:

(A) expenditures for the replacement of movable equipment; or

(B) remodeling that does not affect the construction or operation of food storage or food preparation areas or areas used to store or clean utensils and equipment used in food storage or food preparation.

(Z[6]) FOOD ESTABLISHMENT:

(A) The term means an operation that:

(i) sells, stores, prepares, packages, serves, or otherwise provides food for human consumption such as: a food service establishment; retail food store; satellite or catered feeding location; catering operation if the operation provides food directly to a consumer or to a conveyance used to transport people; market; remote catered operations; conveyance used to transport people; institution; or food bank; and

(ii) relinquishes possession of food to a consumer directly, or indirectly through a delivery service, such as home delivery of grocery orders or restaurant takeout orders, or delivery service that is provided by common carriers.

(B) The term includes an element of the operation such as a transportation vehicle or a central preparation facility that supplies a vending location or satellite feeding location unless the vending or feeding location is permitted by the regulatory authority; a restaurant; a grocery store; an operation that is conducted in a mobile, stationary, temporary, or permanent facility or location; where consumption is on or off premises; and regardless of whether there is a charge for the food.

(C) The term does not include a produce stand that only offers whole, uncut fresh fruits and vegetables or an establishment that offers only prepackaged foods that are not time/temperature control for safety [~~potentially hazardous~~], except that the term does include an establishment that sells ice cream, frozen custard, soft serve dairy products, gelato, or other frozen desserts.

(~~8~~[7]) MOBILE FOOD ESTABLISHMENT means a vehicle-mounted food establishment that is designed to be readily moveable and from which food is distributed, sold, or served to an ultimate consumer. The term includes, but is not limited to, mobile food preparation vehicles and pushcarts.

(~~9~~[8]) NON-FOOD CONTACT SURFACE means a surface (including, but not limited to, a shelf, counter, fan, or an exterior part of equipment) that does not normally come into contact with food in the operation of a food establishment.

(~~10~~[9]) PERMIT means the document issued by the department that authorizes a person to operate a food establishment.

(~~11~~[40]) PERSON IN CHARGE means the individual present in a food establishment who is the apparent supervisor of the food establishment at the time of inspection. If no individual is the apparent supervisor, then any employee present is the person in charge.

(~~12~~[41]) PREMISES means:

(A) the physical facility, its contents, and the contiguous land or property under the control of the permit holder; or

(B) the physical facility, its contents, and the contiguous land or property and its facilities and contents that are under the control of the permit holder that may impact food establishment personnel, facilities, or operations, if a food establishment is only one component of a larger operation.

(~~13~~[42]) RECONSTITUTED means the recombining of dehydrated food products with water or other liquids.

(~~14~~[43]) REGULATORY AUTHORITY means the director.

(~~15~~[44]) SAFE TEMPERATURE means a temperature of not more than 41 degrees Fahrenheit if held cold (5 degrees Centigrade) or not less than 135 [~~140~~] degrees

Fahrenheit if held hot (60 degrees Centigrade). The symbols “°F.” and “°C.” are used in this chapter to refer, respectively, to degrees Fahrenheit and degrees Centigrade.

(16[15]) SEAL means to close the junction between surfaces in a way that prevents entry of moisture.

(17[16]) TEMPORARY FOOD SERVICE ESTABLISHMENT means:

(A) a food establishment that operates at a fixed location for a limited period of time in conjunction with:

(i) a plaza event for which a permit has been issued by the city under Chapter 35;

(ii) a special event for which a permit has been issued by the city under Chapter 42A;

(iii) a special event conducted with written permission of the city on property under the control of the park and recreation board, on property of the “convention center” or “reunion arena” as defined in Section 43-127 of this code, or on property of the “municipal produce market” as defined in Section 29-3 of this code;

(iv) a temporary carnival or circus conducted with written authorization of the building official under Section 51A-4.206(2) of the Dallas Development Code;

(v) an activity or event conducted entirely inside a facility that is primarily and routinely used to hold exhibitions, conventions, concerts, symphonies, plays, sporting events, or similar activities or events at which food is customarily served or offered for sale;

(vi) a single event or celebration conducted on any nonresidential premises as an accessory use under Section 51A-4.217 of the Dallas Development Code; or

(vii) a neighborhood farmers market for which a permit has been issued under Chapter 29A of this code; or

(B) a concessionaire operating under a seasonal contract with the city on property owned or operated by the city.

(18[17]) TEXAS FOOD ESTABLISHMENT RULES means the rules of the Texas Department of State Health Services found in Title 25 Texas Administrative Code, Chapter 228, as amended [~~Chapter 229, Subchapter K (effective date March 15, 2006)~~].”

SECTION 3. That Subsection (a) of Section 17-1.6, “Defenses for Certain Types of Activities,” of Article I, “Food Establishments Generally,” of Chapter 17, “Food Establishments” of the Dallas City Code is amended to read as follows:

“SEC. 17-1.6. DEFENSES FOR CERTAIN TYPES OF ACTIVITIES.

(a) It is a defense to prosecution under this chapter that, at the time of the offense, the person charged was:

(1) conducting food operations that are licensed, and inspected at least once a year, under federal or state law (as illustrated by, but not limited to, milk producers, day care facilities, nursing homes, and meat processors);

(2) selling, distributing, transporting, or storing a raw agricultural commodity (including, but not limited to, raw vegetables and fruit, and pure honey) by the original producer, provided that the sale, distribution, transportation, or storage is on property owned or leased by the original producer;

(3) selling, distributing, or serving food at an event, party, or other special gathering that is not open to persons other than the members or invited guests of the sponsor, provided that there is no public advertisement of the event, public solicitation of funds at or for the event, or participation by the general public in the event;

(4) conducting the retail sale or distribution of non-time/temperature control for safety [~~potentially hazardous~~] food from a fixed facility if the food is acquired and sold or distributed in cans, bottles, or other prepackaged containers that are not opened before obtained by a consumer, and no food manufacturing, processing, or preparing operations are conducted at the facility; or

(5) serving or distributing food, without charge, to homeless individuals on public or private property, provided that the person:

(A) sent a notice within the time required by subparagraph (B) to the director (by United States mail, facsimile, electronic mail to the addresses or numbers provided by the director, via the City’s 311 call center, or on the City’s Code Compliance Department’s website [~~at www.dallascityhall.com/code_compliance/index.html]~~) containing the following information:

(i) the name of the individual or organization that was or will be serving or distributing food to the homeless;

(ii) the date or dates when food was or will be served or distributed to the homeless;

(iii) the times of day when food service and distribution is anticipated to or did begin and end on each date listed in the notice;

(iv) the street address or addresses of where food was or is anticipated to be served or distributed to the homeless or, if the location has no street address, then a description of the location by street block number or by naming the nearest intersecting streets; and

(v) the approximate or expected number of food preparers and servers on the site where the food was or will be served or distributed and the approximate or expected number of individuals that were or will be served, provided the number of individuals that were or is anticipated to be served exceeds 75 at a single location;

(B) sent the notice required in subparagraph (A) at least 24 hours before the service or distribution of food to the homeless will commence, if it is anticipated that more than 75 people will be served, or within 48 hours after the service or distribution of food to the homeless has concluded, if it is anticipated that 75 or fewer people will be served at a single location;

(C) if the person is an individual, had attended a free city-sponsored food safety training class within the 24 months preceding the service or distribution of food to the homeless or, if the person is an organization, had at least one person who has attended a free city-sponsored food safety training class or has taken the class to become a certified food handler in the State of Texas within the 24 months preceding the service or distribution of food to the homeless present at all times when food was being served or distributed to the homeless, although this requirement applies only so long as the city sponsors a free food safety training class at least once during each three month period during a calendar year;

(D) did not serve or distribute time/temperature control for safety [~~potentially hazardous~~] to the homeless, unless the food has been stored at a temperature of:

(i) 41° F. (5° C.) or below; or

(ii) 135° F. (57° C.) or above;

(E) transported the food in a clean conveyance and, if the food was a time/temperature control for safety [~~potentially hazardous~~] food, as that phrase is defined in the Texas Food Establishment Rules, as amended, [9.161 et seq.,] served or distributed it within four hours after preparation;

(F) used one of the following methods of sanitizing hands before preparing, serving, or distributing food for the homeless:

(i) a hand sanitizer containing at least 70 percent alcohol or another substance capable of killing 99.9 percent of the bacteria on hands within 30 seconds of application;

(ii) disposable gloves; or

(iii) handwashing equipment that included at a minimum:

(aa) a sink, or a five-gallon container with a spigot that provides free-flowing water and a catch bucket to collect wastewater from handwashing; and

(bb) soap and individual paper towels;

(G) properly disposed of any wastewater generated from any handwashing equipment used in the preparation, service, or distribution of food to the homeless into a sanitary sewer system and did not dispose of the wastewater on the ground or into the stormwater drainage system; and

(H) brought a sufficient number of trash bags to dispose of the solid waste generated by the food provided by the servers and used best efforts to remove or cause the removal of all trash or debris from the feeding site that was generated by the service or distribution of food to the homeless, and deposited the trash or debris in a public trash receptacle, or in a private trash receptacle if permission from the receptacle owner was obtained.”

SECTION 4. That Section 17-2.1, “Adoption of Section 229.163, Texas Food Establishment Rules,” of Article II, “Management and Personnel,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“SEC. 17-2.1. ADOPTION OF SUBCHAPTER B [~~SECTION 229.163~~], TEXAS FOOD ESTABLISHMENT RULES.

Subchapter B [~~Section 229.163~~] of the Texas Food Establishment Rules is hereby adopted and made a part of this chapter by reference, except that Section 228.32 and Subsection 228.38(c) [~~Subsections (b) and (g) of Section 229.163~~] are not adopted.”

SECTION 5. That Subsection (b), “Demonstration of Knowledge by Person in Charge of Food Establishment,” of Section 17-2.2, “Additional Requirements,” of Article II, “Management and Personnel,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(b) Demonstration of knowledge by person in charge of a food establishment. Based on the risks of foodborne illness inherent to the food operation, the person in charge shall, during inspections and upon request, demonstrate to the director knowledge of foodborne disease prevention, application of the Hazard Analysis Critical Control Point principles, and the

requirements of this chapter. The person in charge shall demonstrate this knowledge by compliance with this chapter, by being a registered food protection manager who has shown proficiency of required information through passing a test that is part of an accredited program and by responding correctly to the inspector's questions as they relate to the specific food operation. The person in charge may demonstrate such knowledge by:

(1) describing the relationship between the prevention of foodborne disease and the personal hygiene of a food employee;

(2) explaining the responsibility of the person in charge for preventing the transmission of foodborne disease by a food employee who has a disease or medical condition that may cause foodborne disease;

(3) describing the symptoms associated with the diseases that are transmissible through food;

(4) explaining the significance of the relationship between maintaining the time and temperature of time/temperature control for safety [~~potentially hazardous~~] food and the prevention of foodborne illness;

(5) explaining the hazards involved in the consumption of raw or undercooked meat, poultry, eggs, and fish;

(6) stating the required food temperatures and times for safe cooking of time/temperature control for safety [~~potentially hazardous~~] food including meat, poultry, eggs, and fish;

(7) stating the required temperatures and times for safe refrigerated storage, hot holding, cooling, and reheating of time/temperature control for safety [~~potentially hazardous~~] food;

(8) describing the relationship between the prevention of foodborne illness and the management and control of the following:

(A) cross-contamination;

(B) hand contact with ready-to-eat foods;

(C) handwashing; and

(D) maintaining the food establishment in a clean condition and in good repair;

(9) explaining the relationship between food safety and providing equipment that is:

- (A) sufficient in number and capacity; and
 - (B) properly designed, constructed, located, installed, operated, maintained, and cleaned;
- (10) explaining correct procedures for cleaning and sanitizing utensils and food-contact surfaces of equipment;
- (11) identifying the source of water used and measures taken to ensure that it remains protected from contamination such as providing protection from backflow and precluding the creation of cross connections;
- (12) identifying poisonous and toxic material in the food establishment and the procedures necessary to ensure that they are safely stored, dispensed, used, and disposed of according to law;
- (13) identifying critical control points in the operation from purchasing through sale or service that when not controlled may contribute to the transmission of foodborne illness and explaining steps taken to ensure that the points are controlled in accordance with the requirements of this chapter;
- (14) explaining the details of how the person in charge and food employees comply with the Hazard Analysis Critical Point (HACCP) plan (if a plan is required by the law), the Texas Food Establishment Rules, and this chapter; and
- (15) explaining the responsibilities, rights, and authorities assigned by this chapter to:
- (A) the food employee;
 - (B) the person in charge; and
 - (C) the director.”

SECTION 6. That Subsection (c), “Registered Food Service Managers,” of Section 17-2.2, “Additional Requirements,” of Article II, “Management and Personnel,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(c) Registered food service managers.

(1) Registered food service managers required.

(A) A food establishment shall employ at least one person who:

(i) is a full-time, on-site supervisory employee of that food establishment responsible for food preparation and service; and

(ii) has a valid and current food service manager registration issued by the director.

(B) A food establishment must comply with the requirements of Section 17-2.2(c) before being issued an operating permit.

(C) One registered food service manager in a supervisory capacity may serve up to four food establishments contained within the same building and under the same ownership and same management.

(D) A food establishment shall have one registered food service manager employed and present in the establishment during all hours of operation, except that a registered food service manager serving multiple food establishments as authorized by Section 17-2.2(c)(1)(C) must only be present in the building in which the food establishment is located during all hours of operation.

(E) A food establishment that serves, sells, or distributes only prepackaged foods and non-time/temperature control for safety [~~potentially hazardous~~] beverages, and a temporary food service establishment that is in operation fewer than four consecutive calendar days, are exempt from Section 17-2.2(c)(1).

(2) Registered food service manager replacement. If a food establishment cannot meet the requirements of Section 17-2.2(c)(1) because of the termination or permanent transfer of a registered food service manager, the food establishment shall:

(A) notify the director, in writing, within 10 days after the effective date of the termination or permanent transfer of the registered food service manager; and

(B) employ another registered food service manager within 45 days after the effective date of the termination or permanent transfer of the previous registered food service manager.

(3) Registration of food service managers.

(A) The director shall issue a food service manager registration to any person who submits the required application on a form provided by the director, pays to the city the fee required by Section 17-2.2(c)(6), and provides proof of holding a current, valid registered food manager certification issued by the Texas Department of State Health Services or by a provider approved by that state department.

(B) During those times a registered food service manager is on duty at a food establishment, the registered food service manager must possess evidence of registration.

(C) A food service manager registration is not transferable from one person to another.

(D) Unless sooner revoked by the director, a food service manager registration issued under this article expires five [~~two~~] years after the date of issuance. The expiration date on the city-issued food service manager registration may not be later than the expiration date on the food manager certificate issued by the state or by an approved provider organization.

(4) Renewal of food service manager registration. The director shall renew a food service manager registration if the applicant:

(A) submits an application for renewal within 30 days before expiration of the current food service manager registration;

(B) pays to the city the fee required by Section 17-2.2(c)(6);

(C) provides proof of holding a current, valid registered food manager certification issued by the Texas Department of State Health Services or by a provider approved by that state department; and

(D) provides evidence that within the six months prior to submitting the application for renewal the applicant has:

(i) attended a food service manager refresher training course approved by the director; or

(ii) received a passing score on a national examination for certification of food service managers that meets requirements of the United States Food and Drug Administration.

(5) Denial or revocation of food service manager registration.

(A) The director may refuse to issue or renew a food service manager registration or may revoke a food service manager registration if the applicant or holder:

(i) has been convicted of interfering with the lawful inspection of a food establishment;

(ii) makes a false statement of material fact in the application for registration or renewal of registration; or

(iii) fails to show proof of holding a current, valid registered food manager certification issued by the Texas Department of State Health Services or by a provider approved by that state department.

(B) An applicant for or a holder of a food service manager registration may, in accordance with Section 17-10.2(q), appeal the director's decision to deny issuance or renewal of a registration or to revoke a registration.

(6) Food service manager registration fees. An applicant shall pay a nonrefundable fee of \$20 per year for a food service manager registration. The fee for replacing a lost, stolen, or damaged certificate of registration is \$11.

(7) Display of certificate of registered food service manager. A food service establishment shall display the original certificate of each primary registered food service manager employed by the establishment. Each certificate must be displayed in a glass-covered frame at a location where it is easily visible to the public."

SECTION 7. That Subsection (d), "Food Handlers," of Section 17-2.2, "Additional Requirements," of Article II, "Management and Personnel," of Chapter 17, "Food Establishments," of the Dallas City Code is deleted in its entirety as follows:

~~"[(d) Food handlers.~~

~~(1) Food establishments for which food handler certification is mandatory. Section 17-2.2(d) is only mandatory for the following food establishments:~~

~~(A) Any food establishment scoring 70 or below, out of a possible 100 points, on an inspection conducted under this chapter.~~

~~(B) Any food establishment scoring from 71 to 79, out of a possible 100 points, on a reinspection conducted under this chapter during which a critical violation is found.~~

~~(C) Any food establishment in which the same critical violation is found twice within any 12-month period during inspections conducted under this chapter.~~

~~(D) Any food establishment that has had a confirmed foodborne illness.~~

~~(E) Any mobile food establishment described in Section 17-8.2(b) of this chapter that prepares or serves non-prepackaged potentially hazardous food.~~

~~(2) Food handler certificate required.~~

~~(A) A person who owns, manages, or otherwise controls any food establishment described in Section 17-2.2(d)(1) (including but not limited to a fixed facility, a catering service, a mobile food preparation vehicle, a general service mobile food establishment,~~

or a temporary food establishment operating for a duration of four or more consecutive days) shall not permit any person to be employed in the establishment who:

(i) ~~will perform work that requires the handling of food, utensils, or food service equipment; and~~

(ii) ~~does not hold a valid food handler certificate issued under Section 17 2.2(d) within 45 days after:~~

(aa) ~~the date of employment by a food establishment described in Section 17 2.2(d)(1), for a new employee; or~~

(bb) ~~the date the food establishment receives notice from the director that food handler certification is required because the establishment falls under Section 17 2.2(d)(1), for an existing employee.~~

(B) ~~A food establishment described in Section 17 2.2(d)(1) shall maintain on the premises a food handler certificate for each employee whose work requires the handling of food, utensils, or food service equipment, and shall make each certificate available for inspection upon the director's request.~~

(3) ~~Food handler certificate application; issuance; expiration; nontransferability.~~

(A) ~~The director shall issue a food handler certificate to any person who submits the required application, pays to the city the fee required by Section 17 2.2(d)(5), and meets all of the following requirements:~~

(i) ~~Provides evidence that the person has either:~~

(aa) ~~viewed a video on sanitary food handling as approved by the director; or~~

(bb) ~~attended a sanitary food handling presentation by the city of Dallas as approved by the director.~~

(ii) ~~Is not infected with a disease in a communicable form that can be transmitted by foods.~~

(iii) ~~Is not a carrier of any organism that causes a disease that can be transmitted by foods.~~

(iv) ~~Does not have a boil, an infected wound, or an acute respiratory infection.~~

~~(B) Unless sooner revoked by the director, a food handler certificate expires two years after the date of issuance and may be renewed by submitting an application in compliance with Section 17-2.2(d)(3)(A). Renewal is not required unless the person's work requires the handling of food, utensils, or food service equipment at a food establishment that has been notified by the director within the preceding two years that food handler certification is required because the establishment falls under Section 17-2.2(d)(1).~~

~~(C) A food handler certificate is not transferable from one person to another.~~

~~(4) Denial or revocation of a food handler certificate.~~

~~(A) The director may refuse to issue or renew a food handler certificate or may revoke a food handler certificate if the applicant or holder:~~

~~(i) is not qualified for a certificate under Section 17-2.2(d)(3);~~

~~(ii) fails to provide medical confirmation when required under Section 17-2.2(d)(4)(B);~~

~~(iii) has been convicted of interfering with the lawful inspection of a food establishment; or~~

~~(iv) makes a false statement of material fact in an application for issuance or renewal of a food handler certificate.~~

~~(B) If the director suspects that an applicant or holder is not qualified for a food handler certificate under Section 17-2.2(d)(3)(A)(ii), (iii), or (iv), the director may require the holder or applicant to produce medical confirmation by a physician that the applicant or holder is qualified for a food handler certificate under those provisions.~~

~~(C) If the director denies issuance or renewal of a food handler certificate, or revokes a food handler certificate, the director shall notify the applicant or holder in writing by personal service or regular United States mail. The notice must include the grounds for denial or revocation and a statement informing the applicant or holder of the right to appeal the decision. A copy of the notice must also be given to the food establishment in accordance with Section 17-10.2(n).~~

~~(D) An applicant for or a holder of a food handler certificate may, in accordance with Section 17-10.2(q), appeal the director's decision to deny issuance or renewal of a certificate or to revoke a certificate.~~

~~(5) Food handler certification fees. An applicant shall pay a nonrefundable fee of \$55 for a food handler certificate. The fee for replacing a lost, stolen, or damaged certificate is \$11.~~

(6) Exemption. ~~A person holding a current and valid food service manager registration issued by the director under Section 17-2.2(e) is exempt from the requirements to obtain a food handler certificate.]”~~

SECTION 8. That Section 17-3.1, “Adoption of Section 229.164, Texas Food Establishment Rules,” of Article III, “Food,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“SEC. 17-3.1. ADOPTION OF SUBCHAPTER C [~~SECTION 229.164~~], TEXAS FOOD ESTABLISHMENT RULES.

Subchapter C [~~Section 229.164~~] [including Figure 1: 25 TAC § 228.71(a)(1)(B) [~~229.164(k)(1)(A)(ii)~~], Figure 2: 25 TAC § 228.71(a)(2)(A) [~~229.164(k)(1)(B)(i)~~], and Figure 3: 25 TAC § 228.71(a)(2)(B) [~~229.164(k)(1)(B)(ii)~~]] of the Texas Food Establishment Rules is hereby adopted and made a part of this chapter by reference, except that Section 228.65(a) [~~229.164(e)~~] is not adopted.”

SECTION 9. That Section 17-3.2, “Additional Requirements,” of Article III, “Food,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“SEC. 17-3.2. ADDITIONAL REQUIREMENTS.

(a) In addition to the requirements adopted in Section 17-3.1 of this chapter, the requirements contained in this section govern food at food establishments.

(b) Preventing contamination by employees.

(1) Preventing contamination from hands.

(A) Food employees shall wash their hands as specified under Section 228.38(a) [~~229.163(e)~~] of the Texas Food Establishment Rules (relating to management and personnel).

(B) Except when washing fruits and vegetables as specified in Section 228.66(e) [~~229.164(f)(6)~~] of the Texas Food Establishment Rules, food employees shall avoid contact of exposed ready-to-eat food with their bare hands by use of suitable utensils such as deli tissue, spatulas, tongs, or single-use gloves.

(C) Food employees shall minimize bare hand and arm contact with exposed food that is not in a ready-to-eat form.

(2) Preventing contamination when tasting. A food employee may not use a utensil more than once to taste food that is to be sold or served.

(c) Preventing contamination from the premises.

(1) Food storage.

(A) Except as specified in Section 17-3.2(c)(1)(B) and (C), food must be protected from contamination by storing the food:

- (i) in a clean, dry location;
- (ii) where it is not exposed to splash, dust, or other contamination; and
- (iii) at least 15 centimeters (6 inches) above the floor.

(B) Food in packages and working containers may be stored less than 15 centimeters (6 inches) above the floor on case lot handling equipment as specified under Section 228.106(v) [~~229.165(f)(22)~~] of the Texas Food Establishment Rules.

(C) Pressurized beverage containers, cased food in waterproof containers such as bottles or cans, and milk containers in plastic crates may be stored on a floor that is clean and not exposed to floor moisture.

(2) Food storage, prohibited areas. Food may not be stored:

- (A) in locker rooms;
- (B) in toilet rooms;
- (C) in dressing rooms;
- (D) in garbage rooms;
- (E) in mechanical rooms;
- (F) under sewer lines that are not shielded to intercept potential drips;
- (G) under leaking water lines, including leaking automatic fire sprinkler heads, or under lines on which water has condensed;
- (H) under open stairwells; or
- (I) under other sources of contamination.

(d) Outside distribution of time/temperature control for safety [~~potentially hazardous~~] food. A food establishment that serves, sells, or distributes time/temperature control for safety

[~~potentially hazardous~~] food outside the premises of a fixed facility must maintain the food at a safe temperature.

(e) Outdoor bars.

(1) An outdoor bar is a food establishment that prepares and serves only beverages at a location not completely housed inside a fixed facility.

(2) An outdoor bar is in compliance with Sections 17-3.1 and 17-3.2 if:

(A) the director finds that the outdoor bar will not result in a health or safety hazard or nuisance; and

(B) the outdoor bar is either:

(i) limited to a single, fixed structure; or

(ii) meets the requirements of this chapter pertaining to a general service mobile food establishment; and

(C) the outdoor bar complies with all other requirements of this chapter.

(3) An outdoor bar in compliance with Section 17-3.2(e)(2)(B)(i) must:

(A) have overhead protection of a suitable material that:

(i) completely covers the food preparation area;

(ii) extends at least 18 inches beyond the edge of the service counter; and

(iii) if the overhead protection extends to or beyond the edge of a swimming pool, is guttered to prevent the drainage of rainwater into the swimming pool;

(B) have service counters, walls, partitions, and doors constructed and finished to impede the entrance of rodents;

(C) store and dispense utensils, single service articles, and bar condiments and other unpackaged food only in containers with sealed, self-closing doors;

(D) dispense ice only from automatic ice dispensers or from containers with sealed, self-closing doors;

(E) provide only single service articles for use by the consumer; and

(F) store food (including beverages), utensils, and single service articles in cabinets that are sealed to adequately protect the stored items from contamination by dust, water, insects, and rodents during the times the outdoor bar is not open for business.

(f) Labeling of foods. Bulk, unpackaged foods that are apportioned to consumers with the assistance of food establishment personnel, including bakery products, need not be labeled if:

(1) a health or nutrient content claim, or other claim, is not made;

(2) the food is manufactured or prepared on the premises of the food establishment that is owned by the same person and is licensed by the food regulatory agency that has primary jurisdiction; and

(3) ingredients contained in the food, including potential allergens, are provided to the consumer on request from a recipe book or by other means.

(g) Food transportation.

(1) Transportation. A food establishment that transports food shall:

(A) comply with the applicable requirements of Section 17-3.2(c) during the transportation of food;

(B) transport the food in a clean conveyance;

(C) protect food and utensils from contamination by completely wrapping or packaging, except that foods in original individual packages do not need to be overwrapped or covered if the original package is intact.

(2) Carryout food. A food establishment that prepares food for off premises consumption shall place the food in a sack or closed container, or wrap the food in a way that protects it from adulteration, unless:

(A) the food is served in an individual serving;

(B) the food is intended for immediate consumption; and

(C) it is impracticable to enclose or wrap the food (as illustrated by, but not limited to, a serving of ice cream).”

SECTION 10. That Section 17-4.1, “Adoption of Section 229.165, Texas Food Establishment Rules,” of Article IV, “Equipment, Utensils, and Linens,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“SEC. 17-4.1. ADOPTION OF SUBSECTION D [SECTION 229.165], TEXAS FOOD ESTABLISHMENT RULES.

Subchapter D [~~Section 229.165~~] [including Figure 1: 25 TAC § 228.101(c)(1) [~~229.165(a)(3)~~] and Figure 2: 25 TAC § 228.111(n)(1) [~~229.165(k)(14)(A)~~]] of the Texas Food Establishment Rules is hereby adopted and made a part of this chapter by reference, except that Section 228.109(c) [~~229.165(i)(3)~~] is not adopted.”

SECTION 11. That Subsection (c), “Maintenance Equipment,” of Section 17-4.2, “Additional Requirements,” of Article IV, “Equipment, Utensils, and Linens,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(c) Maintenance of equipment. Equipment shall be maintained in a state of repair and condition that:

(1) meets the requirements specified in Subs[~~S~~]ection 228.101(a) and Section 228.102 [~~229.165(a) and (b)~~] of the Texas Food Establishment Rules; and

(2) enables the equipment to perform the function for which it is used, intended, or designed.”

SECTION 12. That Section 17-5.1, “Adoption of Section 229.166, Texas Food Establishment Rules,” of Article V, “Water, Plumbing, and Waste,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“SEC. 17-5.1. ADOPTION OF SUBCHAPTER E [SECTION 229.166], TEXAS FOOD ESTABLISHMENT RULES.

Subchapter E [~~Section 229.166~~] of the Texas Food Establishment Rules is hereby adopted and made a part of this chapter by reference, except that Paragraphs 228.143(a)(1) through (3) and Subsections 228.146(b) and Subsection 228.147(e) [~~Subsections (c)(3), (f)(2), and (g)(3) of Section 229.166~~] are not adopted.”

SECTION 13. That Subsection (c), “Hand Washing, Lavatory, Water Temperature, and Flow,” of Section 17-5.2, “Additional Requirements,” of Article V, “Water, Plumbing, and Waste” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(c) Handwashing lavatory, water temperature, and flow.

(1) A handwashing lavatory must be equipped to provide water at a temperature of at least 43 degrees Celsius (110 degrees Fahrenheit) through a mixing valve or combination faucet.

(2) A steam-mixing valve may not be used at a handwashing lavatory.

(3) Self-closing, slow-closing, sensor-closing, or metering faucets are prohibited in food preparation areas.

(4) For extensively remodeled food establishments, a handwashing lavatory must be located within 25 linear feet of a food preparation area.

SECTION 14. That Section 17-5.2, “Additional Requirements,” of Article V, “Water, Plumbing, and Waste” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended by adding a new Subsection (e), “Grease Traps/Interceptors,” to read as follows:

“(e) Grease traps/interceptors. For extensively remodeled food establishments, and unless otherwise approved by the director, a food establishment must locate grease traps/interceptors outside the food establishment so that they are easily accessible for cleaning. Grease traps/interceptors located inside the food establishment with the director’s approval must have a liquid-tight lid flush attached to the floor that prevents contamination of food or equipment.

SECTION 15. That Section 17-6.1, “Adoption of Section 229.167, Texas Food Establishment Rules,” of Article VI, “Physical Facilities,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“**SEC. 17-6.1. ADOPTION OF SUBCHAPTER F [~~SECTION 229.167~~], TEXAS FOOD ESTABLISHMENT RULES.**

Subchapter F [~~Section 229.167~~] of the Texas Food Establishment Rules is hereby adopted and made a part of this chapter by reference, except that Sections 228.172 and 228.173 [~~Subsections (b) and (c) of Section 229.167~~] are not adopted.”

SECTION 16. That Subsection (b), “Outdoor Areas, Surface Characteristics,” of Section 17-6.2, “Additional Requirements,” of Article VI, “Physical Facilities,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(b) Outdoor areas, surface characteristics.

(1) Walking and driving areas. The outdoor walking and driving areas must be:

(A) surfaced with concrete, asphalt, or gravel or other materials that have been effectively treated to minimize dust, facilitate maintenance, and prevent muddy conditions; and

(B) graded to prevent pooling.

(2) Exterior surfaces. Exterior surfaces of buildings and mobile food establishments must be of weather-resistant materials and must comply with applicable law.

(3) Storage areas. Outdoor storage areas for refuse, recyclables, or returnables must be of materials specified under Subsections 228.155(a) through (c) [229.166(1), (2), and (3)] of the Texas Food Establishment Rules, which governs water, plumbing, and waste. Only articles necessary for the operation and maintenance of a food establishment and its exterior may be stored on the premises, but only when the storage does not violate this chapter, other city ordinances, or other applicable law.”

SECTION 17. That Paragraph (2), “Special Requirements for Floors,” of Subsection (c), “Floors, Walls, and Ceilings,” of Section 17-6.2, “Additional Requirements,” of Article VI, “Physical Facilities,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(2) Special requirements for floors. A food establishment shall:

(A) construct floors that are water flushed for cleaning, or that receive discharges of liquid from equipment or pressure sprays, of sealed concrete, terrazzo, ceramic tile, or similar material that is graded to a properly installed trapped floor drain;

(B) cove and seal junctures between walls and floors in [~~new or~~] extensively remodeled establishments and in other cases construct the junctures between walls and floors so that the seam is not greater than 1/32 inch;

(C) use only mats and duckboards that are constructed of nonabsorbent, grease resistant material of a size, design, and construction that permits easy cleaning;

(D) not use duckboards as storage racks;

(E) not use floor carpeting in food preparation areas, food storage areas, equipment and utensil washing areas, or toilet rooms; and

(F) not use sawdust, wood shavings, peanut hulls, or similar material as a floor covering.”

SECTION 18. That Section 17-6.2, “Additional Requirements,” of Article VI, “Physical Facilities,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended by adding Subsection (d), “Location of Certain Equipment,” and Subsection (e), “Auxiliary Equipment,” to read as follows:

“(d) Location of certain equipment. For extensively remodeled food establishments, a food establishment must:

(1) locate equipment used for a work surface on which food is prepared (e.g., a meat or vegetable cutting block or bakers table) within five feet of a floor drain so that it may be properly cleaned;

(2) maintain unobstructed aisles between equipment of a width sufficient to permit passage without a likelihood of causing adulteration of food;

(3) position all readily movable storage equipment, including pallets, racks, and dollies, to provide accessibility to working areas;

(4) locate an ice machine, if any, inside a food service or food preparation area; and

(5) not locate equipment, including ice makers and ice storage equipment, under exposed or unprotected sewer lines or water lines, open stairwells, or near other sources of contamination, excluding automatic fire protection sprinkler heads.

(e) Auxiliary equipment for extensively remodeled food establishments.

(1) Except as otherwise provided in this subsection, a food establishment may not locate non-food service equipment (e.g., water heaters, laundry machines, remote connected refrigerator compressors, or air conditioners) inside a food preparation area unless otherwise authorized or required by law.

(2) If a water heater is authorized or required to be located inside a food handling area, it must be enclosed with walls or partitions constructed of rigid, smooth, non-absorbent, easily-cleanable materials.

(3) If a food establishment uses mechanical laundry equipment, the food establishment must locate the equipment in a separate room with self-closing, solid doors that fit tightly at each entrance.”

SECTION 19. That Section 17-7.1, “Adoption of Section 229.168, Texas Food Establishment Rules,” of Article VII, “Poisonous or Toxic Materials,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“SEC. 17-7.1. ADOPTION OF SUBCHAPTER G [~~SECTION 229.168~~], TEXAS FOOD ESTABLISHMENT RULES.

Subchapter G [~~Section 229.168~~] of the Texas Food Establishment Rules is hereby adopted and made a part of this chapter by reference.”

SECTION 20. That Section 17-8.1, “Adoption of Section 229.169, Texas Food Establishment Rules,” of Article VIII, “Mobile Food Establishments,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“SEC. 17-8.1. ADOPTION OF SECTION 228.221 [~~229.169~~], TEXAS FOOD ESTABLISHMENT RULES.

Section 228.221 [~~229.169~~] of the Texas Food Establishment Rules is hereby adopted and made a part of this chapter by reference, except that Subsections 228.221(a), (b), and (c)(2), [~~of Section~~] are not adopted.”

SECTION 21. That Subsection (b), “Categories of Mobile Food Establishments,” of Section 17-8.2, “Additional Requirements,” of Article VIII, “Mobile Food Establishments,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(b) Categories of mobile food establishments. Mobile food establishments in the city are divided into the following categories:

(1) Limited service. A limited service mobile food establishment is a mobile food establishment from which only the following foods and beverages are served, sold, or distributed:

(A) Food that is prewrapped, bottled, or otherwise packaged in individual servings.

(B) Beverages that are not time/temperature control for safety [~~potentially hazardous~~] and are dispensed from covered urns or other protected equipment.

(2) Vegetable and fruit vendor. A vegetable and fruit vendor is a mobile food establishment from which only raw vegetables and fruits are served, sold, or distributed.

(3) Mobile food preparation vehicle. A mobile food preparation vehicle is a commercially- manufactured, motorized mobile food establishment in which ready-to-eat food is cooked, wrapped, packaged, processed, or portioned for service, sale, or distribution. “Commercially-manufactured” means the vehicle was manufactured, converted, or retrofitted for use as a mobile food preparation vehicle by a person regularly in the business of manufacturing, converting, or retrofitting motorized vehicles as mobile food preparation vehicles for sale or compensation.

(4) General service. Any mobile food establishment that is not a limited service mobile food establishment, a vegetable and fruit vendor, or a mobile food preparation vehicle is a general service mobile food establishment.”

SECTION 22. That Subparagraph (E) of Paragraph (1) of Subsection (c), “Vehicles,” of Section 17-8.2, “Additional Requirements,” of Article VIII, “Mobile Food Establishments,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(E) keep proof of minimum vehicle insurance that is issued in at least six month increments [~~display on the vehicle, in a manner and location approved by the director, a city telephone number provided by the director through which complaints about the mobile food establishment may be reported~~];”

SECTION 23. That Subsection (g), “Central Preparation Facility or Commissary,” of Section 17-8.2, “Additional Requirements,” of Article VIII, “Mobile Food Establishments,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(g) Central preparation facility or commissary.

(1) Supplies, cleaning, and servicing operations. A mobile food establishment must operate from a central preparation area, commissary, or other fixed food establishment and must report to the location for supplies and for cleaning and servicing operations at the end of each day. Pushcarts must be stored at the commissary location when not in operation.

(2) Construction. The central preparation facility, commissary, or other fixed food service establishment, used as a base of operation for a mobile food establishment, must be constructed and operated in compliance with this chapter.”

SECTION 24. That Subparagraph (A) of Paragraph (1), “General Operating Requirements,” of Subsection (h), “Operating requirements for Mobile Food Establishments,” of Section 17-8.2, “Additional Requirements,” of Article VIII, “Mobile Food Establishments,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(A) Any person operating a motor vehicle as a mobile food establishment must have a current driver’s license ~~[issued by the State of Texas]~~. The permit holder must ensure that their vehicle drivers have a valid driver’s license.”

SECTION 25. That Subparagraph (M) of Paragraph (4), “General Service,” of Subsection (i), “Structural requirements for Mobile Food Preparation Vehicles and General Service Mobile Food Establishments,” of Section 17-8.2, “Additional Requirements,” of Article VIII, “Mobile Food Establishments,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(M) The vehicle must be equipped with mechanical refrigeration equipment if time/temperature control for safety ~~[potentially hazardous]~~ food is stored, prepared, or served on the vehicle. The mechanical refrigeration equipment must have at least 15 cubic feet of usable storage space and be capable of ensuring proper food temperature control during transportation and operation.”

SECTION 26. That Section 17-9.1, “Adoption of Section 229.170, Texas Food Establishment Rules,” of Article IX, “Temporary Food Establishments and Catering Services,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“SEC. 17-9.1. ELECTION NOT TO ADOPT~~[ION—OF]~~ SECTION 228.222 ~~[229.170]~~, TEXAS FOOD ESTABLISHMENT RULES.

Section 228.222 ~~[229.170]~~ of the Texas Food Establishment Rules is not adopted.”

SECTION 27. That Section 17-9.2, “Requirements for Temporary Food Establishments,” of Article IX, “Temporary Food Establishments and Catering Services,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“SEC. 17-9.2. REQUIREMENTS FOR TEMPORARY FOOD ESTABLISHMENTS.

(a) Authority. The director shall issue a permit, in accordance with applicable food establishment permit and fee requirements set forth in Article X, to a temporary food service establishment if the:

(1) ~~the~~ director finds that the operation will not result in a health or safety hazard or a nuisance;

(2) ~~the~~ operation is limited to a single, fixed location, which may include one or more facilities at the location;

(3) ~~the~~ establishment submits proof to the director that it has obtained all city, state, and federal permits and authorizations necessary to conduct a temporary food service operation, including, but not limited to the following:

(A) an out-of-town vendor must submit a copy of its current local health permit and a copy of its last health inspection from the local health department where the vendor is located; and

(B) a food manufacturer must submit a copy of its state manufacturer's license;

(4) ~~the~~ establishment and its location comply with all requirements of this chapter, the Dallas Development Code, and any other applicable city ordinance or state or federal law; and

(5) ~~the~~ completed application for the permit to operate a temporary food service establishment is received by the director at least 48 hours before the scheduled commencement of the activity or event for which the permit is issued.

(b) Exception. A permit is not required for a temporary food service establishment that does not serve time/temperature control for safety ~~[potentially hazardous]~~ food and the weekly gross income of which does not exceed \$100.

(c) Limit on permits issued for same premises or address. No more than one temporary food service establishment permit may be issued within any calendar quarter for the same premises or street address, even if the permits are issued to different temporary food service establishments. This subsection does not apply if the permit is issued in conjunction with an activity or event described in Section 17-1.5(b)(16)(A)(i), (ii), (iii), (iv), (v), or (vii) of this chapter.

(d) Expiration. A temporary food service establishment permit expires:

(1) upon expiration of a special event permit, plaza event permit, neighborhood farmers market permit, or other written authorization of the city issued in conjunction with the temporary food service establishment permit for an activity or event described in Section 17-1.5(b)(16)(A)(i), (ii), (iii), (iv), or (vii) of this chapter;

(2) upon expiration of a concession agreement executed by the city in conjunction with the temporary food service establishment permit for an activity or event on property owned or operated by the city; or

(3) 14 days after the issuance of a temporary food service establishment permit for an activity or event described in Section 17-1.5(b)(16)(A)(v) or (vi) of this chapter or upon termination of the activity or event, whichever occurs first.

(e) Food and ice preparation and service. A temporary food establishment required to be permitted under this chapter shall not:

(1) prepare, serve, sell, or distribute more than four time/temperature control for safety menu items within a permitted booth, unless otherwise approved by the director;

(2) prepare, serve, sell, or distribute any food not approved in advance by the director;

(3[2]) prepare time/temperature control for safety [~~potentially hazardous~~] food, except that an establishment may prepare time/temperature control for safety [~~potentially hazardous~~] food that is approved in advance by the director and does not require substantial preparation prior to consumption (including, but not limited to, pre-formed hamburgers, beef fajitas, sausages, hotdogs, and frankfurters) or may provide time/temperature control for safety [~~potentially hazardous~~] food that is:

(A) obtained by the establishment in precooked, individual servings;

(B) stored at a temperature of:

(i) 41° F. (5° C.) or below using mechanical refrigeration (ice chests are not allowed for maintaining cold temperatures); or

(ii) 135° F. (57° C.) or above using mechanical holding units in each booth [~~booth~~] to ensure the proper temperature is maintained (canned heat or Sterno is not allowed for maintaining hot temperatures outdoors); and

(C) served to a consumer in the container in which it was originally packaged;

(4[3]) prepare, serve, sell, or distribute raw seafood or poultry, except when the product is:

(A) pre-cut, breaded, and frozen and ready to be directly placed from the freezer into a fryer; or

(B) precooked;

(5[4]) allow open and unprotected displays of food (when using chafing dishes, only hinged lid dishes are allowed so that at least half of the food remains covered at all times);

(6[5]) permit consumption of ice or contact of ice with food unless the ice is:

(A) obtained from a source that is approved as safe by the director;

(B) in chipped, crushed, or cubed form;

(C) obtained in single-use plastic or wet-strength paper bags that are sealed by the manufacturer and unopened until used by the establishment; and

(D) dispensed from a container that is continuously drained into a waste receptacle approved by the director;

(7[6]) store food in contact with water or undrained ice, except that wet storage of a beverage in a pressurized container is permitted if the water used:

(A) contains not less than 50 mg/l of available chlorine; and

(B) is maintained in a clean condition; or

(8[7]) use water from a source that is not approved as safe by the director.

(f) Operational requirements. An establishment operating under authority of this article shall comply with all of the following requirements:

(1) Limit the booth size to a maximum 15x 15 square foot space, unless the event planner provides fixed structures as temporary booths, or as otherwise approved by the director.

(2) P[~~p~~]rotect each food and food-contact surface from contamination, including, but not limited to, complying with the following requirements:

(A) All condiments, including, but not limited to, onions, relish, peppers, catsup, and mustard, that are available for customer self-service must be available in individual packets or from an approved dispenser.

(B) All foods, food containers, utensils, napkins, straws, and other single service articles must be stored at least six inches off the floor and adequately protected from splash, dust, insects, weather, and other contamination.

(C) When self-service ice dispensers are not used, ice scoops are required.

(D) Effective hair restraints (such as nets and caps) are required in food preparation and service areas. Food, beverage, and tobacco consumption is prohibited inside food booths, food preparation areas, and food service areas. Gum chewing is prohibited in food preparation and food service areas.

(E) Food handling personnel must wash their hands as frequently as necessary to maintain clean hands, even if disposable gloves are used. Nails must be closely trimmed and maintained. Long fingernails (natural, sculptured, etc.) or chipped nail polish is prohibited.

(F) Animals may not be located within 50 feet of a temporary food establishment or food service area.

(3[2]) Install equipment in a way that permits cleaning and sanitizing and that is not likely to cause adulteration of food, including, but not limited to, complying with the following requirements:

(A) A container of soapy water solution must be provided for washing dirty utensils. This is for emergency use only.

(B) A sanitizer solution must be provided to sanitize clean utensils and equipment. The required residual of 50-100 ppm chlorine may be obtained by placing one tablespoon of bleach in one gallon of water for the sanitizer. Other approved sanitizers may be used. Test papers must be provided to ensure that proper sanitizer concentration is achieved. All utensils must be taken to a commissary location daily to be properly washed, rinsed, and sanitized.

(C) Wastewater (including but not limited to wastewater from handwashing, utensil washing, sinks, and steam tables) must be placed in an approved container until properly disposed. All wastewater must then be disposed of into a sanitary sewer system or in a manner that is consistent with federal, state, and local regulations and requirements relating to liquid waste disposal.

(4[3]) Provide hot and cold running water, under pressure, in a quantity sufficient to maintain personal hygiene of employees and the cleanliness and sanitation of the establishment, except that cold running water that is not under pressure may be used when the establishment will be in operation for fewer than four consecutive calendar days.

(5[4]) Provide a convenient handwashing facility with soap and individual paper towels for persons preparing and serving food, including, but not limited to, complying with the following requirements:

(A) The handwashing facility must have at least a 5-gallon container with a spigot that provides free flowing water.

(B) The handwashing facility must have a catch bucket to collect wastewater from hand washing.

(6[5]) Comply with federal, state, and local regulations and requirements relating to liquid waste disposal.

(7[6]) Use only equipment and utensils that meet the standards set forth in Article IV of this chapter, if the establishment will be in operation for four or more consecutive calendar days.

(8[7]) Use only equipment approved by the director if time/temperature control for safety [~~potentially hazardous~~] foods will be served by the establishment.

(9[8]) Maintain a full-time, on-site food service manager who is currently registered under Article II of this chapter if the establishment will be in operation for four or more consecutive calendar days, except that multiple establishments under the same ownership and management that are operating at the same activity or event may use the same full-time, on-site food service manager.

(g) Design and structural requirements. The design and structural material of a facility that houses a temporary food service establishment must be approved by the director. Each facility must:

(1) be enclosed by barriers at least 32 inches high that prevent customers from entering food preparation areas;

(2) have a serving counter with a depth of at least 12 inches;

(3) have floors constructed of concrete, asphalt, tight-fitting wood, or other similar, easily cleanable material kept in good repair;

(4) if the temporary food service establishment is outdoors, have over every food preparation and serving area a fire resistant overhead covering that protects the interior of the facility from the weather; and

(5) comply with all design and structural standards that may be established by the director for temporary food service establishments.”

SECTION 28. That Section 17-10.1, “Adoption of Section 229.171, Texas Food Establishment Rules,” of Article X, “Compliance and Enforcement,” of the Dallas City Code is amended to read as follows:

“SEC. 17-10.1. ADOPTION OF SUBCHAPTER I [~~SECTION 229.171~~], TEXAS FOOD ESTABLISHMENT RULES.

Subchapter I [~~Section 229.171~~] of the Texas Food Establishment Rules is hereby adopted and made a part of this chapter by reference, except that Figure 1: 25 TAC § 228.251(f) [~~229.171(j)(6)~~] is not adopted.”

SECTION 29. That Paragraph (2) of Subsection (i), “Temporary Food Service Fee,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(2) Section 17-10.2(i)(1) does not apply to a temporary food service establishment that:

(A) does not serve time/temperature control for safety [~~potentially hazardous~~] food; and

(B) the weekly gross income of which does not exceed \$100.”

SECTION 30. That Paragraph (8) of Subsection (c), “Permits,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is deleted to read as follows:

~~“(8) Extensive remodeling. For purposes of this chapter, “extensive remodeling” means the expenditure of at least \$10,000 or an amount equal to at least 10 percent of the assessed value of the facility, whichever is more, for the purpose of repairs or remodeling, but does not include:~~

~~(A) expenditures for the replacement of movable equipment; or~~

~~(B) remodeling that does not affect the construction or operation of food storage or food preparation areas or areas used to store or clean utensils and equipment used in food storage or food preparation.]”~~

SECTION 31. That Subsection (k), “Payment of Fee,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(k) Payment of fee. Except as expressly provided by this article, a fee prescribed by this article is payable on the date and in the manner prescribed by the director. If in a particular year a food establishment fails to pay the annual inspection fee required on or before the due date, the permit of that establishment lapses and the establishment must pay the reinstatement fee required by Section 17-10.2(d)(2), and all other outstanding fees owed to the city under this chapter, before the permit will be renewed. Fee payments will be applied to oldest outstanding balance first, if any.”

SECTION 32. That Subsection (s), “Variances,” of Section 17-10.2, “Additional Requirements,” of Article X, “Compliance and Enforcement,” of Chapter 17, “Food Establishments,” of the Dallas City Code is amended to read as follows:

“(s) Variances.

(1) A food establishment may apply to the director for a variance modifying or waiving the requirements of the Texas Food Establishment Rules or the requirements of this chapter. The food establishment shall apply for the variance on a form provided by the director and shall include in the application all of the information required by Subsection 229.171(c)(2) of the Texas Food Establishment Rules. The application must be accompanied by a nonrefundable application fee of:

(A) \$127 for a variance to allow dogs to be present in the outdoor patio area of a food establishment under Subsection (s)(7);

(B) \$95 for a variance to allow the preparation, cooking, and service of raw poultry, raw seafood, and non-fast-cooked food items on a mobile food preparation vehicle under Subsection (s)(8); and

(C) \$100 for all other variances applied for under this subsection.

(2) The director may grant a variance by modifying or waiving the requirements of ~~[the as authorized in]~~ Subchapter I, Subsections 228.243(a) through (c), [Section 229.171(e)] of the Texas Food Establishment Rules or the requirements of this chapter if, in the opinion of the director, a health hazard or nuisance will not result from the variance.

(3) If a variance is granted, the director shall retain in its records for the food establishment the information provided by the applicant under Subchapter I, Subsection 228.243(b), [Section—(229.171(e)(2)] of the Texas Food Establishment Rules. A food

establishment granted a variance shall comply with Subchapter I, Subsection 228.243)(c), [~~Section 229.171(e)(3)~~] of the Texas Food Establishment Rules and any conditions or standards for the variance established by the director or this chapter.

(4) A variance granted under this section is nontransferable. The variance expires two years after the date it is granted by the director, unless it is sooner revoked by the director or terminated by the food establishment. A variance may be renewed through the application process set forth in Paragraph (1) of this subsection.

(5) The director shall deny or revoke a variance under this section if:

(A) the food establishment made a false statement as to a material matter on or in connection with the request for the variance or on or in connection with the permit application for the food establishment;

(B) the food establishment does not hold a valid permit issued under this chapter;

(C) the director determines that a health hazard or nuisance will result or has resulted from the variance;

(D) the food establishment failed to pay a fee required under this chapter at the time it was due; or

(E) the food establishment is in violation of any term or condition of the variance as established by the director, this chapter, or state law.

(6) If the director denies or revokes a variance, the director shall notify the applicant in writing by personal service or regular United States mail. The notice must include the reasons for the denial or revocation and a statement informing the applicant of the right to appeal the decision in accordance with Subsection (q) of this section.

(7) If, pursuant to this section, the director grants a variance to Subchapter F, Subsection 228.186(o), [~~Section 229.167(p)(15)~~] of the Texas Food Establishment Rules (which prohibits animals on the premises of a food establishment) to allow dogs to be present in the outdoor patio area of a food establishment, then the food establishment shall comply with the following conditions and standards in addition to any other conditions and standards established by the director for the variance:

(A) Except as allowed under Subchapter F, Subsection 228.186(o), [~~Section 229.167(p)(15)~~] of the Texas Food Establishment Rules, no dog may be present inside the food establishment or on any playground area of the food establishment.

(B) A separate entrance must be provided from the outside of the food establishment to the outdoor patio so that a dog will have direct access to the patio without entering the interior of the food establishment or any playground area of the food establishment.

A dog on an outdoor patio may not be allowed within seven feet of any entrance to the interior of the food establishment, except when necessary to enter or exit the patio.

(C) A sign must be posted at the front entrance of the food establishment and on the outdoor patio so that it is easily visible to the public. The sign must state: "DOG FRIENDLY PATIO - DOG ACCESS ONLY THROUGH OUTDOOR PATIO. FOR COMPLAINTS RELATED TO THE DOG FRIENDLY PATIO, CALL 311." Signs must be:

(i) no smaller than 9-1/2 long by 12 inches wide;

(ii) printed in English and Spanish with bolded lettering at least 36 inches high in contrasting colors; and

(iii) displayed in a landscape orientation.

(D) Doors equipped with self-closing devices must be provided at all entrances to the outdoor patio from the interior of the food establishment.

(E) No food preparation, including mixing drinks or serving ice, may be performed in the outdoor patio area, except that a beverage glass may be filled on the patio from a pitcher or other container that has been filled or otherwise prepared inside the food establishment.

(F) The outdoor patio must be continuously maintained free of visible dog hair, dog dander, and other dog-related waste or debris. The outdoor patio must be hosed down or mopped with animal friendly chemicals at the beginning of each shift during which food or beverages will be served (breakfast, lunch, dinner, or late-hours), or, if a food establishment has continuous food or beverage service without designated shifts, then every six hours that the establishment is open for business, except that cleaning under this subparagraph is not required if no dog has been present on the outdoor patio since the last cleaning. Waste created from a dog's bodily functions must be cleaned up with animal friendly chemicals within five minutes after each occurrence. All dog waste must be disposed of outside of the food establishment in an appropriate waste receptacle. Equipment used to clean the outdoor patio must be kept outside of the food establishment. A food establishment must maintain a log of the cleaning schedule of the dog friendly patio and make the log available to the director for inspection upon request.

(G) While on duty, wait staff or other food handlers at the food establishment may not pet or have contact with any dog.

(H) A dog must be kept on a leash and remain in the control of the customer while in the outdoor patio area. The dog must be wearing a collar or harness with a current rabies tag attached to it.

(I) A dog is not allowed on a seat, table, countertop, or similar surface in the outdoor patio area.

(J) A dog is not allowed to have contact with any dishes or utensils used for food service or preparation at the food establishment.

(K) A dog may not be given any food (including, but not limited to, dog kibble, biscuits, and edible treats) while in the outdoor patio area, but may be given water in a disposable container.

(L) On an outdoor patio, the food establishment must create and maintain a separate dog-free area with a minimum of seven feet of separation from the dog-friendly patio area. The food establishment is responsible for informing its patrons of the dog-free area and must enforce the seven-foot spacing during its hours of operation.

(8) If, pursuant to this section, the director grants a variance to Section 17-8.2(h)(2)(C) of this chapter (which allows only fast-cooked food items to be prepared on a mobile food preparation vehicle and prohibits raw poultry or raw seafood from being prepared or cooked on the vehicle) to allow raw poultry, raw seafood, and non-fast-cooked food items to be prepared, cooked, and served from a mobile food preparation vehicle, then the food establishment shall comply with the following conditions and standards in addition to any other conditions and standards established by the director for the variance:

(A) The applicant must submit to the director detailed plans regarding the preparation, cooking, and service of the raw poultry, raw seafood, and non-fast-cooked food items on the mobile food preparation vehicle. The plans must include all of the following information:

(i) A description of the raw poultry, raw seafood, and non-fast-cooked food items and how they will be prepared, cooked, and served.

(ii) Details of how the raw poultry, raw seafood, and non-fast-cooked food items will be stored on the vehicle.

(iii) Any other information or documentation the director deems necessary to determine whether or not a health hazard or nuisance will result from granting the variance.

(B) The food establishment must not have committed more than a total of three violations of this chapter or the Texas Food Establishment Rules within the preceding 12-month period that involved any mobile food preparation vehicle or fixed food facility operated by the food establishment, regardless of whether such violations were committed by an owner, officer, operator, manager, other person in charge, or employee of the food establishment.

(C) The food establishment must not have had any confirmed foodborne illnesses at any of its locations within the preceding 24 months.

(D) The food establishment must not have scored less than 80 on two separate graded food inspections within the preceding 24 months.

(E) Cutting of raw poultry or raw seafood is prohibited on a mobile food preparation vehicle, except for seafood intended to be consumed raw.

(9) An owner, officer, manager, or other person in charge of a food establishment commits an offense if he, either personally or through an employee or agent, violates, allows a violation of, or fails to comply with a term or condition of a variance granted under this section.”

SECTION 33. That Section 17-11.2, “Additional Requirements,” of Article XI, “Heimlich maneuver poster,” of the Dallas City Code is amended to read as follows:

“SEC. 17-11.2. ADDITIONAL REQUIREMENTS.

~~[Reserved.]~~

(a) General. All food establishments that provide dining areas shall post the Heimlich maneuver sign in a place conspicuous to employees and customers.

(b) Specifications: The sign shall:

(1) be no smaller than 11 inches wide by 17 inches long;

(2) be printed in English and Spanish and in at least two conspicuous contrasting colors on a white background;

(3) provide major title and figure blocks in contrasting color to remaining copy blocks;

(4) provide major headings with a minimum bold 72 point font;

(5) provide initial subheadings with a minimum bold italic 60 point font;

(6) provide secondary subheadings with a minimum bold 24 point font; and

(7) provide a body copy in bold 14 point font.”

SECTION 34. That Section 17-12.1, “Adoption of Section 229.174, Texas Food Establishment Rules,” of Article XII, “Bed and Breakfast Extended Establishments,” of the Dallas City Code is amended to read as follows:

“SEC. 17-12.1. ADOPTION OF SECTION 228.223 [~~229.174~~], TEXAS FOOD ESTABLISHMENT RULES.

Section 228.223 [~~229.174~~] of the Texas Food Establishment Rules is hereby adopted and made a part of this chapter by reference.”

SECTION 35. That Section 17-13.1, “Adoption of Section 229.175 Texas Food Establishment Rules,” of Article XIII, “Outfitter Operations,” of the Dallas City Code is amended to read as follows:

“SEC. 17-13.1. ADOPTION OF SECTION 228.224 [~~229.175~~], TEXAS FOOD ESTABLISHMENT RULES.

Section 228.224 [~~229.175~~] of the Texas Food Establishment Rules is hereby adopted and made a part of this chapter by reference.”

SECTION 36. That Article XIV, “Self Service Food Market,” of the Dallas City Code is added to read as follows:

“ARTICLE XIV.

SELF SERVICE FOOD MARKET.

SEC. 17-14.1. ADOPTION OF CHAPTER 228, SUBCHAPTER H, SECTION 225

Section 228.225 of the Texas Food Establishment Rules is hereby adopted and made a part of this chapter by reference.

SEC. 17-14.2. ADDITIONAL REQUIREMENTS.

Reserved.”

SECTION 37. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 38. That Chapter 17 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 39. 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 40. That this ordinance shall take effect on July 1, 2016, except that the requirements in Section 17-10.2(s)(7)(C) take effect on September 1, 2016, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER D. BOWERS, Interim City Attorney

By _____
Assistant City Attorney

Passed _____

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): 2
DEPARTMENT: Convention and Event Services
CMO: Ryan S. Evans, 671-9837
MAPSCO: 45P

SUBJECT

Ratify an emergency construction contract with Hoffman Texas, Inc. dba Roto-Rooter Service and Plumbing for sewer line repairs at the Kay Bailey Hutchison Convention Center Dallas located at 650 South Griffin Street - Not to exceed \$184,690 - Financing: Convention and Event Services Current Funds

BACKGROUND

This item was placed on the addendum to ratify an emergency construction contract for sewer line repairs at the Kay Bailey Hutchison Convention Center Dallas (KBHCCD).

This action will authorize an emergency construction contract with Hoffman Texas, Inc. dba Roto-Rooter Service and Plumbing (Roto Rooter) for sewer line repairs at the Kay Bailey Hutchison Convention Center Dallas. On May 4, 2016 a sewer line backed up at the Kay Bailey Hutchison Convention Center Dallas causing raw sewage and waste to contaminate a large area adjacent to public parking, dock entrance to City Hall and KBHCCD, and food storage and receiving facilities. Roto Rooter was called out to perform emergency repairs. Due to the nature of the back up the entire area was professionally cleaned and sanitized by a certified specialist ensuring all bacteria was eliminated.

Roto Rooter has been on site and a section of the sewer line has been repaired. After a review of the cast iron pipes it was determined that two additional sections of the sewer lines are collapsing. The sewer lines are original to the building, built in 1957 and are roughly 60 years old; the useable life of cast iron pipes averages 40 years. To address the issue Roto Rooter has made repairs to existing pipes and will be cleaning roughly 500 feet of sewer lines and lining the existing pipes with a blown-in fiberglass liner. The blown-in liner creates a "pipe within a pipe," adding 50 years of usable life to the existing sewage system. Roto Rooter has provided the blown-in liner for similar facilities including the California Angels Baseball Stadium in Los Angeles, the Coca Cola production plant in Phoenix and the Catalina Island California public sewer system, as well as locally for Dallas County Community College and Baylor Medical Center Dallas.

BACKGROUND (Continued)

The blown-in pipe repair option was selected in an effort to avoid the additional cost and disruption to the event schedule of a full replacement, and carries a 15-year transferable warranty that includes labor.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	May 4, 2016
Complete Construction	June 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on June 20, 2016.

FISCAL INFORMATION

Convention and Event Services Current Funds - \$184,689.62

June 22, 2016

WHEREAS, the need to perform emergency sewer line repairs at Kay Bailey Hutchison Convention Center Dallas was identified; and

WHEREAS, Hoffman Texas, Inc. dba Roto-Rooter Service and Plumbing submitted a proposal for sewer line repairs at Kay Bailey Hutchison Convention Center Dallas; and

WHEREAS, it is necessary to ratify an emergency construction contract with Hoffman Texas, Inc. dba Roto-Rooter Service and Plumbing for sewer line repairs at the Kay Bailey Hutchison Convention Center Dallas, located at 650 S. Griffin Street in an amount not to exceed \$184,689.62.

Now, Therefore,

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

Section 1. That an emergency construction contract with Hoffman Texas, Inc. dba Roto-Rooter Service and Plumbing for sewer line repairs at Kay Bailey Hutchison Convention Center Dallas, located at 650 S. Griffin Street in an amount not to exceed \$184,689.62 is hereby ratified as an emergency expenditure.

Section 2. That the Chief Financial Officer is authorized to disburse funds in accordance with the terms and conditions of the contract from Fund 0080, Dept CCT, Unit 7824, Obj 3210, to Hoffman Texas, Inc. dba Roto-Rooter Service and Plumbing (Vendor VS0000044757), in an amount not to exceed \$184,689.62.

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): 3, 4, 5, 6, 7, 8
DEPARTMENT: Office of Economic Development
CMO: Ryan S. Evans, 671-9837
MAPSCO: N/A

SUBJECT

Authorize the Office of Economic Development to issue a Notice of Funding Availability in an amount up to \$3 million in accordance to the Public/Private Partnership Program Guidelines & Criteria to grocery operators, shopping center owners, retail developers and other associated real estate professionals in order to secure the development of one or more grocery stores in Southern Dallas Food Deserts – Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum to allow the City Attorney's Office additional review time of the Notice of Funding Availability (NOFA).

At its May 11, 2016 meeting, the City Council requested staff to develop a program to actively pursue a major grocer to locate in a southern sector food desert and authorized \$3 million dollars to fund the program. Staff has developed a Notice of Funding Availability (“NOFA”) in response the City Council’s request. City staff will ensure broad dissemination through coordinated outreach efforts which will include direct mailings, email blasts, print advertising, and meetings with grocery operators, shopping center owners, retail developers and other associated real estate and finance professionals. Exhibit A (attached to the resolution) depicts the NOFA, or one substantially similar to that expected to be issued. Staff anticipates issuing the NOFA by the end of July 2016 with responses requested by November 30, 2016.

Potential projects will be evaluated based on based on the following criteria:

- Experience: Proven track record of the applicant to build and/or operate quality grocery stores;
- Financial Capacity: The ability of the applicant to acquire or control the proposed site and obtain the additional private financing to operate the facility at high standards;
- Timeliness: The ability to Initiate project within a timely manner;

BACKGROUND (Continued)

- Quality: The ability of the applicant to deliver a high quality development with an established brand;
- Design: The ability of the applicant to design and sustainably integrate a minimum 25,000 s.f. grocery store within the community;
- Community Outreach: The ability of the applicant to engage with and respond to the needs of the community; and
- Local Hiring: The commitment of the applicant/grocer to recruit and hire from the adjacent neighborhoods and include qualified Minority and Women-Owned Business Enterprises in the project.

The funding aspects of the NOFA will be evaluated in accordance with Public/Private Partnership Program Guidelines & Criteria as established by the City Council. Stipulations for funding will include:

- City Council approval and executed contract prior to initiation of project
- City payments after substantial completion (Certificate of Occupancy)
- Recipient current on taxes/Not in litigation with City

Upon receipt of proposals, City staff will compile summary information related to responsive proposers with recommendations for future action for review and consideration by the Economic Development Committee and City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 16, 2016, this item was briefed to the Economic Development Committee for consideration.

Information about this item will be provided to the Economic Development Committee on June 20, 2016.

FISCAL INFORMATION

No cost consideration to the City.

June 22, 2016

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, the City wishes to encourage economic development and access to quality and healthy food choices in Southern Dallas food deserts, and

WHEREAS, the City Council finds that the development of one or more grocery stores within a Southern Dallas food desert will benefit the public and is for the public purpose of increasing the public health, safety, and welfare of the persons in the city; and

WHEREAS, the City of Dallas ("City") desires to pursue the development of one or more high quality grocery stores in Southern Dallas food deserts; and

WHEREAS, the City finds that it is in the best interest of the City to issue and broadly publicize a Notice of Funding Availability (**Exhibit A - attached**) to grocery operators, shopping center owners, retail developers and other associated real estate professionals.

NOW, THEREFORE,

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

Section 1. That the Office of Economic Development is authorized to issue a Notice of Funding Availability for an amount of up to \$3 million to be advanced in accordance with the Guidelines and Criteria of the Public/Private Partnership Program and to be made available to grocery operators, shopping center owners, retail developers and other associated real estate professionals in order to promote the development of one or more grocery stores in Southern Dallas Food Deserts.

Section 2. That potential projects will be evaluated based on a respondent's abilities:

- Experience: Proven track record of the applicant to build and/or operate quality grocery stores;
- Financial Capacity: The ability of the applicant to acquire or control the proposed site and obtain the additional private financing to operate the facility at high standards;
- Timeliness: The ability to initiate project within a timely manner;
- Quality: The ability of the applicant to deliver a high quality development with an established brand;
- Design: The ability of the applicant to design and sustainably integrate a minimum 25,000 s.f. grocery store within the community;

June 22, 2016

Section 2. (Continued)

- Community Outreach: The ability of the applicant to engage with and respond to the needs of the community; and
- Local Hiring: The commitment of the applicant/grocer to recruit and hire from the adjacent neighborhoods and include qualified Minority and Women-Owned Business Enterprises in the project.

Section 3. That funding aspects of the NOFA will be evaluated in accordance with Public/Private Partnership Program Guidelines and Criteria as established by the City Council. Stipulations for funding will include:

- City Council approval and executed contract prior to initiation of project
- City payments after substantial completion (Certificate of Occupancy)
- Recipient current on taxes/Not in litigation with City

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.



CITY OF DALLAS

City of Dallas

Notice of Funding Availability (NOFA)

For Southern Dallas Food Desert

Grocery Store Development

Issued July 2016

INTRODUCTION

The purpose of this Notice of Funding Availability (NOFA) is to announce the availability of funding in an amount up to \$3M from the City of Dallas (COD) through the Office of Economic Development to assist in the development and/or location of one or more high quality grocery stores within a southern Dallas food desert.

The City of Dallas' goal is to promote sustainable neighborhoods, enhanced quality of life, economic development and job creation by enhancing access to healthy food options, including fresh fruit and vegetables for our citizens through the development of one or more grocery stores in the city's most underserved areas.

The NOFA is limited to a project location within or adjacent to food deserts within the southern sector of the city (see included Food Desert Map).

In accordance with the City of Dallas Public/Private Partnership Program, the funds available through this NOFA are intended to be used on a reimbursement basis to (1) fill a funding gap between available funding sources and the projected total development/operational cost of the project and/or (2) ensure that a desirable project will move forward.

The NOFA should not be construed as implying or suggesting that the City of Dallas is under any obligation to provide funding or other incentives to any applicant, and all proposals shall be considered on a case-by-case basis. Proposals submitted pursuant to this NOFA will be competitively evaluated with potential funding subject to a negotiation of material terms with city staff and final approval of a development or grant agreement by the Dallas City Council.

Through this NOFA, the City of Dallas Office of Economic Development intends to gap fund the development of one or more new grocery stores serving residents living in food deserts within the southern portion of the city of Dallas. The City will place great emphasis on proposed projects that clearly demonstrate the ability to fulfill the intent of this NOFA as evidenced by prior operating and/or development experience with a track record of developing projects on time and within budget.

The NOFA and related information will be made available on the Office of Economic Development web page (www.dallas-ecodev.org).

Proposal Evaluation Process

Proposals submitted pursuant to this NOFA will be competitively evaluated. All proposals will be kept confidential until such time that terms and a project agreement is finalized for City Council consideration. Proposers that present the capability to develop and operate a high quality full service

grocery store at the least financial cost to the City may be selected for further discussions. Incomplete proposals will most likely be rejected.

Questions and Technical Assistance

All questions must be submitted via email to Joseph.Perot@dallascityhall.com.

TIMELINE

DESCRIPTION	
SD Food Desert NOFA posting	July 2016
Proposals due by 12 p.m.	November 30, 2016

Minimum Qualifications

Proposals will be accepted from grocery companies, for-profit developers, joint ventures, limited liability corporations, and limited partnerships.

- A. Minimum of five years prior experience in project development, management and/or operational oversight of a grocery store. Additional preference will be given to grocers and/or developers with direct experience in Dallas-Fort Worth urban areas or with similar urban markets.
- B. Proven financial capacity to develop a similar-size site (according to the proposed plan) and maintain operations over a three to four year stabilization period.
- C. Adequate cash reserves to manage all components of the project for a minimum of three (3) years after completion.
- D. Demonstrated ability to bring needed partners and related financial commitments to the table.
- E. Inclusion of team members with proven experience activities in culturally and ethnically diverse neighborhoods is preferred.

Submission Instructions

Submit three (3) copies of the proposal to include the list of items described under the following section titled "Development Proposal Checklist" with a cover letter to the Attention of J. Hammond Perot at 1500 Marilla Street, 5CS, Dallas Texas 75201 by 12 p.m. on November 30, 2016. Applications submitted late will not be accepted. ELECTRONIC COPIES WILL NOT BE ACCEPTED.

The proposal submissions shall:

1. **Provide a site plan for the proposed development and elevations of street facades of the proposed development**

Proposed Uses

- a. **Grocery Store (required)**, additional associated proposed uses may including:
- b. Commercial (other retail, office, hotel/hospitality, medical, and/or entertainment uses);
- c. Open/green space, pedestrian/transit connections, and internal site circulation; and
- d. Housing (may include multifamily, townhouse, for sale or rental, and/or assisted living facilities), with a preference for market rate housing or mixed-income housing.

Site Plan

- a. Show pedestrian connections within the site and adjacent property;
- b. Minimize surface parking visible from any street facade;
- c. Provide a consistent, strong landscaping and streetscaping plan for the project; and
- d. Identify mixture of land uses on the site if multiple uses are included in the proposal.

Elevations

- a. Show façades of all portions of the project that face any street; and
- b. Maximize the number of doors that open to the street.

2. **Provide proposed finance structure with capital stack including a sources and uses worksheet for the proposed development.** If applicable, provide a pro forma and include ongoing investment program for capital expenditures.
3. **Outline provisions of all contractual agreements needed between the development team, other parties, and the City to implement the proposed development plan including land acquisition, needed leases of property, operating agreements, proposed financial incentives, etc.** Detailed information about key deal points needs to be included with this information.

Eligible Project Types

- Stand-alone new construction
- Anchor within new shopping center or mixed-use development
- Rehabilitation of vacant or underutilized space

Project Review

All projects submitted will be qualitatively reviewed for the following:

- Experience: Proven track record of the applicant to build and/or operate quality grocery stores;
- Financial Capacity: The ability of the applicant to acquire or control the proposed site and obtain the additional private financing to operate the facility at high standards;
- Timeliness: The ability to initiate project within a timely manner;
- Quality: The ability of the applicant to deliver a high quality development with an established brand;
- Design: The ability of the applicant to design and sustainably integrate a minimum 25,000 s.f. grocery store within the community;
- Community Outreach: The ability of the applicant to engage with and respond to the needs of the community; and
- Local Hiring: The commitment of the applicant/grocer to recruit and hire from the adjacent neighborhoods and include qualified Minority and Women-Owned Business Enterprises in the project.

Eligible Funding Uses

The City's proposed funding participation is envisioned as a reimbursement, subsequent to substantial completion of the project. Funds can generally be used as reimbursement for acquisition, predevelopment, rehabilitation or construction related costs as well as operational costs. The City of Dallas will not consider financing for the sole purpose of acquisition, refinancing existing debt, or renovation of an existing grocery store operation. Funding is contemplated for the reimbursement of the following project costs:

- Site acquisition, new construction, reconstruction, or rehabilitation of a vacant grocery store, including real property acquisition, site improvements, conversion demolition, and other expenses, including financing costs.
- Construction and permanent financing expenses including demolition and construction bonds; general contractor and subcontractor payments including overhead, profit and general conditions.

Process Steps

The City will review proposals for completion for content and pertinent information to make a determination of feasibility and reasonableness. At a minimum, the following steps will occur:

- a. Preliminary review by staff
- b. Developer discussions/negotiations
- c. Selection of project(s)
- d. City Council Economic Development Committee review/recommendations
- e. City Council approval

Other

Defaults, Foreclosures and Citations

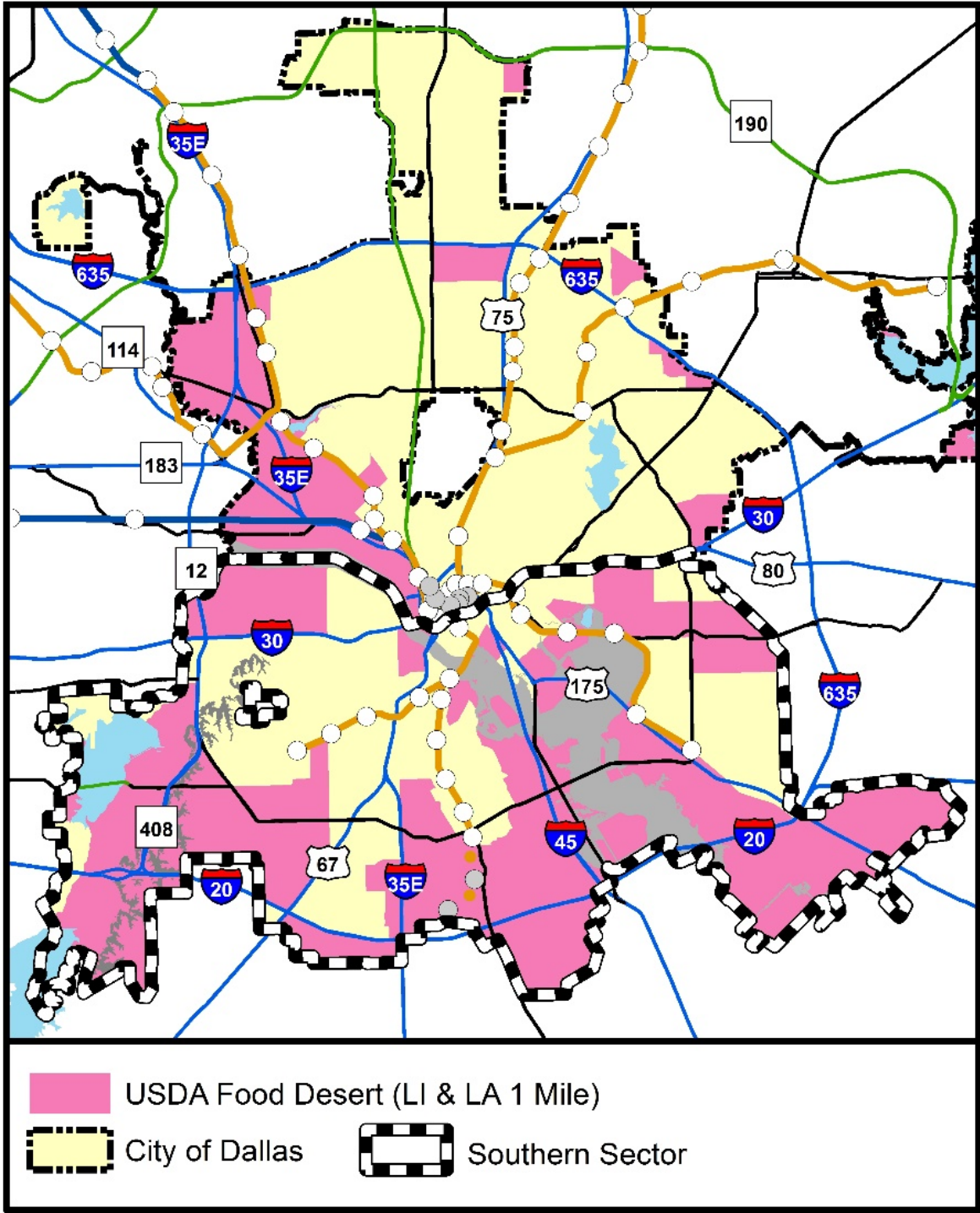
All proposers, including partners and principals, must disclose bankruptcies, defaults or foreclosures, conflicts of interest or any event which could lead to a potential bankruptcy, default or foreclosure or conflict of interest.

For this purpose, violation of terms, conditions and/or covenants, whether or not a Notice of Default has been recorded, is deemed a default. Failure to disclose an actual or potential bankruptcy, default or foreclosure or conflict of interest may result in the rejection of the proposal.

Code violations and their remediation on any existing projects within the city should also be disclosed.

If disclosure is made with respect to the above, the applicant must provide a complete explanation of the circumstances and current status. COD, in its sole discretion, will determine if the explanation is acceptable. An unacceptable history of delinquencies, bankruptcies, defaults or foreclosures, or conflicts of interest are all, singularly or in combination, grounds for rejection of a proposal.

Food Desert Map



DEVELOPMENT PROPOSAL CHECKLIST

I. Cover Letter with description of specific proposal(s) to the City

II. Project Data

- A. Project Name/Description/Location (map)
- B. Project Manager(s)
- C. Project Contact Phone # and email address
- D. Proposed grocery with plans for proposed development, site plan, financing, etc...
- E. Grocery and/or developer experience, resume & references
- F. Market assessment for the property under consideration
- G. Evidence of ability to control site
- H. Discussion of anticipated rezoning or replatting
- I. Describe any neighborhood/community input considered in your project proposal
- J. Development schedule and timeline

III. Project Financial Data

- A. Sources and uses of project funds
- B. Capital Stack
- C. Lender and builder commitments

IV. Proposer Information

- A. Company/Organization legal name
- B. Names of affiliated companies, including general and limited partners
- C. Type of business (sole proprietorship, corporation, partnership)
- D. Name of owner(s), Executive Director, President, Vice President, Treasurer
- E. Official Address
- F. Previous development history
- G. Applicant's background (experience of applicant and key personnel)

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): 7
DEPARTMENT: Office of Economic Development
CMO: Ryan S. Evans, 671-9837
MAPSCO: N/A

SUBJECT

Authorize **(1)** a public hearing to be held on August 10, 2016 to receive comments concerning the advisability of creating the South Dallas/Fair Park Public Improvement District (the “District”), in accordance with Chapter 372 of the Texas Local Government Code (the “Act”) for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the hearing **(2)** a resolution approving creation of the District for seven years and approving the District’s Service Plan for 2017-2023 - Financing: No cost consideration to the City

BACKGROUND

This item is being placed on the addendum to meet required deadlines to create a Public Improvement District (PID) for 2017. This PID supports the Grow South effort.

On June 1, 2016, the Alliance for Greater Works, a non-profit corporation working in collaboration with the collective impact organization, Working In Neighborhoods Strategically, (“WINS”), to represent property owners of the South Dallas/Fair Park area, delivered to the City of Dallas a petition satisfying the requirements of the Act to create the District.

City staff reviewed the petitions and determined that the petition requirements were met for both property value and land area for the creation of the District. Staff has also evaluated the service plan and recommended that the services be made as proposed by the proposed service plan and the plan is feasible.

BACKGROUND (Continued)

The City desires, by the calling and holding of such public hearing, to provide a reasonable opportunity for any owner of property located within the District to speak for or against the creation of the District for a special assessment against each property owner of record for real property and real property improvements, exclusive of right-of-way, to provide funding for the District for the purpose of providing supplemental services and improvements.

The public improvement district is outlined in the following way:

- a. **Purpose of the District; General Nature of the Proposed Services and Improvements.** The purpose of the District is to supplement and enhance services provided within the District, but not to replace or supplant existing City services provided within the District. The general nature of the proposed services and improvements to be performed by the District includes enhanced security and public safety, capital improvements, improvement of common areas, landscaping, trash/litter removal, graffiti control, marketing and promotional activities, distinctive lighting and signage, business development and recruitment to promote the area, and related expenses incurred in establishing, administering and operating the District as authorized by the Act.

- b. **Method of Assessment.** The assessment shall apportion the costs each year among the property owners on the basis of special benefit accruing to the property. The proposed method of assessment, which may specify included or excluded classes of assessable property, shall be based on the value of the real property and real property improvements as determined by the Dallas Central Appraisal District. The assessment amount for the first collection year shall not exceed \$110,247. This amount is approximately equal to \$0.15 per \$100.00 of appraised value as determined by the Dallas Central Appraisal District. If appraised values rise such that the an assessment rate equal to the amount of \$.15 per \$100.00 valuation would yield an assessment amount that exceeds the estimated costs, the assessment rate shall be reduced until the total assessment equals or is less than the budgeted amount approved in the petition, subject to the appropriations set forth in the petition.

The annual assessment amount shall not exceed the total amount shown in the budget for the services and improvements to be provided for the year in which the property is assessed.

BACKGROUND (Continued)

- c. Estimated Cost; No Bonded Indebtedness.** During the seven (7) year period, the annual cost of the improvements and services provided by the existing District is estimated to range from approximately \$110,246 to \$262,037 annually. Based on the estimated maximum cost of improvements and services, the seven year total assessment collection requested by the District shall not exceed a collective total of \$1,219,450. In the event the District requires additional funds, the District shall re-petition the property owners for such an increase. At no time shall the total amount levied exceed the total amount shown in the budget for the services and improvements to be provided for the year in which the property is assessed. The District shall not incur bonded indebtedness.
- d. Apportionment of Cost between the District and the Municipality as a Whole.** The District shall pay the costs of the services and improvements by special assessment against the real property and real property improvements. The real property of jurisdictions and entities that have obtained an exemption from City of Dallas real property taxes pursuant to the Texas Property Code (except under the provisions of Sections 11.24 and 11.28 of the Property Tax Code) will not be subject to an assessment on that portion of the assessed value of the property exempt from City real property taxes. The City of Dallas is not responsible for payment of assessment against exempt City property in the District. City right-of-way, railroad right-of-way, City parks and cemeteries are not specially benefitted and therefore are not subject to PID assessment.
- e. Annual Assessment Collection and Budget Allocation.** The District shall hold an annual meeting to review the service plan. The annual meeting shall be open to all property owners and held in a public meeting space (with written notice to all property owners in the PID at least two weeks prior to the meeting) to provide an opportunity for property owner questions, comments and input to be considered during the PID annual budget and service plan approval process.
- f. City Expenses and Dallas County Charges.** The District shall pay the cost of: (i) collections service fee to Dallas County and (ii) City expenses related to oversight of the PID operations.
- g. District Management.** The District shall be managed by Alliance for Greater Works, a private nonprofit corporation created under the laws of the state of Texas and under the provisions of Section 501(c)(3) of the Internal Revenue Code.

BACKGROUND (Continued)

A cooperative relationship between the City and the private sector will be created whereby the City Council will review and approve annually the service plan and assessment plan, determine and levy assessments and conduct other functions as required by the Act, and Alliance for Greater Works will be responsible for managing and implementing the Service Plan of the District.

- h. Advisory Body.** An advisory body may be established to develop and recommend an improvement plan to the governing body of the municipality. In the interest of providing efficient District management, the City Council, by accepting this Petition and establishing the District, agrees not to establish a separate advisory body and agrees to assign the responsibility for development and recommendation of the annual service and improvement plans and other responsibilities of the advisory body contained in the Act to WINS.
- i. District Dissolution.** The District shall automatically dissolve on December 31, 2023, unless renewed or dissolved through the petition and approval process as provided by the Act.
- j. Request for District Renewal.** The persons signing this Petition request or concur with the creation of the District and, if approved by the owners of the designated area, the boundaries and request that this Petition be considered at the earliest possible time and that the City Council take those lawful steps necessary to create the District, authorize the improvements and services described herein, levy the necessary assessments to pay for the improvements and services and take any additional actions required under the Act for the benefit of the District.
- k. PID Assessment Collection Budget Projection.** The seven (7) year service plan is projected. If the total PID collection is *less* than the annual budgeted amount, the management entity, Alliance for Greater Works, can:

 - use discretion to re-allocate PID revenues to best service property owners and residents within the PID area. No budget category may be adjusted by more than 20% of projected amount;
 - access amounts in the contingency category for other expenditures;

BACKGROUND (Continued)

No over-collection is anticipated, however, if the PID assessment collection is *greater* than the annual projected amount, the managing entity shall:

- return the funds to the property owners;
- reduce the amount of the assessment in the following year to absorb the over-collection, or;
- submit a revised petition to obtain consent of the property owners for an increased collection.

The term of the District upon renewal is seven years (2017 to 2023). Pending approval, actual operations in the District will commence from January 01, 2017.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Economic Development Committee on June 20, 2016.

FISCAL INFORMATION

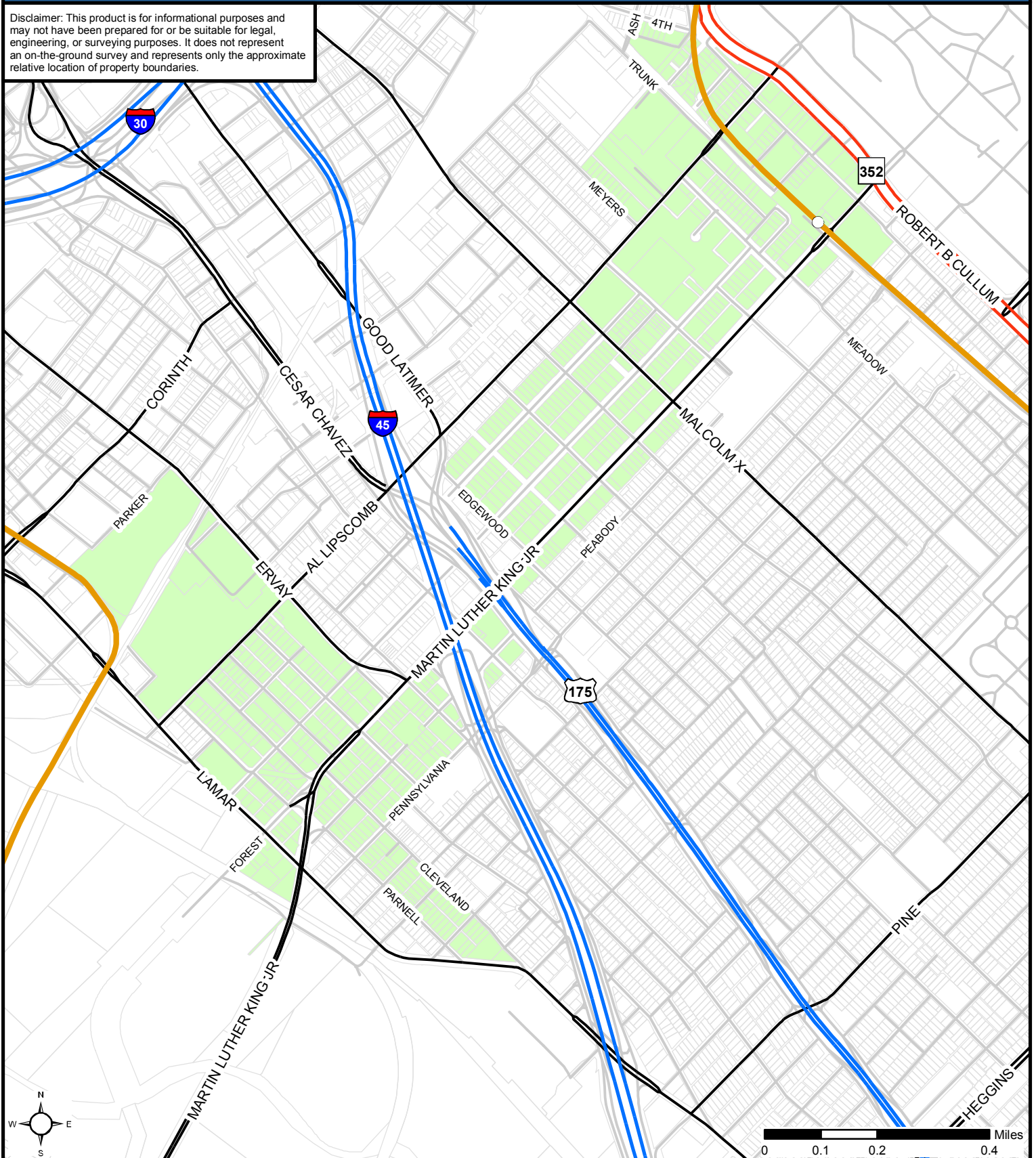
No cost consideration to the City.

MAP

Attached.

Proposed South Dallas-Fair Park PID Parcels

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



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DEVELOPMENT**

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Created 9.24.2015, Updated 6.10.2016 - PID_Option6.TCG

Legend

- Proposed Parcel for Inclusion
- Other Parcel
- Rail Station
- DART Light Rail
- Freeway
- Highway
- Arterial
- Local Road

Source: Parcels - Dallas CAD, 2015; All Other Data - City of Dallas, 2016

June 22, 2016

WHEREAS, Chapter 372 of the Texas Local Government Code (the “Act”) allows for the creation of public improvement districts; and

WHEREAS, on June 1, 2016, the Alliance for Greater Works, representing property owners of the South Dallas/Fair Park area, delivered to the City of Dallas a petition to create the South Dallas/Fair Park Public Improvement District (the “District”) in accordance with Chapter 372 of the Texas Local Government Code, and as shown on the attached Map of the District (**Exhibit A**). City staff reviewed the petition and determined that it meets the Act’s thresholds for calling a public meeting after which the City Council may consider creation of the District; and

WHEREAS, pursuant to Section 372.007 of the Act, the City staff, with the assistance of the Alliance for Greater Works verified the petitions, evaluated the creation service plan to determine whether the services should be made as described by the proposed service plan and found the plan to be feasible; and

WHEREAS, the number of signatures collected on the petitions exceed the percentages required by the Act, both by value and area within the proposed District, the City Council finds that there is good cause to waive the heightened percentages set forth in the policy adopted by Resolution No. 05-3539, as amended, finding that high number of vacant properties and properties without clear title, together with the mix of land uses in the proposed District, would make achieving a higher percentage of signatures impractical; and

WHEREAS, the City desires by the calling and holding of such public hearing to provide a reasonable opportunity for any owner of property located within the District to speak for or against the creation of the District, which intends to levy a special assessment against each property owner of record for real property and real property improvements, exclusive of right-of-way, to provide funding for the District for the purpose of providing supplemental services and improvements.

NOW, THEREFORE,

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

Section 1. That a public hearing shall be held at 1:00 p.m. on August 10, 2016, in the City Council Chambers, Dallas City Hall, 6th floor, 1500 Marilla Street, Dallas, Texas, at which time any interested person may appear and speak for or against the creation of the District, with boundaries as described by **Exhibit A** to provide improvements and supplemental services as permitted by and for the purposes set forth in the Petition, to be funded by a special assessment against the property owners of record for real property and real property improvements, exclusive of rights-of-way in the amounts described by **Exhibit B**.

June 22, 2016

Section 2. That the facts and recitals contained in the preamble of this resolution are found and declared to be true and correct.

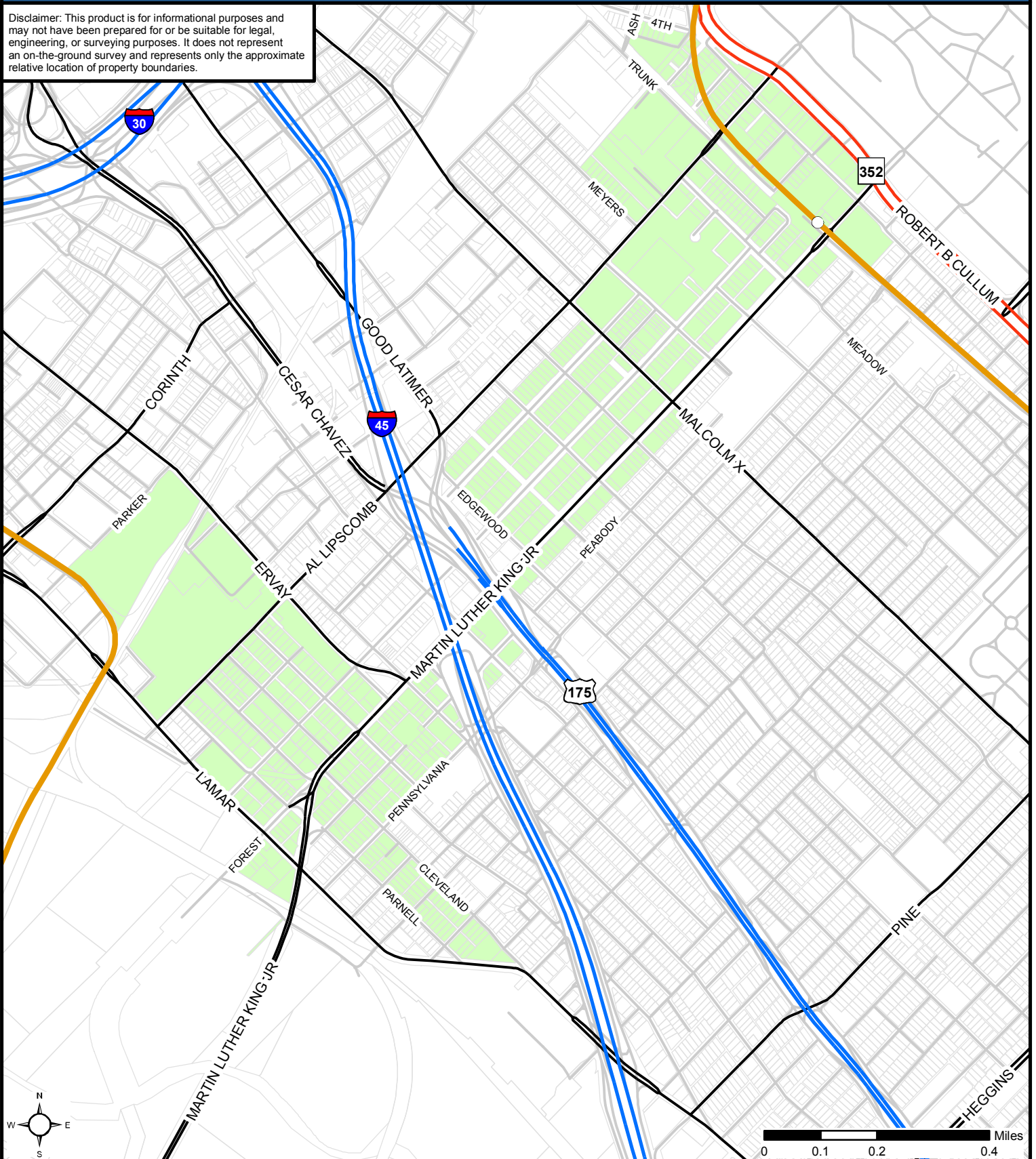
Section 3. That notice of the public hearing shall be published in a newspaper of general circulation in the City of Dallas and mailed to the property owners of the District before the 15th day before the public hearing.

Section 4. That after the close of the public hearing, the City Council may consider a resolution approving the creation of the District; authorizing the District to levy a special assessment against the property owners of record for real property and real property improvements, exclusive of rights-of-way, to fund the improvements and supplemental services; approving the Service Plan for calendar years 2017-2023; designating the Alliance for Greater Works as the management entity of the District; and providing an effective date.

Section 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Proposed South Dallas-Fair Park PID Parcels

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



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Legend

 Proposed Parcel for Inclusion	 DART Light Rail	 Arterial
 Other Parcel	 Freeway	 Local Road
 Rail Station	 Highway	

Source: Parcels - Dallas CAD, 2015; All Other Data - City of Dallas, 2016

South Dallas/Fair Park Public Improvement District Service Plan Budget (2017-2023)

	(Yr 1) 2017	(Yr 2) 2018	(Yr 3) 2019	(Yr 4) 2020	(Yr 5) 2021	(Yr 6) 2022	(Yr 7) 2023	
INCOME								
Net Assessment	110,247	121,271	133,399	153,408	176,420	202,883	233,315	1,130,943
<i>Interest on Cash Balance</i>								
<i>Surplus Carried forward</i>	-	3,307	7,045	11,258	16,198	21,977	28,722	
Total Income	110,246.79	124,578.87	140,443.39	164,666.48	192,617.74	224,859.22	262,037.39	\$ 1,219,449.87
EXPENDITURES								
(1) <i>Public Safety</i>	49,611	43,603	49,155	49,400	48,154	67,458	52,407	
	45%	35%	35%	30%	25%	30%	20%	
(2) <i>Improvements</i>	27,562	49,832	56,177	74,100	96,309	101,187	151,982	
	25%	40%	40%	45%	50%	45%	58%	
(3) <i>Promotion</i>	11,025	6,229	7,022	8,233	9,631	11,243	13,102	
	10%	5%	5%	5%	5%	5%	5%	
(4) <i>Administration</i>	11,025	12,458	14,044	16,467	19,262	22,486	26,204	
	10%	10%	10%	10%	10%	10%	10%	
(5) <i>Contingency/Carryover</i>	3,307	3,737	4,213	4,940	5,779	6,746	-	
	3%	3%	3%	3%	3%	3%	0%	
(6) <i>Insurance</i>	5,512	6,229	7,022	8,233	9,631	11,243	13,102	
	5%	5%	5%	5%	5%	5%	5%	
(7) <i>Audit</i>	2,205	2,492	2,809	3,293	3,852	4,497	5,241	
	2%	2%	2%	2%	2%	2%	2%	
							-	
	100%	100%	100%	100%	100%	100%	100%	
Total Expenses	110,246.79	124,578.87	140,443.39	164,666.48	192,617.74	224,859.22	262,037.39	\$ 1,219,449.87

- (1) *Public Safety: Courtesy patrol, patrol vehicles, safety related expenses*
- (2) *Improvements: Landscaping, lighting, sidewalks, streets, parks, fountains, roadways, improvement related expenses*
- (3) *Promotion: Outreach, business development, marketing, website, forums, promotion related expenses*
- (4) *Administration: Office supplies, administration, mailings, administrative related expenses*
- (5) *Contingency/Carryover: Contingency allocation for other expenditures; future capital improvement project*
- (6) *Insurance: Insurance policy*
- (7) *Audit: Annual audit fee*

KEY FOCUS AREA: Public Safety
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): All
DEPARTMENT: Fire
CMO: Eric Campbell, 670-3255
MAPSCO: N/A

SUBJECT

An ordinance amending Chapter 16 “Dallas Fire Code” of the Dallas City Code, to adopt the 2015 International Fire Code, as amended - Financing: No cost consideration to the City

BACKGROUND

This item is on the addendum to allow the City Attorney’s Office to complete the Ordinance. Since the consolidation of the three major national code-writing organizations into one group, there has been a trend for cities to adopt the International series of codes.

Most major cities in Texas have already adopted the International Codes. The City of Dallas first adopted the 1988 Uniform Fire Code with local amendments as Chapter 16 of the Dallas City Code, effective October 1, 1990. Adoption of the 2015 International Fire Code (IFC) will align the Fire Code with the Building Code, as amended, and will bring the City up to date with the most current set of construction codes. Additionally, the North Central Texas Council of Governments Executive Committee has recommended the adoption of these codes.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 17, 2015, the North Central Texas Council of Governments reviewed and recommended adoption of the 2015 International Fire Code.

On November 2, 2015, the 2015 International Fire Code, with Dallas Fire-Rescue (DFR) amendments, was submitted to the City Attorney’s Office for review and approval.

On January 25, 2016, the Public Safety Committee was briefed on the proposed City of Dallas amendments of the 2015 International Fire Code.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Information about this item was provided to the Public Safety Committee on June 13, 2016.

FISCAL INFORMATION

No cost consideration to the City.

DRAFT

5-23-16

ORDINANCE NO. _____

An ordinance amending Chapter 16, “Dallas Fire Code,” of the Dallas City Code, as amended; adopting with certain changes the 2015 Edition of the International Fire Code of the International Code Council, Inc.; regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials, and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises, and providing for the issuance of permits for hazardous uses or operations; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Chapter 16, “Dallas Fire Code,” of the Dallas City Code, as amended, is amended by adopting the 2015 Edition of the International Fire Code of the International Code Council, Inc. (which is attached as Exhibit A and made a part of this ordinance), with the following amendments:

1. Pages xxi-xxii, “Legislation,” are deleted.
2. Subsection 101.1, “Title,” of Section 101, “Scope and General Requirements,” of Part 1, “General Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“**101.1 Title.** These regulations shall be known as the *Dallas Fire Code* [~~of [NAME OF JURISDICTION]~~], hereinafter referred to as ‘this code.’”

DRAFT

3. Section 101, “Scope and General Requirements,” of Part 1, “General Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended by adding a new Subsection 101.6, “Exceptions,” to read as follows:

“101.6 Exceptions. For purposes of this code, the term ‘exception,’ shall be defined and used for criminal prosecution and enforcement as a defense to prosecution.”

4. Subsection 102.1, “Construction and Design Provision,” of Section 102, “Applicability,” of Part 1, “General Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“102.1 Construction and design provisions. The construction and design provisions of this code shall apply to:

1. Structures, facilities and conditions arising after the adoption of this code.
2. Existing structures, facilities and conditions not legally in existence at the time of adoption of this code.
3. Existing structures, facilities and conditions when required in Chapter 11 or in specific sections of this code.
4. Existing structures, facilities and conditions which, in the opinion of the *fire code official*, constitute a distinct hazard to life or property.”

5. Subsection 102.4, “Application of Building Code,” of Section 102, “Applicability,” of Part 1, “General Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“102.4 Application of other [building] codes. The design and construction of new structures shall comply with this code and other codes as applicable [~~the *International Building Code*~~], and any *alterations*, additions, changes in use or changes in structures required by this code, which are within the scope of the Dallas [~~*International*~~] *Building Code*, shall be made in accordance therewith.”

DRAFT

6. Subsection 102.7, “Referenced Codes and Standards,” of Section 102, “Applicability,” of Part 1, “General Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards, when specifically adopted, shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2. Whenever amendments have been adopted to the referenced codes and standards, each reference to the codes and standards shall be considered to reference the amendments as well. Any reference to NFPA 70 or to the ICC Electrical Code means the Dallas Electrical Code as adopted. References made to the International Mechanical Code, the International Building Code, the International Plumbing Code, the International Energy Conservation Code, the International Fuel Gas Code, the International Existing Building Code, and the International Residential Code, respectively mean the Dallas Mechanical Code, the Dallas Building Code, the Dallas Plumbing Code, the Dallas Energy Conservation Code, the Dallas Fuel Gas Code, the Dallas Existing Building Code, and the Dallas One- and Two-Family Residential Code, as amended.”

7. Subsection 102.7.2, “Provisions in Referenced Codes and Standards,” of Subsection 102.7, “Referenced Codes and Standards,” of Section 102, “Applicability,” of Part 1, “General Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“102.7.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code and any adopted amendments, the provisions of this code and any adopted amendments, as applicable, shall take precedence over the provisions in the referenced code or standard.”

8. Section 103, “Department of Fire Prevention,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is retitled as Section 103, “Division of Fire Prevention.”

9. Subsection 103.1, “General,” of Section 103, “Division of Fire Prevention,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

DRAFT

“**103.1 General.** The division [department] of fire prevention is established within the jurisdiction under the direction of the *fire chief* [~~code official~~]. The function of the division [department] shall be the implementation, administration and enforcement of the provisions of this code.”

10. Subsection 103.2, “Appointment,” of Section 103, “Division of Fire Prevention,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“**103.2 Appointment of the fire marshal.** The *fire chief* [~~code official~~] is authorized to designate a member of the fire department to exercise the powers and perform the duties of fire marshal (*fire code official*) as set forth in this code. [shall be appointed by the chief appointing authority of the jurisdiction; and t]The *fire marshal* [~~code official~~] shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.”

11. Section 103, “Division of Fire Prevention,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended by adding a new Subsection 103.5, “Fire Prevention Division Personnel and Police,” to read as follows:

“**103.5 Fire prevention division personnel and police.** The fire chief and members of the fire prevention division have the powers of a police officer in performing their duties under this code. When requested to do so by the fire chief, the chief of police is authorized to assign available police officers as necessary to assist the fire department in enforcing the provisions of this code.”

12. Subsection 104.1, “General,” of Section 104, “General Authority and Responsibilities,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“**104.1 General.** The *fire chief* [~~code official~~] is hereby authorized to enforce the provisions of this code and shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code and shall not have the effect of waiving requirements specifically provided for in this code. Under the *fire chief's* direction, the fire department is authorized to enforce all state laws, city ordinances and executive orders of the jurisdiction.”

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104.1.1 Stopping uses, evacuation. The *fire chief* is authorized to order an operation or use stopped or the evacuation of any premises, building or portion thereof which does not have a valid certificate of occupancy in accordance with Section 102.3 and Section 114.”

13. Subsection 104.2, “Applications and Permits,” of Section 104, “General Authority and Responsibilities,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“**104.2 Applications and permits.** The *fire chief* [~~code official~~] is authorized to receive applications, review *construction documents* [~~and issue permits for construction regulated by this code~~], issue permits for operations regulated by this code, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.”

14. Paragraph 104.6.1, “Approvals,” of Subsection 104.6, “Official Records,” of Section 104, “General Authority and Responsibilities,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“**104.6.1 Approvals.** A record of approvals and equivalent or alternative methods granted shall be maintained by the *fire chief* [~~code official~~] and shall be available for public inspection during business hours in accordance with applicable laws.”

15. Subsection 104.10, “Fire Investigations,” of Section 104, “General Authority and Responsibilities,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“**104.10 Fire investigations.** The [~~fire code official, the~~] fire department is authorized [~~or other responsible authority shall have the authority~~] to promptly investigate the cause, origin and circumstances of each and every [~~any~~] fire occurring in the jurisdiction involving loss of life, injury to a person, or destruction or damage to property [~~, explosion or other hazardous condition~~]. Information that could be related to trade secrets or processes shall not be made part of the public record except as directed by a court of law.”

16. Subsection 104.11, “Authority at Fires and Other Emergencies,” of Section 104, “General Authority and Responsibilities,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

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“104.11 Authority at fires and other emergencies. The fire chief or officer of the fire department in charge at the scene of a fire or other emergency involving the protection of life or property or any part thereof, shall have the authority to direct such operation as necessary to extinguish or control any fire, perform any rescue operation, investigate the existence of suspected or reported fires, gas leaks or other hazardous conditions or situations, or take any other action necessary in the reasonable performance of duty. The fire chief is authorized to investigate the cause, origin and circumstances of unauthorized releases of hazardous materials. In the exercise of such power, the fire chief is authorized to prohibit any person, vehicle, vessel or thing from approaching the scene and is authorized to remove, or cause to be removed or kept away from the scene, any vehicle, vessel or thing which could impede or interfere with the operations of the fire department and, in the judgment of the fire chief, any person not actually and usefully employed in the extinguishing of such fire or in the preservation of property in the vicinity thereof.”

17. Section 104, “General Authority and Responsibilities,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended by adding a new Subsection 104.12, “Procedure,” to read as follows:

“104.12 Procedure. The following procedures apply to fire investigations:

104.12.1 Written report. The fire chief shall make a written report of the facts developed by the investigation, including the cause, origin and circumstances of the fire; the extent of property damage or personal injury; the amount of fire insurance carried on the property; the name and address of the carrier; and any other information relevant to the fire.

104.12.2 Insurance information. At the request of the fire chief, the carrier or its agent shall immediately furnish information regarding the amount of fire insurance carried on the property, the carrier’s name and address and any other information relevant to the fire.

104.12.3 Inspections. The fire chief may enter and inspect any building or premises where a fire has occurred or which has been jeopardized by an adjoining fire. The inspection shall be conducted in a reasonable manner as soon after the occurrence of the fire as possible. No person may refuse admittance to the fire chief if the fire chief is identified by a uniform or through exhibition of credentials.

104.12.4 Hearings. The fire chief may conduct public or private hearings to aid in an investigation. Hearing process may be served by an officer designated by the fire chief. The fire chief may summon witnesses, require production of written documents, administer oaths and affirmations to witnesses, take or cause to be taken the sworn testimony of witnesses, and prohibit witnesses from communicating with one another until they have been examined. No person summoned may refuse to appear, to produce written documents, or to be sworn.

104.12.5 Prosecution. After investigation, if the fire chief believes there is sufficient evidence to charge a person with a crime committed in connection with the fire, the fire chief

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shall arrest or cause the person to be arrested and charged. The fire chief shall furnish to the prosecuting attorney all available evidence, including the names of witnesses and a transcript of testimony taken at the hearing.”

18. Section 105, “Permits,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is retitled as Section 105, “Permits and Fees.”

19. Paragraph 105.1.2, “Types of Permits,” of Subsection 105.1, “General,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is deleted.

20. Paragraph 105.1.6, “Annual Permit,” of Subsection 105.1, “General,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is deleted.

21. Paragraph 105.2.2, “Inspection Authorized,” of Subsection 105.2, “Application,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“105.2.2 Inspection authorized. Before a [~~new-operational~~] permit is *approved*, the *fire chief* [~~code-official~~] is authorized to and shall inspect the receptacles, vehicles, buildings, devices, limited access gates, premises, storage spaces or areas to be used to determine compliance with this code or any operational constraints required.”

22. Paragraph 105.2.3, “Time Limitation of Application,” of Subsection 105.2, “Application,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is deleted.

23. Paragraph 105.2.4, “Action on Application,” of Subsection 105.2, “Application,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

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“105.2.4 Action on application. The *fire code official* shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the *construction documents* do not conform to the requirements of pertinent laws, the fire chief [~~code official~~] shall reject such application in writing, stating the reasons therefor. If the *fire code official* is satisfied that the proposed work or operation conforms to the requirements of this code and laws and ordinances applicable thereto, the *fire code official* shall issue a permit therefor as soon as practicable.”

24. Subsection 105.3, “Conditions of a Permit,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“105.3 Conditions of a permit. A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property; ~~or to install equipment utilized in connection with such activities; or to install or modify any fire protection system or equipment or any other construction, equipment installation or modification~~] in accordance with the provisions of this code where a permit is required by Section 105.6 or 105.7. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code or other applicable regulations or laws of the jurisdiction.”

25. Paragraph 105.3.1, “Expiration,” of Subsection 105.3, “Conditions of a Permit,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“105.3.1 Expiration. A ~~non-operational~~ permit shall remain in effect until reissued, renewed, or revoked or for such a period of time as specified in the permit. ~~[Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year.]~~ Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued.”

26. Paragraph 105.3.3, “Occupancy Prohibited before Approval,” of Subsection 105.3, “Conditions of a Permit,” of Section 105, “Permits and Fees,” of Part 2, “Administrative

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Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended as to read as follows:

“105.3.3 Occupancy prohibited before approval. The building or structure shall not be occupied prior to the *fire code official* issuing a permit, when required, and conducting associated inspections indicating the applicable provisions of this code have been met.”

27. Paragraph 105.3.4, “Conditional Permits,” of Subsection 105.3, “Conditions of a Permit,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is deleted.

28. Paragraph 105.3.6, “Compliance with Code,” of Subsection 105.3, “Conditions of a Permit,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“105.3.6 Compliance with code. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. ~~[The issuance of a permit based on construction documents and other data shall not prevent the fire code official from requiring the correction of errors in the construction documents and other data. Any addition to or alteration of approved construction documents shall be approved in advance by the fire code official, as evidenced by the issuance of a new or amended permit.]”~~

29. Subsection 105.6, “Required Operational Permits,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“105.6 Required [operational] permits. The *fire code official* is authorized to issue [operational] permits for the operations set forth in Sections 105.6.1 through 105.6.5~~2~~[47].

105.6.1 Aerosol products. A~~[n-operational]~~ permit is required to manufacture, store or handle an aggregate quantity of Level 2 or Level 3 aerosol products in excess of 500 pounds (227 kg) net weight.

105.6.2 Amusement buildings. A~~[n-operational]~~ permit is required to operate a special amusement building.

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105.6.3 Aviation facilities. A~~[n-operational]~~ permit is required to use a Group H or Group S occupancy for aircraft servicing or repair and aircraft fuel-servicing vehicles. Additional permits required by other sections of this code include, but are not limited to, hot work, hazardous materials and flammable or combustible finishes.

105.6.4 Carbon Dioxide systems used in beverage dispensing applications. A~~[n-operational]~~ permit is required for carbon dioxide systems used in beverage dispensing applications having more than 100 pounds of carbon dioxide.

105.6.5 Carnivals and fairs. A~~[n-operational]~~ permit is required to conduct a carnival or fair.

105.6.6 Asphalt (tar) kettles. A permit is required for the operation of an asphalt (tar) kettle. A separate permit is required for each location where these activities are being conducted. Additional permits required by other sections of this code include, but are not limited to, hot work and LP-gas. [~~Cellulose nitrate film. An operational permit is required to store, handle or use cellulose nitrate film in a Group A occupancy.~~]

105.6.7 Reserved. [~~Combustible dust-producing operations. An operational permit is required to operate a grain elevator, flour mill, feed mill, or a plant pulverizing aluminum, coal, cocoa, magnesium, spices or sugar, or other operations producing combustible dusts as defined in Chapter 2.~~]

105.6.8 Combustible fibers. A~~[n-operational]~~ permit is required for the storage and handling of combustible fibers in quantities greater than 100 cubic feet (2.8 m³).

Exception: A permit is not required for agricultural storage.

105.6.9 Compressed gases. A~~[n-operational]~~ permit is required for the storage, use or handling at normal temperature and pressure (NTP) of compressed gases in excess of the amounts listed in Table 105.6.8.

Exception: Vehicles equipped for and using compressed gas as a fuel for propelling the vehicle.

**TABLE 105.6.9
PERMIT AMOUNTS FOR COMPRESSED GASES**

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TYPE OF GAS	AMOUNT (cubic feet at NTP)
Corrosive	200
Flammable (except cryogenic fluids and liquefied petroleum gases)	200
Highly toxic	Any Amount
Inert and simple asphyxiant	6,000
Oxidizing (including oxygen)	504
Pyrophoric	Any Amount
Toxic	Any Amount

For SI: 1 cubic foot = 0.02832 m³.

a. For carbon dioxide used in beverage dispensing applications, see Section 105.6.4.

105.6.10 Reserved. ~~[Covered and open mall buildings. An operational permit is required for:~~

- ~~1. The placement of retail fixtures and displays, concession equipment, displays of highly combustible goods and similar items in the mall.~~
- ~~2. The display of liquid or gas fired equipment in the mall.~~
- ~~3. The use of open flame or flame producing equipment in the mall.]~~

105.6.11 Cryogenic fluids. A~~[n-operational]~~ permit is required to produce, store, transport on site, use, handle or dispense *cryogenic fluids* in excess of the amounts *listed* in Table 105.6.10.

Exception: Permits are not required for vehicles equipped for and using cryogenic fluids as a fuel for propelling the vehicle or for refrigerating the lading.

**TABLE 105.6.10
PERMIT AMOUNTS FOR CRYOGENIC FLUIDS**

TYPE OF CRYOGENIC FLUID	INSIDE BUILDING (gallons)	OUTSIDE BUILDING (gallons)
Flammable	More than 1	60
Inert	60	500
Oxidizing (includes oxygen)	10	50
Physical or health hazard not indicated above	Any Amount	Any Amount

For SI: 1 gallon = 3.785 L.]

105.6.12 Cutting and welding. A~~[n-operational]~~ permit is required to conduct cutting or welding operations within the jurisdiction.

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105.6.13 Dry cleaning. A~~[n-operational]~~ permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.

105.6.14 Exhibits and trade shows. A~~[n-operational]~~ permit is required to operate exhibits and trade shows.

105.6.15 Explosives. A~~[n-operational]~~ permit is required for the manufacture, transportation, storage, handling, sale or use of any quantity of *explosive*, *explosive material*, fireworks, or pyrotechnic special effects within the scope of Chapter 56.

Exception: Storage in Group R-3 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with Section 5606.

105.6.16 Reserved. ~~[Fire hydrants and valves. An operational permit is required to use or operate fire hydrants or valves intended for fire suppression purposes that are installed on water systems and accessible to a fire apparatus access road that is open to or generally used by the public.]~~

~~**Exception:** A permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.]~~

105.6.17 Flammable and combustible liquids. A~~[n-operational]~~ permit is required:

1. To use or operate a pipeline for the transportation within facilities of flammable or *combustible liquids*. This requirement shall not apply to the off-site transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it apply to piping systems.
2. To store, handle or use Class I liquids in excess of 5 gallons (19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:
 - 2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the *fire code official*, would cause an unsafe condition.
 - 2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.
3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.

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4. To store, handle or use Class IIIB liquids in tanks or portable tanks for fueling motor vehicles at motor fuel-dispensing facilities or where connected to fuel-burning equipment.

Exception: Fuel oil and used motor oil used for space heating or water heating.

5. To remove Class I or II liquids from an underground storage tank used for fueling motor vehicles by any means other than the *approved*, stationary on-site pumps normally used for dispensing purposes.
6. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and *combustible liquids* are produced, processed, transported, stored, dispensed or used. This includes tanks, lines, monitor wells and other appurtenances of the tank system.
7. To remove, abandon, or place temporarily out of service (for more than 90 days) an underground, protected above-ground or above-ground flammable or *combustible* liquid tank. This includes tanks, lines, monitor wells, and other appurtenances of the tank system.
8. To change the type of contents stored in a flammable or *combustible liquid* tank to a material that poses a greater hazard than that for which the tank was designed and constructed.
9. To manufacture, process, blend or refine flammable or *combustible liquids*.
10. To install, construct, or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries, and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed, or used. [~~To engage in the dispensing of liquid fuels into the fuel tanks of motor vehicles at commercial, industrial, governmental or manufacturing establishments.~~]
11. To store, handle or use Class III liquids in tanks or portable tanks for fueling motor vehicles and construction equipment at construction sites. [~~To utilize a site for the dispensing of liquid fuels from tank vehicles into the fuel tanks of motor vehicles, marine craft and other special equipment at commercial, industrial, governmental or manufacturing establishments.~~]

105.6.18 Floor or wall finishing. A[n-operational] permit is required for floor or wall finishing or surfacing operations exceeding 350 square feet (33 m²) using Class I or Class II liquids.

105.6.19 Fruit and crop ripening. A[n-operational] permit is required to operate a fruit-, or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.

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105.6.20 Reserved. ~~[Fumigation and insecticidal fogging. An operational permit is required to operate a business of fumigation or insecticidal fogging, and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.]~~

105.6.21 Hazardous materials. A~~[n-operational]~~ permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of the amounts *listed* in Table 105.6.21.

105.6.22 HPM facilities. A~~[n-operational]~~ permit is required to store, handle or use hazardous production materials.

[Table 105.6.21 is adopted with no amendments.]

105.6.23 High-piled storage. A~~[n-operational]~~ permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m²).

105.6.24 Hot work operations. A~~[n-operational]~~ permit is required for hot work including, but not limited to:

1. Public exhibitions and demonstrations where hot work is conducted.
2. Use of portable hot work equipment at construction sites or inside a structure.

~~[Exception: Work that is conducted under a construction permit.]~~

3. Fixed-site hot work equipment such as welding booths.
4. Hot work conducted within a ~~[wildfire]~~ hazardous fire area.
5. Application of roof coverings with the use of an open-flame device.
6. Mobile Welding/Cutting (Hot Works) apparatus. A separate permit is required for each mobile W/C (hot work) vehicle. ~~[When approved, the fire code official shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in Chapter 26. These permits shall be issued only to their employees or hot work operations under their supervision.]~~

6.1. The fire department shall inspect each vehicle to ensure the equipment is in good working order and in compliance with the provisions of Chapter 35 before issuing a permit to operate.

6.2. Regulations will be given to the owner/operator of the apparatus. The responsible person will sign for these regulations.

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6.3. The owner/operator of the apparatus will ensure compliance with the requirements found in the regulations received.

6.4. A separate permit is required for each separate activity and location where these activities are being conducted.

105.6.25 Industrial ovens. A~~[n-operational]~~ permit is required for operation of industrial ovens regulated by Chapter 30.

105.6.26 Lumber yards and woodworking plants. A~~[n-operational]~~ permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft³) (236m³).

105.6.27 Liquid or-gas-fueled vehicles or equipment in assembly buildings. A~~[n-operational]~~ permit is required to display, operate or demonstrate liquid-or gas-fueled vehicles or equipment in assembly buildings.

105.6.28 LP-gas. A~~[n-operational]~~ permit is required for:

1. Storage and use of LP-gas where the aggregate capacity of containers is more than 100 gallons (379 L) in water capacity.

~~[Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L), serving occupancies in Group R-3.]~~

2. The use of [Operation of cargo tankers that transport] LP-gas for demonstration or portable cooking equipment. See Chapter 61.

105.6.29 Magnesium. A~~[n-operational]~~ permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.

105.6.30 Miscellaneous combustible storage. A~~[n-operational]~~ permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71 m³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.

105.6.31 Reserved. ~~[Motor fuel dispensing facilities. An operational permit is required for the operation of automotive, marine and fleet motor fuel dispensing facilities.]~~

105.6.32 Open burning. A~~[n-operational]~~ permit is required for the kindling or maintaining of an open fire, recreational fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.

~~[Exception: Recreational fires.]~~

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105.6.32.1 Trench burning. A separate permit is required for each day of trench burning.

105.6.32.2 Air curtain incinerators/pit burners. A separate permit is required to operate an air curtain incinerator/pit burner or similar type device that uses an air curtain to burn waste.

105.6.33 Open flames and torches. A~~[n-operational]~~ permit is required to remove paint with a torch; or to use a torch or open-flame device in a ~~[wildfire risk]~~ fire area.

105.6.34 Open flames and candles. A~~[n-operational]~~ permit is required to use open flames or candles in connection with assembly areas, dining areas of restaurants or drinking establishments. This permit includes the use of free-standing LP-gas heaters in assembly occupancies.

105.6.35 Reserved. ~~*[Organic coatings. An operational permit is required for any organic-coating manufacturing operation producing more than 1 gallon (4 L) of an organic coating in one day.]*~~

105.6.36 Reserved. ~~*[Places of assembly. An operational permit is required to operate a place of assembly.]*~~

105.6.37 Private fire hydrants and water supplies. An annual ~~[operational]~~ permit is required for the ~~[removal from service,]~~ use or operation of private fire hydrants or alternate water supplies.

~~**[Exception:** A permit is not required for private industry with trained maintenance personnel, private fire brigade or fire departments to maintain, test and use private hydrants.]~~

105.6.38 Pyrotechnic special effects material. A~~[n-operational]~~ permit is required for transportation, use, [and] handling, storage and display of pyrotechnic special effects material. See Chapter 56.

105.6.39 Reserved. ~~**[Pyroxylin plastics.** An operational permit is required for storage or handling of more than 25 pounds (11 kg) of cellulose nitrate (pyroxylin) plastics, and for the assembly or manufacture of articles involving pyroxylin plastics.]~~

105.6.40 Refrigeration equipment. An annual ~~[operational]~~ permit is required to operate a mechanical refrigeration unit or system regulated by Chapter 6.

105.6.41 Reserved. ~~**[Repair garages and motor fuel-dispensing facilities.** An operational permit is required for operation of repair garages.]~~

105.6.42 Reserved. ~~**[Rooftop heliports.** An operational permit is required for the operation of a rooftop heliport.]~~

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105.6.43 Spraying or dipping. A~~[n-operational]~~ permit is required to conduct a spraying or dipping operation utilizing flammable or *combustible liquids* or the application of combustible powders regulated by Chapter 24.

105.6.44 Storage of scrap tires and tire byproducts. A~~[n-operational]~~ permit is required to establish, conduct or maintain storage of scrap tires and tire byproducts that exceeds 2,500 cubic feet (71 m³) of total volume of scrap tires, and for indoor storage of tires and tire byproducts.

105.6.45 Temporary membrane structures, tents and canopies. A~~[n-operational]~~ permit is required to operate an air-supported temporary membrane structure~~[, a temporary stage canopy]~~ or a tent having an area in excess of 399 [400] square feet (37 m²) or a canopy in excess of 399 [400] square feet (37 m²).

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Fabric canopies [tents] open on all sides which comply with all of the following:
 - 2.1. Individual canopies [tents] having a maximum size of 700 square feet (65 m²).
 - 2.2. The aggregate area of multiple canopies [tents] placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m²) total.
 - 2.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.
3. Awnings.
4. Tents having an occupant load of less than 10 persons.

105.6.46 Tire-rebuilding plants. A~~[n-operational]~~ permit is required for the operation and maintenance of a tire rebuilding plant.

105.6.47 Waste handling. A~~[n-operational]~~ permit is required for the operation of wrecking yards, junk yards and waste material-handling facilities.

105.6.48 Acetylene generator. A permit is required to operate an acetylene generator. See Chapter 35. [~~Wood products. An operational permit is required to store chips, hogged material, lumber or plywood in excess of 200 cubic feet (6 m³).~~]

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105.6.49 Commercial cooking fire-extinguishing system. A permit is required to install an *approved* automatic fire-extinguishing system for commercial cooking systems.

105.6.50 Calcium carbide storage. A permit is required to store more than 200 pounds of calcium carbide. See Chapter 35.

105.6.51 Limited access gates. An annual permit is required for the operation of limited access gates which obstruct fire apparatus access roads and which open electro-mechanically, using an *approved* Dallas Fire-Rescue Department radio receiver and transmitter.

105.6.52 Mobile fueling. A separate permit is required for each mobile refueling apparatus utilized for the purpose of transferring fuel in accordance with this section. A separate permit is required for each site where mobile refueling operations take place in accordance with this section. See Chapter 57.

105.6.53 State licensed facilities. An annual permit is required to operate a child care facility, adult day care facility, small assisted living facility, or a residential care facility as defined by the Texas Department of Aging and Disability Services and the Texas Department of Family and Protective Services.”

30. Paragraph 105.7.4, “Cryogenic Fluids,” of Subsection 105.7, “Required Construction Permits,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“105.7.4 Reserved. [~~A] ~~105.7.4 Cryogenic fluids.~~ A construction permit is required for installation of or alteration to outdoor stationary cryogenic fluid storage systems where the system capacity exceeds the amounts listed in Table 105.6.11. Maintenance performed in accordance with this code is not considered to be an alteration and does not require a construction permit.]”~~

31. Paragraph 105.7.14, “Smoke Control or Smoke Exhaust Systems.” of Subsection 105.7, “Required Construction Permits,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“105.7.14 Reserved. [~~Smoke control or smoke exhaust systems.~~ Construction permits are required for installation of or alteration to smoke control or smoke exhaust systems. Maintenance performed in accordance with this code is not considered to be an alteration and does not require a permit.]”

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32. Paragraph 105.7.18, “Temporary Membrane Structures and Tents,” of Subsection 105.7, “Required Construction Permits,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“105.7.18 Temporary membrane structures, [and] tents and canopies. A construction permit is required to erect an air-supported temporary membrane structure [~~a temporary stage canopy~~] or a tent having an area in excess of 399 [400] square feet (37 m²). Tents and/or other membrane structures shall not be erected on the top/roof of an existing structure without first providing acceptable documentation of the structural integrity of the existing building to support the anticipated live and static loads to the fire code official.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Funeral tents and curtains, or extensions attached thereto, when used for funeral services.
3. Tents, fabric canopies, and awnings open on all sides which comply with all of the following:
 - 3.1. Individual canopies shall have a maximum size of 700 square feet (65 m²).
 - 3.2. The aggregate area of multiple canopies [~~tents~~] placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m²) total.
 - 3.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be maintained.
4. Tents having an occupant load of less than 10 persons.

33. Subsection 105.7, “Required Construction Permits,” of Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended by adding a new Subsection 105.7.19, “Electronic Access Control Systems,” to read as follows:

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“105.7.19 Electronic access control systems. Construction permits are required for the installation or modification of an electronic access control system, as specified in Chapter 10. A separate construction permit is required for the installation or modification of a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.”

34. Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended by adding a new Subsection 105.8, “Fees and Permits Schedule,” to read as follows:

“105.8 Fees and permits schedule. An applicant for a permit required by Section 105.6 shall pay, upon issuance of the permit, a nonrefundable permit fee in accordance with the following schedule.

1. Acetylene generator, annual	\$300.00
2. Aerosol products, annual	\$250.00
3. Air curtain incinerator/pit/trench burn, per day	\$404.00
4. Amusement building	\$150.00
5. Asphalt (tar) kettles, annual	\$199.00
6. Aviation facilities	\$300.00
7. Calcium carbide storage, annual	\$300.00
8. Candle and open flames	\$125.00
9. Carnivals and fairs, daily	\$200.00
10. Combustible storage (miscellaneous), annual	\$250.00
11. Commercial cooking fire-extinguishing system	\$267.00
12. Compressed gas filling/storage/use, annual	\$250.00
13. Cryogenic fluids, annual	\$250.00
14. Dry cleaning plant, annual	\$300.00
15. <i>Explosive</i> /blasting, daily	\$450.00
16. Fireworks/ <i>explosive</i> storage, daily	\$300.00
17. Fireworks/ <i>explosive</i> transportation, daily	\$300.00
18. Fireworks display (initial)	\$500.00
19. Fireworks display (subsequent)	\$300.00
20. Flammable and combustible liquids, annual	\$250.00
21. Floor/wall finishing	\$150.00
22. Fruit and crop ripening, annual	\$279.00
23. Hazardous materials, annual	\$550.00
24. Hazardous production material (HPM), annual	\$550.00
25. High pile storage, annual	\$200.00
26. Industrial oven	\$250.00
27. Limited access gates	
(1 to 3 gates)	\$250.00
(4 to 7 gates)	\$300.00
(8 or more gates)	\$400.00

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28. Liquid- or gas-fueled vehicles or equipment in assembly buildings, per event:	
(1 to 10 vehicles or pieces of equipment)	\$200.00
(11 to 30 vehicles or pieces of equipment)	\$300.00
(31 or more vehicles or pieces of equipment)	\$400.00
(over 400 vehicles or pieces of equipment)	\$500.00
29. LP-gas storage/use	\$254.00
30. LP-gas demonstration/portable cooking [CART]	\$150.00
31. LP-gas demonstration/portable cooking [VEHICLE]	\$300.00
32. Lumber yards and woodworking plants, annual	\$269.00
33. Magnesium, annual	\$250.00
34. Mobile fueling	
(site survey), annual	\$400.00
(vehicle inspection) annual	\$300.00
35. Open burning/recreational fires	\$250.00
36. Private fire hydrant and water supplies, annual	\$350.00
37. Pyrotechnic special effects material, daily:	
Initial performance	\$300.00
Subsequent performances	\$300.00
38. Refrigeration equipment	\$205.00
39. Scrap tire storage, annual	\$200.00
40. Spray painting/dipping	\$200.00
41. State licensed facilities	
(child care facility), annual 35 Children or less	\$150.00
(child care facility), annual 36 Children or more	\$200.00
(residential care facility), annual	\$200.00
(small assisted living), annual	\$200.00
(adult day care facility), annual	\$200.00
42. Temporary membrane structures and tents, Including plan review (per event)	\$300.00
43. Tire-rebuilding plant	\$200.00
44. Torch and open flames	\$200.00
45. Waste handling, annual	\$250.00
47. Welding/cutting/hot works	\$194.00”

35. Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended by adding a new Subsection 105.8, “Standby Personnel/Fire Watch Fee,” to read as follows:

“105.8 Standby Personnel/Fire Watch fee. The standby personnel/fire watch fees shall be as calculated as follows:

New Construction Staffing - Regular hours, per inspector-per hour	\$ 120.00

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New Construction Staffing - Overtime hours, per inspector-per hour	\$ 120.00
New Construction Re-tests (fee)	\$ 622.00
Special Event/Trade Show Staffing - Regular hours, per inspector-per hour	\$ 120.00
Special Event/Trade Show Staffing - Overtime hours, per inspector-per hour	\$ 120.00
Standby Personnel/Fire Watch Staffing - Regular hours, per inspector-per hour	\$ 120.00
Standby Personnel/Fire Watch Staffing - Overtime hours, per inspector-per hour	\$ 120.00

105.8.1 When required. Whenever a building or premises in the city is required to provide standby personnel or a fire watch, the owner, occupant, operator or other responsible person shall pay to the fire department a fee in accordance with the following schedule.

105.8.2 Failure to pay. A person commits an offense if he fails to pay the fee assessed under Section 105.8.1 to the Dallas Fire-Rescue Department within 30 calendar days after the date of services provided.”

36. Section 105, “Permits and Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended by adding a new Subsection 105.9, “Reinspection Fee,” to read as follows:

“**105.9 Reinspection fee.** Reinspection fees shall be assessed in accordance with Sections 105.9.1 and 105.9.2.

105.9.1 When required. Whenever a building or premises in the city is inspected by the *fire code official* and a violation of this code is found, the building or premises shall, after the expiration of any time limit for compliance given in a notice or order issued because of the violations, be reinspected by the *fire code official* to determine that the violation has been eliminated. The owner, occupant, operator or other person responsible for the violation shall pay to the city assessor and collector of taxes a fee in accordance with the following schedule for each reinspection that is conducted until the violation is determined to be eliminated.

NUMBER OF REINSPECTIONS	FEE
1 ST	\$0
2 ND	\$100
3 RD AND EACH SUBSEQUENT	\$105

Exception: No fee shall be charged for a reinspection of the following:

1. A Group R-3 or R-4 occupancy, as defined in the *Dallas Building Code*.
2. An individual *dwelling unit* within an apartment house or residential condominium complex, as defined in the *Dallas Building Code*, when the

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violation is the responsibility of the occupant of the *dwelling unit* and not the responsibility of the owner or operator of or the person responsible for the building or premises.

3. Activities directly related to construction conducted on a building or premises, or part of the building or premises, pursuant to a valid building permit issued by the building official, including any reinspection that is required before a certificate of occupancy related to the construction activities may be issued for the building or premises.

105.9.2 Failure to pay. A person commits an offense if he fails to pay a reinspection fee assessed under Section 105.9.1 to the city assessor and collector of taxes within 60 calendar days after the date of reinspection.”

37. Section 108, “Board of Appeals,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“SECTION 108 BOARD OF APPEALS

[A] 108.1 Creation, membership and qualifications. The fire code advisory and appeals board is created to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code. The fire code advisory and appeals board shall consist of the following nine members who are qualified by experience and training to pass judgment upon pertinent matters:

1. Two registered engineers, one of which is a fire protection engineer.
2. One registered architect.
3. One building contractor having at least five years’ experience in the construction of commercial buildings.
4. One insurance investigator having at least five years’ experience in the investigation of casualty insurance claims.
5. One person experienced in the practice or technique of handling flammable or combustible liquids.
6. One person experienced in the practice or technique of managing large public assembly functions.

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7. Two persons having a record of active participation in community affairs.

~~[**Board of appeals established.** In order to hear and decide appeals of orders, decisions or determinations made by the *fire code official* relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The *fire code official* shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *fire code official*.]~~

[A] 108.1.2 Ex-officio members. In addition to the nine board members enumerated in Section 108.1, the building official and fire marshal shall serve as ex-officio members of the board without voting privileges.

[A] 108.2 **Limitations on authority.** An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The board shall have no authority to waive requirements of this code.

[A] 108.3 **Appointment and terms.** The city manager shall nominate and the city council shall appoint the nine board members enumerated in Section 108.4 from among the residents of the city. The mayor shall appoint the board chair and the full city council shall appoint the vice-chair. Board members shall serve for two consecutive years beginning September 1 of each odd-numbered year, or until their successors are appointed and qualified. If a vacancy occurs on the board during the pendency of a term, the city manager shall nominate and city council shall appoint a new member to fill the vacancy for the unexpired term. The appointive board members shall serve without compensation. ~~[**Qualifications.** The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to hazards of fire, explosions, hazardous conditions or *fire protection systems* and are not employees of the jurisdiction.]~~

[A] 108.4 **Meetings; quorum.** The board shall adopt reasonable rules for the preparation of amendments to this code and for the conduct of hearings. The board shall convene at the request of the fire chief, the fire marshal, or its chair, with five members constituting a quorum. The board shall keep a record of its proceedings and decisions. The chair shall cause a copy of that record to be filed with the city secretary.

[A] 108.5 **Code review and amendment.** The board shall hear requests for amendments to this code and conduct its own regular code review. When the board, by a concurring vote of a majority of its members present, determines that a proposed amendment is appropriate for inclusion in this code, it shall recommend that amendment to the city council for adoption.

[A] 108.6 **Appeals.** If a person is aggrieved by a decision of a member of the fire department enforcing this code, the person may file with the fire marshal a written request for a hearing before the board. In the request, the person shall name the fire department member whose decision is being appealed and specify the details of the controverted decision. The fire marshal

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shall forward a copy of the request to the board chair, who shall convene a public meeting of the board within a reasonable time, not to exceed 30 days, after receipt of the request. After considering the relevant and material evidence, the board, by a concurring vote of a majority of its members present, shall render a decision sustaining, modifying or reversing the decision appealed. The chair shall cause the board's decision to be reduced to writing and a copy to be filed with the fire marshal and the city secretary. The decision of the board is the final administrative action of the city regarding the controverted 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 shall be filed against the board as defendant and service of process may be made upon the board by serving the city secretary.

[A] 108.7 Stay of appeal. During the pendency of the request to the board, the decision appealed from will be stayed unless the fire marshal determines that a stay would create or allow the continuance of a substantial fire hazard threatening the lives or property of persons other than the appellant."

38. Paragraph 109.3.1, "Service," of Subsection 109.3, "Notice of Violation," of Section 109, "Violations," of Part 2, "Administrative Provisions," of Chapter 1, "Scope and Administration," of the 2015 International Fire Code is amended to read as follows:

"[A] 109.3.1 Service. A notice of violation issued pursuant to this code shall be served upon the owner, the owner's authorized agent, operator, occupant or other person responsible for the condition or violation, either by verbal notification, personal service, mail or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with return receipt requested or a certificate of mailing, to the last known address of the owner, the owner's authorized agent, or occupant. Orders or notices shall set forth a time limit for compliance dependent upon the hazard and danger created by the violation. Orders or notices that are given verbally shall be confirmed by service in writing as herein provided."

39. Subsection 109.4, "Violation Penalties," of Section 109, "Violations," of Part 2, "Administrative Provisions," of Chapter 1, "Scope and Administration," of the 2015 International Fire Code is amended to read as follows:

"[A] 109.4 Violation penalties. Persons who shall knowingly violate a provision of this code or shall knowingly fail to comply with any of the requirements thereof or who shall knowingly erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Class C misdemeanor [~~SPECIFY OFFENSE~~], punishable by a fine [~~of~~] not to exceed \$2,000 [~~more than [AMOUNT] dollars or by imprisonment not exceeding [NUMBER~~

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~~OF DAYS], or both such fine and imprisonment].~~ Each day or part of a day that a violation continues after due notice has been served shall be deemed a separate offense.

109.4.1 Abatement of violation. In addition to the imposition of the penalties herein described, the *fire code official* is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

[A] 109.4.2 Failure to discontinue. Any person who shall knowingly continue any operations after having been served with a notice to discontinue operations, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$1,500.

[A] 109.4.3 Agents and employees. A person who is the agent of the property owner or is an individual employed by the agent or property owner, is in control of the property, and knowingly allows the violation to exist is guilty of an offense if that person fails to provide the property owner's name, street address, and telephone number to the *fire code official*."

40. Subsection 110.2, "Evacuation," of Section 110, "Unsafe Buildings," of Part 2, "Administrative Provisions," of Chapter 1, "Scope and Administration," of the 2015 International Fire Code is amended to read as follows:

"**[A] 110.2 Evacuation.** The *fire code official* or the fire department official in charge of an incident shall be authorized to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants. Persons so notified shall immediately leave the structure, ~~[or]~~ premises or vehicle and shall not enter or re-enter until authorized to do so by the *fire code official* or the fire department official in charge of the incident.

[A] 110.2.1 Stopping uses, evacuation. The *fire code official* is authorized to order an operation or use stopped or the evacuation of any premises, building or vehicle, or portion thereof, that has or is a fire hazard."

41. Subsection 110.4, "Abatement," of Section 110, "Unsafe Buildings," of Part 2, "Administrative Provisions," of Chapter 1, "Scope and Administration," of the 2015 International Fire Code is amended to read as follows:

"**[A] 110.4 Abatement.** The owner, the owner's authorized agent, operator or occupant of a building or premises deemed unsafe by the *fire code official* shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other *approved*

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corrective action. See the procedures specified in Chapter 27, ‘Minimum Urban Rehabilitation Standards,’ of the *Dallas City Code*.”

42. Subsection 111.4, “Failure to Comply,” of Section 111, “Stop Work Order,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended to read as follows:

“[A] **111.4 Failure to comply.** Any person who shall knowingly continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than \$1,000 [~~AMOUNT~~ dollars] or more than \$2,000 [~~AMOUNT~~ dollars].”

43. Subsection 113.5, “Refunds,” of Section 113, “Fees,” of Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is deleted.

44. Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended by adding a new Section 114, “Certificate of Occupancy,” to read as follows:

“SECTION 114 CERTIFICATE OF OCCUPANCY

[A] **114.1 Use and occupancy.** No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure, or portion thereof, shall be made until the building official has issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of the *Dallas Building Code* or of other ordinances of the jurisdiction.

[A] **114.2 Certificate issued.** After the building official inspects the building or structure and finds no violations of the provisions of the *Dallas Building Code*, or other laws that are enforced by the division of building inspection, the building official shall issue a certificate of occupancy that contains the following:

1. The address of the structure.
2. The name and address of the owner or tenant.
3. The use and occupancy, in accordance with the provisions of the *Dallas Building Code* or the *Dallas Existing Building Code*, whichever applies.

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[A] **114.3 Temporary occupancy.** The building official is authorized to issue a temporary certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official shall set a time period during which the temporary certificate of occupancy is valid.

[A] **114.4 Revocation.** The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of the *Dallas Building Code* wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of the *Dallas Building Code.*”

44. Part 2, “Administrative Provisions,” of Chapter 1, “Scope and Administration,” of the 2015 International Fire Code is amended by adding a new Section 115, “Registration and Inspection of High Risk Buildings and Occupancies,” to read as follows:

“SECTION 115 REGISTRATION AND INSPECTION OF HIGH RISK BUILDINGS AND OCCUPANCIES”

[A] **115.1 Certificate of registration.** A person commits an offense if he knowingly owns, operates or controls a high risk building or occupancy in the city without a valid certificate of registration issued under this section. See Chapter 2 for definitions of high risk building or occupancy.

[A] **115.2 Display of certificate.** A registrant shall present, upon request, a certificate of registration for examination by the fire chief.

[A] **115.3 Application for registration.** To obtain a certificate of registration, a person shall submit an application to the *fire code official* on a form provided for that purpose. The applicant must be the person who will own, control or operate the high risk building or occupancy. If the applicant owns, controls or operates more than one high risk building or occupancy at the same street address, only one certificate of registration is required for all of the buildings or occupancies at that street address. Only one certificate of registration is required for a single building that has more than one street address. The application shall be verified and contain the following information:

1. The applicant’s name, address, telephone number and verified signature.
2. The name, street address and telephone number of the high risk building’s owner or occupancy’s operator.
3. The name, address and main telephone number, if any, of the high risk building or occupancy.

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4. The name, address and telephone number of an emergency contact person that can be contacted 24 hours a day, seven days a week in an emergency.
5. The square forage of the high risk building or occupancy, including the number of stories and the construction date of the building.
6. The type of occupancy or occupancies conducted in the high risk building.
7. A description of any hazardous operations being conducted in the high risk building or occupancy.
8. A description of fire protection features and any unique aspects of the high risk building or occupancy.
9. The number of living units in residential facilities.
10. The number of patient rooms in health care facilities.
11. Such additional information as the *fire code official* deems necessary to the administration and enforcement of this section.

[A] 115.3.1 Multiple buildings or occupancies. If the application for a certificate of Registration is being made for multiple buildings or occupancies at the same address, the information required in Section 113.3 must be provided for each building or occupancy at that address.

[A] 115.3.2 Notification. A registrant shall notify the *fire code official* within 10 days after any material change in the information in the application for a certificate of registration for a high risk building or occupancy, including any changes in ownership.

[A] 115.4 Registration fee and inspection charge. The fee for a certificate of registration for a high risk occupancy is \$25, plus an inspection charge in accordance with the following schedule.

BUILDING TYPE:	INSPECTION FEE:
Public Assembly	
Under 5,000 square feet	\$150.00
5,000 9,999 square feet	\$200.00
10,000 59,999 square feet	\$250.00
60,000 99,999 square feet	\$250.00
100,000 square feet and over	\$300.00
Hazardous Materials	
Under 5,000 square feet	\$250.00
5,000 9,999 square feet	\$250.00
10,000 59,999 square feet	\$300.00

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60,000 99,999 square feet	\$313.00
100,000 square feet and over	\$400.00
High-rise Office/Storage/Assembly	
Under 200,000 square feet	\$250.00
200,000 600,000 square feet	\$260.00
Over 600,000 square feet	\$291.00
High-rise Residential	
Under 250 <i>dwelling units</i>	\$300.00
250 to 600 <i>dwelling units</i>	\$439.00
Over 600 <i>dwelling units</i>	\$550.00
Health Care Facilities	
Under 100 patient rooms or individual <i>dwelling units</i>	\$300.00
100-500 patient rooms or individual <i>dwelling units</i>	\$550.00
Over 500 patient rooms or individual <i>dwelling units</i>	\$650.00

Exceptions:

1. The inspection charge shall not be assessed for inspecting a building or occupancy that is subject to inspection in order to obtain one of the following operational permits from the *fire code official*:
 - a. Amusement building.
 - b. Aviation facilities.
 - c. Dry cleaning plant.
 - d. Lumber yards and woodworking plants.
 - e. State licensed facility (child care, residential care, small assisted living, adult day care).
2. The inspection charge shall not be assessed for any property that is exempt from paying City of Dallas property taxes.
3. The inspection charge shall not be assessed for any property that has a current vacant building certificate of registration from the City of Dallas.

[A] 115.4.1 Multiple buildings or occupancies. If one certificate of registration is issued for multiple buildings or occupancies located at the same address, the inspection charge will be calculated as follows:

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1. For public assembly, high-rise office/storage/assembly, and hazardous materials facilities, the inspection charge will be calculated using the aggregate area in square feet of all the buildings or occupancies.
2. For high-rise residential buildings and healthcare facilities, the inspection charge will be calculated using the aggregate number of living units or patient rooms in all buildings or occupancies.

[A] 115.4.2 Refunds. If a certificate of registration expires and no inspection was conducted by the *fire code official* during the registration term, then the full inspection charge may be refunded, if the fire chief receives a written request for the refund from the registrant within 90 days after expiration of the certificate of registration. Otherwise, no refund of the inspection charge will be made.

[A] 115.5 Expiration and renewal of registration. A certificate of registration for high risk buildings and occupancies expires according to the following schedule:

1. Assembly certificates expire one year after the date of issuance.
2. Hazardous materials certificates expire two years after the date of issuance.
3. High rise certificates expire two years after the date of issuance.
4. Health care certificates expire one year after the date of issuance.

[A] 115.5.1 Renewal. A renewal invoice will automatically be mailed to the applicant 30 days prior to the expiration date of the current certificate of registration. The applicant shall submit the required payment at least 15 days prior to the expiration of the certificate of registration.

[A] 115.6 Non-transferability. A certificate of registration for a high risk building or occupancy is not transferable.

[A] 115.7 Property inspections. For the purpose of determining whether violations of this section or any other city ordinance or state or federal law exist, the *fire code official* is authorized at a reasonable time to inspect the interior and exterior of the high risk building or occupancy, if the permission of the owner, operator, or other person in control is given or a search warrant is obtained.

[A] 115.7.1 Frequency. The *fire code official* shall inspect a high risk building or occupancy at least once during the term of the certificate of registration.

[A] 115.7.2 Registrant responsibilities. An applicant or registrant shall permit representatives of the *fire code official* to inspect the interior and exterior of a high risk building or occupancy for the purpose of ensuring compliance with the law, at

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reasonable times upon request. The applicant or registrant commits an offense if he, either personally or through an agent or employee, refuses to permit a lawful inspection of the high risk building or occupancy as required by this subsection.

[A] 115.7.3 Reinspection. Whenever a high risk building or occupancy is inspected by the *fire code official* and a violation of Section 115 or any other city ordinance or state or federal law applicable to the building is found, the premises will, after the expiration of any time limit for compliance given in a notice or order issued because of the violation, be reinspected by the *fire code official* to determine that the violation has been eliminated. Reinspection fees shall be issued in accordance with Section 105.9.

[A] 115.8 Duty of emergency contact person. The emergency contact person or person designated by the emergency contact person shall arrive at the property within one hour after notification by the city or emergency response personnel that an emergency condition has occurred on the property.”

45. Section 202, “General Definitions,” of Chapter 2, “Definitions,” of the 2015 International Fire Code is amended by adding or amending the following definitions in alphabetical order:

“AERIAL SHELL. A pyrotechnic device that functions in the air.

AIRCRAFT MOTOR-VEHICLE FUEL-DISPENSING FACILITY. That portion of property where flammable or combustible liquids used as aircraft [~~motor~~] fuels are stored and dispensed from fixed automotive-type dispensing equipment into the fuel tanks of aircraft and shall include all facilities essential thereto.

[BG] AMBULATORY CARE FACILITY. Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing or similar care on a less-than-24-hour basis to persons who are rendered incapable of self-preservation by the services provided. This group may include but not be limited to the following:

- Dialysis centers

- Procedures involving sedation

- Sedation dentistry

- Surgery centers

- Colonic centers

- Psychiatric centers

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BINARY EXPLOSIVE. An explosive material composed of separate components, each of which is safe for storage and transportation and would not in itself be considered as an explosive.

BREAK (Aerial Shell). An individual effect from an aerial shell, generally either color or noise. Aerial shells can be single break, having only one effect, or multiple breaks, having two or more effects.

CERTIFICATE OF REGISTRATION. A written authority issued under Section 115 of this code to own, operate or control a commercial building within the city.

COMMERCIAL BUILDING. Any structure used or intended to be used for any type occupancy, except a single-family dwelling or a duplex dwelling.

[B] DEFEND IN PLACE. A method of emergency response that engages building components and trained staff to provide occupant safety during an emergency. Emergency response involves remaining in place, relocating within the building, or both, without evacuating the building.

[BF] FIRE AREA. The aggregate floor area enclosed and bounded by *approved fire walls, fire barriers, exterior walls or horizontal assemblies* of a building. Areas of the building not provided with surrounding walls shall be included in the fire area if such areas are included within the horizontal projection of the roof or floor next above.

FIRE CODE OFFICIAL. The fire chief, *fire marshal* or ~~[other]~~ designated ~~[authority]~~ *uniformed members of the Inspection and Life Safety Education Division* charged with the administration and enforcement of the *Dallas Fire Code* ~~[code, or a duly authorized representative].~~

FIRE DEPARTMENT INLET CONNECTION. A connection through which the fire department can pump water into a standpipe system or sprinkler system. Each hose connection shall have national standard fire hose coupling screw threads of 7 ½ threads per inch.

FIRE MARSHAL. The fire chief who is head of the Fire Prevention Division or *uniformed members of the Inspection and Life Safety Education Division* designated by the Fire Marshal who shall be charged with the administration and enforcement of the *Dallas Fire Code*.

FIRE WATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified ~~[individuals]~~ *standby personnel when required by the fire chief*, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

FIREWORKS. Any combustible ~~[composition]~~ or *explosive composition*, or any substance, combination of substances or device prepared for the purpose of producing a visible or an audible effect ~~[for entertainment purposes]~~ by combustion, *explosion, deflagration or detonation* ~~[that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein]~~. *Fireworks include toy pistols, toy cannons, toy canes or toy guns in which explosives are used; firecrackers, torpedoes, sky-rockets, Roman candles, sparklers or other devices of like construction; any*

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device containing an *explosive* or flammable compound; and any tablet or other device containing an *explosive* substance. Fireworks do not include auto flares; paper caps containing an average of $\frac{25}{100}$ of a grain of *explosive* content per cap or less; and toy pistols, toy canes, toy guns or other devices for use of such caps. Fireworks do not include snaps, party poppers or noisemakers which use no more than $\frac{8}{1000}$ of a gram of *explosive* compound and do not emit light or smoke when detonated.

Fireworks, 1.4G. Small fireworks devices containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion. Such 1.4G fireworks which comply with the construction, chemical composition and labeling regulations of the DOTn for Fireworks, UN 0336, and the U.S. Consumer Product Safety Commission as set forth in CPSC 16 CFR Parts 1500 and 1507, are not *explosive materials* for the purpose of this code.

Fireworks, 1.3G. Large fireworks devices, which are *explosive materials*, intended for use in fireworks displays and designed to produce audible or visible effects by combustion, *deflagration* or *detonation*. Such 1.3G fireworks include, but are not limited to, firecrackers containing more than 130 milligrams (2 grains) of *explosive* composition, aerial shells containing more than 40 grams of pyrotechnic composition and other display pieces which exceed the limits for classification as 1.4G fireworks. Such 1.3G fireworks are also described as Fireworks, UN 0335 by the DOTn.

FIXED GROUND PIECE. A ground display piece having no moveable parts, such as a revolving wheel.

GROUND PIECE. A pyrotechnic device that functions on the ground. Ground pieces include fountains, roman candles, wheels and set pieces.

HEALTH CARE FACILITY. A facility regulated by the Texas Department of State Health Services and classified as a 1-1 or 1-2 occupancy as defined in the Dallas Building Code.

HIGH-PILED COMBUSTIBLE STORAGE. Storage of combustible materials in closely packed piles or combustible materials on pallets, in racks or on shelves where the top of storage is greater than 12 feet (3658 mm) in height. When required by the *fire code official*, *high-piled combustible storage* also includes certain high-hazard commodities, such as rubber tires, Group A plastics, flammable liquids, idle pallets and similar commodities, where the top of storage is greater than 6 feet (1829 mm) in height.

Any Group S occupancy exceeding 12,000 square feet (1115 m²) that has a clear height in excess of 12 feet (3658 mm), making it possible to be used for storage in excess of 12 feet (3658 mm) in height, shall be considered to be high-piled storage and shall comply with the provisions of this section. When a specific product cannot be identified, a *fire protection system* shall be installed as for Class IV commodities to the maximum pile height.

HIGH RISK BUILDING OR OCCUPANCY. The following are high risk buildings or occupancies because they are prone to a high loss of life or property in the event of a fire because

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of a high occupancy load, the nature of the process in use, impairment of the occupants, or limited emergency exiting:

1. high rise buildings;
2. health care facilities with an occupancy classification of 1-1 or 1-2;
3. public assembly type occupancies with an *occupant load* of 50 or more serving food and/or drinks. Examples: movie theaters, concert/theater halls,

Exception: Locations where firewatches are regularly conducted. (American Airline Center, Gexa)

4. occupancies where hazardous materials are stored or used including, but not limited to, all H occupancies as defined by the Dallas Building Code, all occupancies that dispense liquid or gaseous fuels, all occupancies storing hazardous materials in aboveground or underground tanks, and all occupancies that directly use hazardous production material in research, laboratory or production processes.

Exception: Buildings or occupancies equipped with a standby or emergency power generator with a combustible liquid storage tank that is connected to a fuel oil piping system containing no more than 660 gallons of combustible liquid in a closed system.

HOT WORK PERMITS. Permits allowing [~~issued by the responsible person at the facility under the hot work permit program permitting~~] welding or other hot work to be done in locations referred to in Section 3503[.3] and approved [~~prepermitted~~] by the *fire code official*.

[HOT WORK PROGRAM. ~~A permitted program, carried out by *approved* facilities designated personnel, allowing them to oversee and issue permits for hot work conducted by their personnel or at their facility. The intent is to have trained, on-site, responsible personnel ensure that required hot work safety measures are taken to prevent fires and fire spread.]~~

INTERNATIONAL BUILDING CODE. Chapter 53 of the *Dallas City Code* also referred to as the *Dallas Building Code* as adopted by this jurisdiction. Any reference to the *International Building Code* shall mean the *Dallas Building Code* as adopted.

INTERNATIONAL ELECTRICAL CODE. Chapter 56 of the *Dallas City Code* also referred to as the *Dallas Electrical Code* as adopted by this jurisdiction. Any reference to the *International Electrical Code* shall mean the *Dallas Electrical Code* as adopted.

INTERNATIONAL ENERGY CONSERVATION CODE. Chapter 59 of the *Dallas City Code* also referred to as the *Dallas Energy Conservation Code* as adopted by this jurisdiction. Any reference to the *International Energy Conservation Code* shall mean the *Dallas Energy Conservation Code* as adopted.

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INTERNATIONAL EXISTING BUILDING CODE. Chapter 58 of the *Dallas City Code* also referred to as the *Dallas Existing Building Code* as adopted by this jurisdiction. Any reference to the *International Existing Building Code* shall mean the *Dallas Existing Building Code* as adopted.

INTERNATIONAL FIRE CODE. Chapter 16 of the *Dallas City Code* also referred to as the *Dallas Fire Code* as adopted by this jurisdiction. Any reference to the *International Fire Code* shall mean the *Dallas Fire Code* as adopted.

INTERNATIONAL FUEL GAS CODE. Chapter 60 of the *Dallas City Code* also referred to as the *Dallas Fuel Gas Code* as adopted by this jurisdiction. Any reference to the *International Fuel Gas Code* shall mean the *Dallas Fuel Gas Code* as adopted.

INTERNATIONAL MECHANICAL CODE. Chapter 55 of the *Dallas City Code* also referred to as the *Dallas Mechanical Code* as adopted by this jurisdiction. Any reference to the *International Mechanical Code* shall mean the *Dallas Mechanical Code* as adopted.

INTERNATIONAL PLUMBING CODE. Chapter 54 of the *Dallas City Code* also referred to as the *Dallas Plumbing Code* as adopted by this jurisdiction. Any reference to the *International Plumbing Code* shall mean the *Dallas Plumbing Code* as adopted.

INTERNATIONAL RESIDENTIAL CODE. Chapter 57 of the *Dallas City Code* also referred to as the *Dallas One- and Two-Family Dwelling Code* as adopted by this jurisdiction. Any reference to the *International Residential Code* shall mean the *Dallas One- and Two-Family Dwelling Code* as adopted.

KNOWINGLY. 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.

PYROTECHNIC OPERATOR. An individual approved to be responsible for pyrotechnics, pyrotechnic special effects materials, or both.

REGISTRANT. An individual who has been issued a certificate of registration for a commercial building under Section 115 of this code.

REPAIR GARAGE. A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification, and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement, shocks, minor part replacement, and other such minor repairs.

~~**RESPONSIBLE PERSON.** A person trained in the safety and fire safety considerations concerned with hot work. Responsible for reviewing the sites prior to issuing permits as part of the hot work permit program and following up as the job progresses.]~~

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SAFETY CAP. A paper tube, closed at one end, that is placed over the end of the fuse of an aerial shell to protect it from accidental ignition.

SELF-SERVICE STORAGE FACILITY. Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

SPECIAL AMUSEMENT BUILDING. A building or portion of a building, that is temporary, permanent or mobile that contains a device or system that conveys passengers or provides a walkway along, around or over a course in any direction as a form of amusement arranged so that the egress path is not readily apparent due to visual or audio distractions or an intentionally confounded egress path, or is not readily available because of the mode of conveyance through the building or structure. The term includes a haunted house, a roller coaster-type ride within a building, a merry-go-round within a building, a submarine ride and similar amusements where the occupants are not in the open air.

STANDBY PERSONNEL. Qualified fire service personnel, approved by the fire chief. When utilized, the number required shall be as directed by the fire chief. Charges for utilization shall be as normally calculated by the jurisdiction.

TEMPORARY STORAGE (Pyrotechnics). The storage of pyrotechnic special effects material on site for a period of 72 hours or less.

UPGRADED OR REPLACED FIRE ALARM SYSTEM. A fire alarm system that is upgraded or replaced includes, but is not limited to the following:

- Replacing one single board or fire alarm control unit component with a newer model
- Installing a new fire alarm control unit in addition to or in place of an existing one
- Conversion from a horn system to an emergency voice/alarm communication system
- Conversion from a conventional system to one that utilizes addressable or analog devices

The following are not considered an upgrade or replacement:

- Firmware updates
- Software updates
- Replacing boards of the same model with chips utilizing the same or newer firmware

46. Subsection 301.2, "Permits," of Section 301, "General," of Chapter 3, "General Requirements," of the 2015 International Fire Code is amended to read as follows:

"301.2 Permits. Permits shall be ~~[required as set forth]~~ in accordance with Section 105.6 [for the activities or uses regulated by Sections 306, 307, 308 and 315]."

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47. Paragraph 304.3.1, “Spontaneous Ignition,” of Subsection 304.3, “Containers,” of Section 304, “Combustible Waste Material,” of Chapter 3, “General Requirements” of the 2015 International Fire Code is amended to read as follows:

“304.3.1 Spontaneous ignition. Materials susceptible to spontaneous ignition, such as ~~oil~~ oily rags containing flammable or combustible liquids and similar materials, shall be stored in a *listed* disposal container. Contents of such containers shall be removed and disposed of daily.”

48. Section 304, “Combustible Waste Material,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended by adding a new Subsection 304.4, “Commercial Rubbish-Handling Operations,” to read as follows:

“304.4 Commercial rubbish-handling operations. Occupancies exclusively performing commercial rubbish handling or recycling shall maintain rubbish or product to be processed or recycled as follows:

1. In *approved* vaults;
2. In covered metal or metal-lined receptacles or bins; or
3. Completely baled and stacked in an orderly manner in an *approved* location.”

49. Subsection 306.1, “Motion Picture Projection Rooms,” of Section 306, “Motion Picture Projection Rooms and Film,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended by adding a new Paragraph 306.1.1, “Fire Extinguishers,” to read as follows:

“306.1.1 Fire extinguishers. Two approved fire extinguishers with a minimum 10-B:C rating shall be installed and maintained ready for use in projection rooms.”

50. Subsection 306.1, “Motion Picture Projection Rooms,” of Section 306, “Motion Picture Projection Rooms and Film,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended by adding a new Paragraph 306.1.2, “Smoking,” to read as follows:

“306.1.2 Smoking. Smoking and other sources of ignition are prohibited within projection

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rooms in which cellulose nitrate film is allowed. Conspicuous NO SMOKING signs shall be posted in the room.”

51. Paragraph 307.1.1, “Prohibited Open Burning,” of Subsection 307.1, “General,” of Section 307, “Opening Burning, Recreational Fires and Portable Outdoor Fireplaces,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“307.1.1 Prohibited open burning. Open burning that is offensive or objectionable because of smoke emissions or [shall be prohibited] when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.

Exception: Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the *fire code official*.”

52. Subsection 307.2, “Permit Required,” of Section 307, “Opening Burning, Recreational Fires and Portable Outdoor Fireplaces,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“307.2 Permit required. A permit shall be obtained from the *fire code official* in accordance with Section 105.6 prior to kindling a fire for recognized silvicultural or range or wildlife management practices, prevention or control of disease or pests, open burning, air curtain incinerator operations, pit burning, trench burning, or a bonfire. Application for such approval shall only be presented by and permits issued to the *owner* of the land upon which the fire is to be kindled.

Examples of state or local law or regulation referenced elsewhere in this section may include, but not be limited to, the following:

1. Texas Commission on Environmental Quality guidelines and restrictions.
2. State, county or local temporary or permanent bans on open burning.
3. Local written policies as established by the *fire code official*.

307.2.1 Authorization. Where required by state or local law or regulations, *open burning* shall only be permitted with prior approval from the Texas Commission on Environmental Quality [~~state or local air and water quality management authority~~], provided that all conditions specified in the authorization are followed.

307.2.2 Time and atmospheric restrictions. Open burning shall only be performed when time and atmospheric conditions comply with the limits set forth in the open burning permit. Air curtain incinerator, pit burning and trench burning operations are limited to hours specified by the Texas Commission on Environmental Quality.”

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53. Subsection 307.3, “Extinguishment Authority,” of Section 307, “Opening Burning, Recreational Fires and Portable Outdoor Fireplaces,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“307.3 Extinguishment authority. The fire code official is authorized to order the extinguishment by the permit holder, another person responsible or the fire department of open burning that creates or adds to a hazardous or objectionable situation. [~~When open burning creates or adds to a hazardous situation, or a required permit for open burning has not been obtained, the fire code official is authorized to order the extinguishment of the open burning operation.~~.]”

54. Subsection 307.4, “Location,” of Section 307, “Opening Burning, Recreational Fires and Portable Outdoor Fireplaces,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“307.4 Location. The location for *open burning* shall not be less than 300 [50] feet (91 440 [15 240] mm) from any structure, and provisions shall be made to prevent the fire from spreading to within 300 [50] feet (91 440 [15-240] mm) of any structure.

Exceptions:

1. Fires in *approved* containers that are not less than 15 feet (4572 mm) from a structure.
2. The minimum required distance from a structure shall be 25 feet (7620 mm) where the pile size is 3 feet (914 mm) or less in diameter and 2 feet (610 mm) or less in height.”

55. Paragraph 307.4.3, “Portable Outdoor Fireplaces,” of Subsection 307.4, “Location,” of Section 307.4, of Section 307, “Opening Burning, Recreational Fires and Portable Outdoor Fireplaces,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“307.4.3 Portable outdoor fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

Exceptions:

1. Portable outdoor fireplaces used at one and two-family *dwellings*.

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2. Where buildings, balconies, and decks are protected by an approved automatic sprinkler system.”

56. Subsection 307.4, “Location,” of Section 307, “Opening Burning, Recreational Fires and Portable Outdoor Fireplaces,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended by adding a new Paragraph 307.4.4, “Permanent Outdoor Firepit,” to read as follows:

307.4.4 Permanent outdoor firepit. Permanently installed outdoor firepits for recreational fire purposes shall not be installed within 10 feet of a structure or combustible material.

Exception: Permanently installed outdoor fireplaces constructed in accordance with the International Building Code.

57. Subsection 307.4, “Location,” of Section 307, “Opening Burning, Recreational Fires and Portable Outdoor Fireplaces,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended by adding a new Paragraph 307.4.5, “Trench Burns and Other Air Current Burns,” to read as follows:

307.4.5 Trench burns and other air current burns. Trench burns shall be conducted in air curtain trenches and in accordance with Section 307.2.

58. Subsection 307.5, “Attendance,” of Section 307, “Opening Burning, Recreational Fires and Portable Outdoor Fireplaces,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

307.5 Attendance. *Open burning, air curtain incinerators, pit burns, trench burns, bonfires, recreational fires* and use of portable outdoor fireplaces shall be constantly attended, and an attendant shall remain on site a minimum of 30 minutes after ~~until~~ the fire is extinguished. A minimum of one portable fire extinguisher complying with Section 906 with a minimum 4-A rating or other *approved* on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.”

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59. Paragraph 308.1.4, “Open-Flame Cooking Devices,” of Subsection 308.1, “General,” of Section 308, “Open Flames,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“308.1.4 Open-flame cooking and heating devices. ~~[Charcoal burners and other o]~~Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be located or used [operated] on combustible balconies, decks, or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. One- and two-family dwellings, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity] with an aggregate LP-gas capacity not to exceed 100 lbs (5 containers).
2. Where buildings, balconies and decks are protected by an approved automatic sprinkler system, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) [nominal 20 pound (9.08 kg) LP-gas capacity], with an aggregate LP-gas capacity not to exceed 40 lbs (2 containers).
3. LP-gas cooking or heating devices having LP-gas container with a water capacity not greater than 2 1/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity].”

60. Subparagraph 308.1.6.2, “Portable Fueled Open-Flame Devices,” of Paragraph 308.1.6, “Open-Flame Devices,” of Subsection 308.1, “General,” of Section 308, “Open Flames,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

308.1.6.2 Portable fueled open-flame devices. Portable open-flame devices fueled by flammable or combustible gases or liquids shall be enclosed or installed in such a manner as to prevent the flame from contacting combustible material.

Exceptions:

1. LP-gas-fueled devices used for sweating pipe joints or removing paint in accordance with Chapter 61.
2. Cutting and welding operations in accordance with Chapter 35.
3. Torches or flame-producing devices in accordance with Section 308.1.3 [308.4].

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4. Candles and open-flame decorative devices in accordance with Section 308.3.”

61. Subparagraph 308.1.6.3, “Sky Lanterns,” of Paragraph 308.1.6, “Open-Flame Devices,” of Subsection 308.1, “General,” of Section 308, “Open Flames,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“308.1.6.3 Sky lanterns. A person shall not release or cause to be released an untethered, unmanned, free-floating device containing an open flame or other heat source such as, but not limited, to a sky lantern.”

62. Paragraph 308.3.1, “Open-Flame Decorative Devices,” of Subsection 308.3, “Open Flames,” of Section 308, “Open Flames,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is retitled as Paragraph 308.3.1, “Candles and Other Open-Flame Decorative Devices.”

63. Paragraph 308.3.2, “Theatrical Performances,” of Subsection 308.3, “Open Flames,” of Section 308, “Open Flames,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“308.3.2 Theatrical performances. Where *approved*, open-flame devices used in conjunction with theatrical performances are allowed to be used when adequate safety precautions have been taken in accordance with NFPA 160 and this code. Standby personnel, as required by the fire code official, shall be provided.”

64. Section 311, “Vacant Premises,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is retitled as Section 311, “Vacant and Partially Burned Premises.”

65. Subsection 311.1, “General,” of Section 311, “Vacant and Partially Burned Premises,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“311.1 General. [~~Temporarily unoccupied~~] B[b]uildings, structures, premises or portions thereof, including tenant spaces, that are temporarily unoccupied, in the process of being vacated, or partially burned, shall be safeguarded and maintained in accordance with Sections

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311.1.1 through 311.6.”

66. Paragraph 311.2.1, “Security,” of Subsection 311.2, “Safeguarding Vacant Premises,” of Section 311, “Vacant and Partially Burned Premises,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“**311.2.1 Security.** Exterior and interior openings accessible to other tenants or unauthorized persons shall be maintained securely boarded, locked, ~~[blocked]~~ or barricaded ~~[otherwise protected]~~ to prevent entry by unauthorized individuals in accordance with Section L102, ‘Specifications for Securing Unsecured Vacant Structures,’ of Appendix L. The *fire code official* is authorized to placard, post signs, erect barrier tape or take similar measures as necessary to secure public safety.”

67. Paragraph 311.2.2, “Fire Protection,” of Subsection 311.2, “Safeguarding Vacant Premises,” of Section 311, “Vacant and Partially Burned Premises,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“**311.2.2 Fire protection.** Fire alarm, sprinkler and standpipe systems shall be maintained in an operable condition at all times.

Exceptions:

1. When the premises have been cleared of all combustible materials and debris and, in the opinion of the *fire code official*, the type of construction, *fire separation distance* and security of the premises do not create a fire hazard. This exception does not apply to a building that must be registered under Chapter 48B, “Vacant Buildings,” of the *Dallas City Code*.
2. Where *approved* by the fire chief, buildings that will not be heated and where *fire protection systems* will be exposed to freezing temperatures, fire alarm and sprinkler systems are permitted to be placed out of service and standpipes are permitted to be maintained as dry systems (without an automatic water supply), provided the building has no contents or storage, and windows, doors and other openings are secured to prohibit entry by unauthorized persons. This exception does not apply to a building that must be registered under Chapter 48B, “Vacant Buildings,” of the *Dallas City Code*.”

68. Subsection 311.2, “Safeguarding Vacant Premises,” of Section 311, “Vacant and Partially Burned Premises,” of Chapter 3, “General Requirements,” of the 2015 International

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Fire Code is amended by adding a new Subsection 311.2.4, “Forty-Eight Hour Notice,” to read as follows:

“311.2.4 Forty-eight hour notice. The *fire code official* shall immediately notify the operator of an unsecured building to secure the building, and, if the building is not secured within 48 hours after the operator is notified, the *fire code official* may cause the building to be secured at the expense of the operator.”

69. Subsection 311.2, “Safeguarding Vacant Premises,” of Section 311, “Vacant and Partially Burned Premises,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended by adding a new Subsection 311.2.5, “Ninety-Day Notice to Repair Partially Burned Building,” to read as follows:

“311.2.5 Ninety-day notice to repair partially burned building. Persons owning or in charge of a vacant structure that has been partially burned, shall repair the structure to *Dallas City Code* standards or remove the structure from the premises within 90 days of notice by the *fire code official*. If a person is aggrieved by a decision of a member of the fire department enforcing this code, the person may appeal the decision to municipal court if they file a written request for a hearing with the municipal court within 30 days after the date of receiving notice of the *fire code official*’s decision.”

70. Subsection 311.3, “Removal of Combustibles,” of Section 311, “Vacant and Partially Burned Premises,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“311.3 Removal of combustibles. Persons owning, or in charge or control of, a vacant building or portion thereof, shall remove therefrom all accumulations of combustible materials, flammable or combustible waste or rubbish and/or burned or partially burned materials and shall securely lock or otherwise secure doors, windows and other openings to prevent entry by unauthorized persons. The premises shall be maintained clear of waste or hazardous materials.

Exception[s]:

[4.] Buildings or portions of buildings undergoing additions, *alterations*, repairs, or change of occupancy in accordance with the *Dallas [International] Building Code*, where waste is controlled and removed as required by Section 304.

[2. ~~Seasonally occupied buildings.~~]

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71. Subsection 311.5, “Placards,” of Section 311, “Vacant and Partially Burned Premises,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“311.5 Placards. The fire code official is authorized to require the marking of a[A]ny vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards [shall be marked] as required by Sections 311.5.1 through 311.6. The fire code official shall immediately notify the operator of the unsafe building to apply approved placards to the building, and, if placards are not applied within 48 hours after the operator is notified, the fire code official may cause placards to be applied to the building at the expense of the operator.”

72. Subsection 314.2, “Fixtures and Displays,” of Section 314, “Indoor Displays,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“314.2 Fixtures and displays. Fixtures and displays of goods for sale to the public shall be arranged so as to maintain free, immediate and unobstructed access to *exits* as required by Chapter 10, and to fire protection system devices and equipment as required in Chapter 9. Visibility of fire protection system devices and unobstructed access to fire protection equipment shall be maintained throughout all display areas.”

73. Subsection 314.4, “Vehicles,” of Section 314, “Indoor Displays,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended to read as follows:

“314.4 Vehicles. Liquid- or gas-fueled vehicles, boats or other motorcraft shall not be located indoors except as follows:

1. Batteries are disconnected.
2. Fuel in fuel tanks does not exceed one-quarter tank or 5 gallons (19 L) (whichever is least). Fuel tank levels shall be inspected and approved by the fire code official prior to locating the vehicles or equipment indoors.
3. Fuel tanks and fill openings are closed and sealed to prevent tampering.
4. Vehicles, boats or other motorcraft equipment are not fueled or defueled within the building.
5. Fuel systems are inspected for leaks.

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6. The location of vehicles or equipment does not block or obstruct means of egress.
7. Fuel for the vehicle or equipment is stored in *approved* containers in an *approved* location outside of the building.
8. Fuel spills are cleaned up immediately.
9. Refueling is performed outside of the building at an *approved* site.
10. Keys to all vehicles, boats or other motorcraft are maintained at the display site and available for use by the *fire code official*.”

74. Subsection 316.5, “Security device,” of Section 316, “Hazards to Fire Fighters,” of Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended by adding a new Subsection 316.3.1, “Electrified Fences and Barriers,” to read as follows:

“316.5.1 Electrified fences and barriers. Electrified fences and barriers are prohibited.

316.5.1.1 Existing electrified fences and barriers. Existing electrified fences and barriers shall comply with all of the following requirements:

1. Only listed and labeled electrified fencing materials shall be used.
2. Electrified fences shall be provided with an off/on status indicator.
3. Electrified fences shall be clearly marked with warning signs. Warning signs shall be placed at each entrance to the property on the electrified fence and at a maximum of 30 foot intervals along the entire perimeter of the fence line.
4. Warning signs shall be printed on both sides in both English and Spanish with the following: “WARNING ELECTRIFIED FENCE” and contain the international symbol for electric shock hazard. Warning signs shall be reflective with a minimum 2 inch letter height, minimum stroke of ½ inch and with a contrasting background.
5. Electrified fences shall not be energized during normal hours of operation.
6. An *approved* method to manually deactivate the *power source* to all portions of the electrified fence shall be provided and maintained on the exterior of and separated from it by no less than twelve inches.”

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75. Chapter 3, “General Requirements,” of the 2015 International Fire Code is amended by adding a new Section 319, “Parade Floats,” to read as follows:

“SECTION 319 PARADE FLOATS

319.1 Decorative material. Decorative material on parade floats shall be noncombustible or flame retardant.

319.2 Fire protection. Motorized parade floats and towing apparatus shall be provided with a minimum 2-A: 10-B:C rated portable fire extinguisher readily accessible to the operator.”

76. Subsection 401.1, “Scope,” of Section 401, “General,” of Chapter 4, “Emergency Planning and Preparedness,” of the 2015 International Fire Code is amended to read as follows:

“**401.1 Scope.** Reporting of fires and emergencies, coordination with emergency response forces, emergency plans, and procedures for managing or responding to emergencies shall comply with the provisions of this section.

~~[**Exception:** Firms that have *approved* on-premises fire fighting organizations and that are in compliance with *approved* procedures for fire reporting.]”~~

77. Subsection 401.5, “Making False Report,” of Section 401, “General,” of Chapter 4, “Emergency Planning and Preparedness,” of the 2015 International Fire Code is amended to read as follows:

“**401.5 ~~[Making f]False alarms [report].~~ [A person] False alarms shall not be given, signaled, or transmitted or caused or permitted to be given, signaled or transmitted in any manner ~~[a false alarm].~~”**

78. Subsection 403.1, “General,” of Section 403, “Emergency Preparedness Requirements,” of Chapter 4, “Emergency Planning and Preparedness,” of the 2015 International Fire Code is amended by adding a new Paragraph 403.1.1, “Warning Signs,” to read as follows:

“**403.1.1 Warning signs.** The operator of premises housing a hotel, motel, boarding house, lodging house, tenement house, convalescent home, hospital, child care facility or similar place of abode shall provide, post and maintain warning signs in each *dwelling unit* that states: ANY PERSON WHO CAUSES THE ACCIDENTAL BURNING OF ANY PART OF THIS BUILDING OR ITS CONTENTS IS SUBJECT TO A FINE OF \$2,000. CITY OF DALLAS FIRE CODE.”

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79. Paragraph 403.2.3, “Fire Watch Personnel,” of Subsection 403.2, “Group A Occupancies,” of Section 403, “Emergency Preparedness Requirements,” of Chapter 4, “Emergency Planning and Preparedness,” of the 2015 International Fire Code is amended to read as follows:

“**403.2.3 Standby [~~Fire watch~~] personnel.** Standby [~~Fire watch~~] personnel shall be provided where required by Section 403.12.1.”

80. Subsection 403.5, “Group E Occupancies,” of Section 403, “Emergency Preparedness Requirements,” of Chapter 4, “Emergency Planning and Preparedness,” of the 2015 International Fire Code is amended to read as follows:

“**403.5 Group E occupancies.** *An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both a Group E occupancy and an atrium. A diagram depicting two evacuation routes shall be posted in a conspicuous location in each classroom.* Group E occupancies shall comply with Sections 403.5.1 through 403.5.3.”

81. Paragraph 403.10.1.1, “Evacuation Diagrams,” of Subsection 403.10.1, “Group R-1 Occupancies,” of Section 403, “Emergency Preparedness Requirements,” of Chapter 4, “Emergency Planning and Preparedness,” of the 2015 International Fire Code is amended to read as follows:

“**403.10.1.1 Evacuation diagrams.** A diagram depicting two evacuation routes shall be posted on or immediately adjacent to every required egress door from each hotel or motel sleeping unit and shall include the following:

1. A description of the fire alarm system and an explanation of its operation (including the meaning of signals).
2. A map showing all emergency *exit* locations and how they are designated.
3. Information on how to report a fire or other emergency to the Dallas Fire-Rescue Department and/or building management.
4. A warning not to use elevators in case of fire.
5. General instructions as to self-protective measures a person should take if trapped in a

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room by fire or smoke.”

82. Paragraph 403.11.2, “High-Rise Building,” of Subsection 403.11, “Special Uses,” of Section 403, “Emergency Preparedness Requirements,” of Chapter 4, of the 2015 International Fire Code is amended to read as follows:

“403.11.2 High-rise buildings. An *approved* fire safety and evacuation plan in accordance with Sections 404 and N103 of Appendix N shall be prepared, submitted, and maintained for high-rise buildings.”

83. Paragraph 403.12.1, “Fire Watch Personnel,” of Subsection 403.12, “Special Requirements of Public Safety,” of Section 403, “Emergency Preparedness Requirements,” of Chapter 4, “Emergency Planning and Preparedness,” of the 2015 International Fire Code is amended to read as follows:

“403.12.1 Standby [~~Fire watch~~] personnel. Where, in the opinion of the *fire code official*, it is essential for public safety in a place of assembly, occupied building, or any other place where people congregate, because of the number of persons, failure of life safety systems, or the nature of the performance, exhibition, display, contest or activity, the *owner*, agent or lessee shall provide one or more standby [~~fire watch~~] personnel, as required and *approved*. Standby [~~Fire watch~~] personnel shall comply with Sections 403.12.1.1 and 403.12.1.2.

403.12.1.1 Duty times. Standby [~~Fire watch~~] personnel shall remain on duty while places requiring a fire watch are open to the public, occupied, or when an activity requiring a fire watch is being conducted.

403.12.1.2 Duties. On-duty standby [~~fire watch~~] personnel shall have the following responsibilities:

1. Keep diligent watch for fires, obstructions to means of egress and other hazards.
2. Take prompt measures for remediation of hazards and extinguishment of fires that occur.
3. Take prompt measures to assist in the evacuation of the public from the structures.”

84. Paragraph 403.12.3, “Crowd Managers for Gatherings Exceeding 1,000 People,” of Subsection 403.12, “Special Requirements for Public Safety,” of Section 403, “Emergency

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Preparedness Requirements,” of Chapter 4, “Emergency Planning and Preparedness,” of the 2015 International Fire Code is amended to read as follows:

403.12.3 Crowd managers for gatherings exceeding 250 [1,000] people. Where facilities or events involve a gathering of more than 250 [1,000] people, crowd managers shall be provided in accordance with Sections 403.12.3.1 through 403.12.3.3.

403.12.3.1 Number of crowd managers. The minimum number of crowd managers shall be established at a ratio of one crowd manager for every 250 persons.

Exception: Where approved by the *fire code official*, the number of crowd managers shall be permitted to be reduced where the facility is equipped throughout with an *approved automatic sprinkler system* or based upon the nature of the event and the fire protection provided.

403.12.3.2 Training. Training for crowd managers shall be *approved and acceptable to the fire code official*. Credentials or other documents certifying approved training shall be provided to the fire code official upon request.

403.12.3.3 Duties. The duties of crowd managers shall include, but not be limited to:

1. Conduct an inspection of the area of responsibility and identify and address any egress barriers.
2. Conduct an inspection of the area of responsibility to identify and mitigate any fire hazards.
3. Verify compliance with all permit conditions, including those governing pyrotechnics and other special effects.
4. Direct and assist the event attendees in evacuation during an emergency.
5. Assist emergency response personnel where requested.
6. Other duties as specified in the fire safety plan.”

85. Paragraph 404.2.2, “Fire Safety Plans,” of Subsection 404.2, “Contents,” of Section 404, “Fire Safety, Evacuation and Lockdown Plans,” of Chapter 4, “Emergency Planning and Preparedness,” of the 2015 International Fire Code is amended to read as follows:

“404.2.2 Fire safety plans. Fire safety plans shall include the following:

1. The procedure for reporting a fire or other emergency.

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2. The life safety strategy including the following:
 - 2.1. Procedures for notifying occupants, including areas with a private mode alarm system.
 - 2.2. Procedures for occupants under a defend-in-place response.
 - 2.3. Procedures for evacuating occupants, including those who need evacuation assistance.
3. Site plans indicating the following:
 - 3.1. The occupancy assembly point.
 - 3.2. The locations of fire hydrants.
 - 3.3. The normal routes of fire department vehicle access.
4. Floor plans identifying the locations of the following:
 - 4.1. Exits.
 - 4.2. Primary evacuation routes.
 - 4.3. Secondary evacuation routes.
 - 4.4. Accessible egress routes.
 - 4.4.1. Areas of refuge.
 - 4.4.2. Exterior areas for assisted rescue.
 - 4.5. Refuge areas associated with *smoke barriers* and *horizontal exits*.
 - 4.6. Manual fire alarm boxes.
 - 4.7. Portable fire extinguishers.
 - 4.8. Fire extinguishing system controls [~~Occupant-use hose stations~~].
 - 4.9. Fire alarm annunciators and controls.

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<u>High-rise buildings</u>	<u>Annually</u>	<u>All occupants</u>
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- a. In severe climates, the *fire code official* shall have the authority to modify the emergency evacuation drill frequency.
- b. Emergency evacuation drills are required in Group B buildings having an *occupant load* of 500 or more persons or more than 100 persons above or below the lowest *level of exit discharge*.
- c. Emergency evacuation drills are required in ambulatory care facilities in accordance with Section 403.3.
- d. Emergency evacuation drills in Group R-2 college and university buildings shall be in accordance with Section 403.10.2.1. Other Group R-2 occupancies shall be in accordance with Section 403.10.2.2.

87. Subsection 405.4, “Time,” of Section 405, “Emergency Evacuation Drills,” of Chapter 4, “Emergency Planning and Preparedness,” of the 2015 International Fire Code is amended to read as follows:

“405.4 Time. The *fire code official* may require an evacuation drill at any time. Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.”

88. Subsection 501.3, “Construction Documents,” of Section 501, “General,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended to read as follows:

“501.3 Construction documents. *Construction documents* for proposed fire apparatus access, location of *fire lanes*, [~~security gates across fire apparatus access roads and construction documents and hydraulic calculations for~~] fire hydrant systems, traffic calming devices and limited access gates that obstruct fire apparatus access roads (in accordance with Section L104, ‘Limited Access Gates’ of Appendix L) shall be submitted to the fire department for review and approval prior to construction or installation.

501.3.1 Plan review fees. Plans for fire apparatus access roads (in accordance with Section 503 and Appendix D) shall be submitted with a nonrefundable \$200 plan review fee. This applies to new and existing construction.

Exception: No plan review fee shall be charged when the plans are directly related to construction conducted on a building or premises pursuant to a valid building permit issued by the building official.

Plans for limited access gates that obstruct fire apparatus access roads (in accordance with Section L104, ‘Limited Access Gates’ of Appendix L) shall be accompanied by a nonrefundable \$200 plan review fee. This plan review fee applies to new and existing construction.”

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89. Subsection 501.4, “Timing of Installation,” of Section 501, “General,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended to read as follows:

“501.4 Timing of installation. Where fire apparatus access roads or a water supply for fire protection are required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond the foundation of any structure~~[, such protection shall be installed and made serviceable prior to and during the time of construction except when *approved* alternative methods of protection are provided. Temporary street signs shall be installed at each street intersection where construction of new roadways allows passage by vehicles in accordance with Section 505.2]~~.

90. Section 503, “Fire Apparatus Access Roads,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended to read as follows:

“SECTION 503 FIRE APPARATUS ACCESS ROADS

503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.4~~[3]~~.

503.1.1 Buildings and facilities. *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an *approved* route around the exterior of the building or facility. Group R-3 and Group U occupancies shall have a fire apparatus access road within 200 feet (60 960 mm) of any portion of the exterior wall of the first story of the building as measured by an *approved* route. Fire apparatus access roads shall be required within 50 feet (15 240 mm) of any fire department connections. Provisions of this section may be modified by the fire chief. Refer to Section 912 for additional requirements for access to fire department connections and Section 504.1 for personnel access to buildings.

Exceptions:

1. The *fire code official* is authorized to increase the dimension of 150 feet (45 720 mm) where any of the following conditions occur:
 - 1.1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
 - 1.2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an *approved* alternative means of fire

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protection is provided.

- 1.3. There are not more than two Group R-3 or Group U occupancies.
2. Where approved by the *fire code official*, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

503.1.2 Additional access. The *fire code official* is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for *high-piled combustible storage* shall comply with the applicable provisions of Chapter 32.

503.1.4 Construction, alteration or demolition. Fire department vehicle access to buildings under construction, alteration or demolition shall comply with the applicable provisions of Section 3310.1.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for *approved* security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

Exceptions:

1. Group R-3 and Group U occupancy fire apparatus access roads that are less than 100 feet (30 480 mm) in length are permitted to have an unobstructed width of not less than 12 feet (3658 mm) when *approved* by the fire chief.
2. Individual entry and *exit* lanes with a minimum width of 12 feet (3658 mm) each, separated by an island no wider than 20 feet (6096 mm).

503.2.2 Authority. The *fire code official* shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of 81,500 pounds (36,968 kg) and shall be of concrete or asphalt [surfaced] so as to provide all-weather driving capabilities. All other driving surfaces shall receive written approval by the fire chief prior to installation.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm)

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in length shall be provided with an *approved* area for turning around fire apparatus in accordance with Appendix D.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the *fire code official*. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, *approved* barriers, *approved* signs or both shall be installed and maintained when required by the *fire code official*.

503.2.7 Grade. The maximum vertical grade for all [of the] fire apparatus access roads is 10 percent for concrete roads and 8 percent for asphalt roads. The maximum cross grade for all [shall be within the limits established by the] fire [code official based on the fire department's] apparatus access roads is 2 percent.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the *fire code official* based on the fire department's apparatus.

503.3 Marking. Approved striping, or when allowed [Where required] by the *fire code official*, [approved] signs, or both [other approved notices or markings that include the words NO PARKING - FIRE LANE] shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which *fire lanes* are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

1. Striping – Fire apparatus access roads shall be marked by painted lines of red traffic paint 6 inches (152 mm) in width to show the boundaries of the lane. The words NO PARKING - FIRE LANE or FIRE LANE - NO PARKING shall appear in 4-inch (102 mm) white letters at 25-foot (7620 mm) intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.
2. Signs – Signs shall read NO PARKING - FIRE LANE or FIRE LANE - NO PARKING and shall be 12 inches (305 mm) wide and 18 inches (457 mm) high. Signs shall be painted on a white background with letters and borders in red, using not less than 2-inch (51 mm) lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be 6 feet, 6 inches (1981 mm) above finished grade. Signs shall be spaced not more than 50 feet (15 240 mm) apart. Signs may be installed on permanent buildings or walls or as *approved* by the fire chief. Signs shall be posted on both sides of the fire apparatus road.

Exception: Group R-3 and Group U occupancy fire apparatus access roads are not required to be marked when *approved* by the fire chief.

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503.3.1 Unapproved markings. No person shall mark, post or otherwise identify any road or other passageway that is not a fire apparatus access road as a fire lane or in a manner that creates confusion as to whether the road or a passageway is a fire lane.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Sections 503.2.1, 503.2.2 and any area marked as a fire lane as described in Section 503.3, shall be maintained at all times. The operator of the premises shall be responsible for removal of obstructions in a fire lane.

503.4.1 Traffic calming devices. Traffic calming devices shall be prohibited unless approved by the *fire code official*.

Exception: Devices three inches or less in height.

503.4.2 Noncompliance. Any unauthorized vehicle in a fire lane is:

1. Subject to removal by the operator of the premises, with the expense of removal and storage to be borne by the registered owner of the vehicle;
2. Subject to citation, as well as removal, by the fire chief or a police officer; and
3. Prima facie evidence that the person in whose name the vehicle is registered is guilty of a violation of the parking provisions of this section.

503.5 Required gates or barricades. The *fire code official* is authorized to require the installation and maintenance of gates or other *approved* barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

503.5.1 Secured gates and barricades. When required, gates and barricades shall be secured in an *approved* manner. Roads, trails and other accessways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the *fire code official*.

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

503.6 Limited access [~~Security~~] gates. The installation of limited access [~~security~~] gates across a fire apparatus access road shall be *approved* by the fire chief. Where limited access [~~security~~] gates are installed, they shall have an *approved* means of emergency operation in accordance with Section N104, 'Limited Access Gates,' of Appendix N. The limited access [~~security~~] gates and the emergency operation shall be maintained operational at all times in accordance with

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Section N104, ‘Limited Access Gates,’ of Appendix N.” Electric gate operators, where provided, shall be *listed* in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.”

91. Subsection 504.3, “Stairway Access to Roof,” of Section 504, “Access to Building Openings and Roofs,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended by adding a new Paragraph 504.3.1, “Locks,” to read as follows:

“**504.3.1 Locks.** Doors providing roof access shall remain unlocked at all times or be provided with an *approved* locking device.”

92. Subsection 505.1, “Address Identification,” of Section 505, “Premises Identification,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended to read as follows:

505.1 Address identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 6 inches (152.4 mm) [~~4 inches (101.6 mm)~~] high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road, buildings do not immediately front a street, and/or the building cannot be viewed from the public way, a monument, pole or other sign with approved 6 inch (152.4 mm) height building numerals or addresses and 4 inch (101.6 mm) height suite/apartment numerals of a color contrasting with the background of the building or other *approved* means shall be used to identify the structure. Numerals or addresses shall be posted on a minimum 20 inch (508 mm) by 30 inch (762 mm) background with a border. Address numbers shall be maintained.

Exception: R-3 Single Family occupancies shall have approved numerals of a minimum 3 ½ inches (88.9 mm) in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.”

93. Section 506, “Key Boxes,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended to read as follows:

“SECTION 506 KEY BOXES

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506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the *fire code official* is authorized to require a key box to be installed in an *approved* location. The key box shall be of an *approved* type *listed* in accordance with UL 1037, and shall contain keys to gain necessary access as required by the *fire code official*. Interior key boxes are required in all buildings having floors used for human occupancy located more than 75 feet (22 860 mm) above the lowest level of the fire department access. Exterior key boxes are required in the following buildings:

1. Big box/super center stores 50,000 sq. feet or larger (Examples: Home Depot, Lowes, Best Buy, Wal-Mart, Target).
2. Apartment buildings.
3. Schools.
4. Fire Stations.
5. Multi-story commercial buildings.

Exception: All non-required (owner option) exterior key boxes shall be recess mounted and installed per Section 506.4. The *fire code official* may allow installation of an *approved* key switch in lieu of an exterior key box.

506.1.1 Locks. An *approved* lock shall be installed on gates or similar barriers when required by the *fire code official*.

506.1.2 Key boxes for nonstandardized fire service elevator keys. Key boxes provided for nonstandardized fire service elevator keys shall comply with Section 506.1 and all of the following:

1. The key box shall be compatible with an existing rapid entry key box system in use in the jurisdiction and *approved* by the *fire code official*.
2. The front cover shall be permanently labeled with the words “Fire Department Use Only Elevator Keys.”
3. The key box shall be mounted at each elevator bank at the lobby nearest to the lowest level of fire department access.
4. The key box shall be mounted 5 feet 6 inches (1676 mm) above the finished floor to the right side of the elevator bank.
5. Contents of the key box are limited to fire service elevator keys. Additional elevator access tools, keys and information pertinent to emergency planning or elevator access shall be permitted when authorized by the *fire code official*.

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6. In buildings with two or more elevator banks, a single key box shall be permitted to be used when such elevator banks are separated by not more than 30 feet (9144mm). Additional key boxes shall be provided for each individual elevator or elevator bank separated by more than 30 feet (9144 mm).

Exception: A single key box shall be permitted to be located adjacent to a *fire command center* or the nonstandard fire service elevator key shall be permitted to be secured in a key box used for other purposes and located in accordance with Section 506.1.

506.2 Key box maintenance. The operator of the building shall immediately notify the *fire code official* and provide the new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

506.3 Installation. Interior key boxes shall be installed within 12 feet (3658 mm) of the emergency elevator, visible from the entrance to the emergency elevator, and not more than 5 feet 6 inches (1676 mm) above the main entrance level of the building. Exterior key boxes shall be installed within 12 feet (3658 mm) of the main building entrance, visible from the direction of entry, and not more than 5 feet 6 inches (1676 mm) and not less than 42 inches (1067 mm) above the main entrance level of the building. The *fire code official* may approve alternate locations.

Exception: An *approved* key switch may be used in lieu of an exterior key box.

506.4 Contents. Exterior key boxes shall contain keys to gain access to the building as required by the *fire code official*. Interior key boxes shall contain designated keys essential to emergency operations, including but not limited to the following. There shall be 3 separate sets of appropriately labeled keys maintained in the interior key box. The key sets shall include the following:

1. Elevator keys capable of accessing all floors in the building.
 - 1.1 Elevator door keys and/or access tools.
2. Stairway keys.
3. Fire control station keys.
4. Alarm system keys.
5. Key fobs, if required.
6. Access cards, if required.
7. Sprinkler/standpipe/fire pump room keys.

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506.5 Key set arrangements. Three sets of building emergency access keys shall be provided for Fire Department use in the interior key box for all high-rise buildings.

506.6.1 Keys. Each key set and key shall be identified as to its specific usage.

94. Subsection 507.2, “Type of Water Supply,” of Section 507, “Fire Protection Water Supplies,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended to read as follows:

“507.2 Type of water supply. A water supply shall consist of city water mains. The *fire code official* may approve alternate forms of water supply such as reservoirs, pressure tanks, elevated tanks, [~~water mains~~] or other fixed systems capable of providing the required fire flow.

507.2.1 Private fire service mains. Private fire service mains and appurtenances shall be installed with approval from Dallas Water Utilities and in accordance with NFPA 24.

507.2.1.1 Installation. Private fire hydrants shall comply with the Dallas Water Utilities Addendum to COG 2.14. The hydrants shall be provided with one 4-inch (102 mm) nominal I.D. outlet with threads complying with File No. 684A-9 and two 2½-inch (64 mm) nominal I.D. outlets with 7½-inch (191 mm) national standard fire hose coupling screw threads per inch.

507.2.2 Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22.”

95. Subsection 507.3, “Fire Flow,” of Section 507, “Fire Protection Water Supplies,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended to read as follows:

“507.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be in accordance with Appendix B, “Fire-Flow Requirements for Buildings.” [~~determined by an approved method.~~]”

96. Subsection 507.4, “Water Supply Test,” of Section 507, “Fire Protection Water Supplies,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended to read as follows:

507.4 Water supply test. The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 “Recommended Practice for Fire Flow Testing and Marking of Hydrants.” The *fire code official* shall be notified prior to the water

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supply test. Water supply tests shall be witnessed by the *fire code official, as required.* [~~or~~ a] *Approved* documentation of the test shall be provided to the *fire code official* prior to final approval of the water supply system.”

97. Subsection 507.5, “Fire Hydrant Systems,” of Section 507, “Fire Protection Water Supplies,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended to read as follows:

“**507.5 Fire hydrant systems.** Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.8[6] and Appendix C, ‘Fire Hydrant Locations and Distribution.’”

98. Paragraph 507.5.1, “Where Required,” of Subsection 507.5, “Fire Hydrant Systems,” of Section 507, “Fire Protection Water Supplies,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended to read as follows:

“**507.5.1 Where required.** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an *approved* route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the *fire code official*. A street or block more than 800 feet (244 m) in length shall have at least one fire hydrant located on it, even if covered by other fire hydrants.”

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).
3. Buildings or facilities of noncombustible construction less than 500 square feet (46.45 m²).

507.5.1.1 Hydrant for standpipe systems. Buildings equipped with a standpipe system installed in accordance with Section 905 shall have a fire hydrant within 400 [100] feet (122 m) [(30-480 mm)] of the fire department connections.

Exception: The distance shall be permitted to exceed 400 [100] feet (122 m) [(30-480 mm)] where approved by the fire code official.”

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99. Paragraph 507.5.4, “Obstruction,” of Subsection 507.5, “Fire Hydrant Systems,” of Section 507, “Fire Protection Water Supplies,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended to read as follows:

“507.5.4 Obstruction. Unobstructed access to fire hydrants shall be maintained at all times. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.”

100. Subsection 507.5, “Fire Hydrant Systems,” of Section 507, “Fire Protection Water Supplies,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended by adding a new Paragraph 507.5.7, “Hydrant Color Coding,” to read as follows:

“507.5.7 Hydrant color coding. All fire hydrants shall be color coded to indicate the size of the water supply main. Each hydrant shall have at least 4 inches (102 mm) of each dome color coded as follows:

1. Red for 4-inch (102 mm) mains.
2. Silver for 6-inch (152 mm) mains.
3. Blue for 8-inch (203 mm) mains.
4. Yellow for 10-inch (254 mm) or larger mains.
5. Public hydrant barrels shall be silver. Private hydrant barrels shall be kelly green.”

101. Subsection 507.5, “Fire Hydrant Systems,” of Section 507, “Fire Protection Water Supplies,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended by adding a new Paragraph 507.5.8, “Location,” to read as follows:

“507.5.8 Location. Fire hydrants shall be located a minimum of 2½ feet (762 mm) and a maximum of 7½ feet (2286 mm) from the edge of fire apparatus access roads.”

102. Section 508, “Fire Command Center,” of Chapter 5, “Fire Service Features,” of the 2015 International Fire Code is amended to read as follows:

“SECTION 508

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FIRE COMMAND CENTER

508.1 General. Where required by other sections of this code and in all buildings classified as high-rise buildings by the *Dallas [International] Building Code*, a *fire command center* for fire department operations shall be provided and shall comply with Sections 508.1.1 through 508.1.6.

508.1.1 Location and access. The location and accessibility of the *fire command center* shall be *approved* by the fire chief.

508.1.2 Separation. The *fire command center* shall be separated from the remainder of the building by not less than a 1-hour *fire barrier* constructed in accordance with Section 707 of the *Dallas [International] Building Code* or *horizontal assembly* constructed in accordance with Section 711 of the *Dallas [International] Building Code*, or both.

508.1.3 Size. The fire command center shall be a minimum of 200 square feet (19 m²) in area with a minimum dimension of 10 feet (3048 mm).

508.1.4 Layout approval. A layout of the *fire command center* and all features required by this section to be contained therein shall be submitted for approval prior to installation.

508.1.5 Required features. The *fire command center* shall comply with NFPA 72 and shall contain the following features:

1. The emergency voice/alarm communication system control unit.
2. The fire department communications system, when approved by the *fire code official*.
3. Fire detection and alarm system annunciator.
4. Annunciator unit visually indicating the location of the elevators and whether they are operational.
5. Status indicators and controls for air-distribution systems if mechanical air-handling equipment is used for smoke removal purposes in accordance with Section 403.4.7 of the Dallas Building Code.
6. The fire-fighter's control panel required by Section 909.16 for smoke control systems installed in the building.
7. Controls for unlocking *stairway* doors simultaneously.
8. Sprinkler valve and water-flow detector display panels.
9. Emergency and standby power status indicators.
10. A telephone for fire department use with controlled access to the public telephone

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system.

11. Fire pump status indicators.
12. Schematic building plans indicating the typical floor plan and detailing the building core, *means of egress*, *fire protection systems*, fire-fighting equipment and fire department access, and the location of *fire walls*, *fire barriers*, *fire partitions*, *smoke barriers* and smoke partitions.
13. An *approved* Building Information Card that contains, but is not limited to, the following information:
 - 13.1. General building information that includes: property name, address, the number of floors in the building (above and below grade), use and occupancy classification (for mixed uses, identify the different types of occupancies on each floor), estimated building population (i.e., day, night, weekend);
 - 13.2. Building emergency contact information that includes: a list of the building's emergency contacts (e.g., building manager, building engineer, etc.) and their respective work phone number, cell phone number, and e-mail address;
 - 13.3. Building construction information that includes: the type of building construction (e.g., floors, walls, columns, and roof assembly);
 - 13.4. *Exit* stair information that includes: number of *exit stairs* in the building, each *exit stair* designation and floors served, location where each *exit stair* discharges, *exit stairs* that are pressurized, *exit stairs* provided with emergency lighting, each *exit stair* that allows reentry, *exit stairs* providing roof access; elevator information that includes: number of elevator banks, elevator bank designation, elevator car numbers and respective floors that they serve, location of elevator machine rooms, location of sky lobby, location of freight elevator banks;
 - 13.5. Building services and system information that includes: location of mechanical rooms, location of building management system, location and capacity of all fuel oil tanks, location of emergency generator, location of natural gas service;
 - 13.6. *Fire protection system* information that includes: locations of standpipes, location of fire pump room, location of fire department connections, floors protected by *automatic* sprinklers, location of different types of *automatic sprinkler systems* installed (e.g., dry, wet, pre-action, etc.); and
 - 13.7. Hazardous material information that includes: location of hazardous material, quantity of hazardous material.

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14. Work table.
15. Generator supervision devices, manual start and transfer features.
16. Public address system, where specifically required by other sections of this code.
17. Elevator fire recall switch in accordance with ASME A17.1.
18. Elevator emergency or standby power selector switch(es), where emergency or standby power is provided.”

103. Section 509, “Fire Protection and Utility Equipment Identification and Access” of Chapter 5, “Fire Service Features”, of the 2015 International Fire Code is amended by adding Subsection 509.1.2 as follows:

“509.1.2 Sign Requirements. Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 2 inches (50.8 mm) when located inside a building and 4 inches (101.6 mm) when located outside, or as approved by the *fire code official*. The letters shall be of a color that contrasts with the background.”

104. Section 510, “Emergency Responder Radio Coverage” of Chapter 5, “Fire Service Features”, of the 2015 International Fire Code is deleted.

105. Subparagraph 603.3.2.1, “Quantity Limits,” or Paragraph 603.3.2, “Fuel Oil Storage Inside Buildings,” of Subsection 603.3, “Fuel Oil Storage Systems,” of Section 603, “Fuel-Fired Appliances”, of Chapter 6, “Building Services and Systems”, of the 2015 International Fire Code is amended to read as follows:

“603.3.2.1 Quantity limits. One or more fuel oil storage tanks containing Class II or III *combustible liquid* shall be permitted in a building. The aggregate capacity of all such tanks shall not exceed 660 gallons (2498 L).

Exception: The aggregate capacity limit shall be permitted to be increased to 3,000 gallons (11 356 L) in accordance with all requirements of Chapter 57. ~~[of Class II or III liquid for storage in protected above-ground tanks complying with Section 5704.2.9.7, when all of the following conditions are met:~~

- ~~1. The entire 3,000-gallon (11 356 L) quantity shall be stored in protected above-ground tanks;~~

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- ~~2. The 3,000-gallon (11 356 L) capacity shall be permitted to be stored in a single tank or multiple smaller tanks; and~~
- ~~3. The tanks shall be located in a room protected by an *automatic sprinkler system* complying with Section 903.3.1.1.]”~~

106. Subsection 604.1, “General,” of Section 604, “Emergency and Standby Power Systems” of Chapter 6, “Building Services and Systems”, of the 2015 International Fire Code is amended as follows:

“604.1 General. Emergency power systems and standby power systems required by this code or the *International Building Code* shall comply with Sections 604.1.1 through 604.1.10[8].”

107. Paragraph 604.1.2, “Installation,” of Subsection 604.1, “General,” of Section 604, “Emergency and Standby Power Systems” of Chapter 6, “Building Services and Systems”, of the 2015 International Fire Code is amended as follows:

“604.1.2 Installation. Emergency power systems and standby power systems shall be installed in accordance with the *International Building Code*, NFPA 70, NFPA 110 and NFPA 111. Existing installations shall be maintained in accordance with the original approval, except as specified in Chapter 11.”

108. Subsection 604.1, “General,” of Section 604, “Emergency and Standby Power Systems” of Chapter 6, “Building Services and Systems”, of the 2015 International Fire Code is amended by adding a new Paragraph 604.1.9, “Energy Time Duration,” to read as follows:

“604.1.9 Energy time duration. Unless a time limit is specified by the fire code official, in this chapter or elsewhere in this code, or in any other referenced code or standard, the emergency and standby power system shall be supplied with enough fuel or energy storage capacity for not less than 2-hour full-demand operation of the system.

Exception: Where the system is supplied with natural gas from a utility provider and is approved.”

109. Subsection 604.1, “General,” of Section 604, “Emergency and Standby Power Systems” of Chapter 6, “Building Services and Systems”, of the 2015 International Fire Code is amended by adding a new Paragraph 604.1.10, “Critical Operations Power Systems (COPS),” to read as follows:

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“604.1.10 Critical Operations Power Systems (COPS). For Critical Operations Power Systems necessary to maintain continuous power supply to facilities or parts of facilities that require continuous operation for the reasons of public safety, emergency management, national security, or business continuity, see NFPA 70.”

110. Subsection 604.2, “Where Required,” of Section 604, “Emergency and Standby Power Systems” of Chapter 6, “Building Services and Systems”, of the 2015 International Fire Code is amended as follows:

“604.2 Where required. Emergency and standby power systems shall be provided where required by Sections 604.2.1 through 604.2.24 or elsewhere identified in this code or any other referenced code [604.2.18.4].”

111. Paragraph 604.2.3, “Emergency Responder Radio Coverage Systems,” of Subsection 604.2, “Where Required,” of Section 604, “Emergency and Standby Power Systems” of Chapter 6, “Building Services and Systems”, of the 2015 International Fire Code is amended as follows:

“604.2.3 Reserved. [~~Emergency responder radio coverage systems.~~ Standby power shall be provided for emergency responder radio coverage systems as required in Section 510.4.2.3. The standby power supply shall be capable of operating the emergency responder radio coverage system for a duration of not less than 24 hours.]”

112. Paragraph 604.2.4, “Emergency Voice/Alarm Communications Systems,” of Subsection 604.2, “Where Required,” of Section 604, “Emergency and Standby Power Systems” of Chapter 6, “Building Services and Systems”, of the 2015 International Fire Code is amended as follows:

“604.2.4 Emergency voice/alarm communications systems. Emergency power shall be provided for emergency voice/alarm communications systems in the following occupancies, as specified elsewhere in this code, and/or in accordance with Section 907.5.2.2.5. The system shall be capable of powering the required load for a duration of not less than 24 hours, as required in NFPA 72.

1. Covered and Open Malls, Section 604.2.17.
2. Group A occupancies, Sections 907.2.1.1 and 907.5.2.2.4.

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3. Special Amusement buildings, Section 907.2.12.3.

4. High rise buildings, Section 907.2.13.

5. Atriums, Section 907.2.14.

6. Deep Underground buildings, Section 907.2.19.”

113. Paragraph 604.2.12, “Means of Egress Illumination,” of Subsection 604.2, “Where Required,” of Section 604, “Emergency and Standby Power Systems” of Chapter 6, “Building Services and Systems”, of the 2015 International Fire Code is amended as follows:

“604.2.12 Means of egress illumination. Emergency power shall be provided for *means of egress* illumination in accordance with Section 1008.3 and 1104.5.1 for a minimum of 90 minutes.”

114. Paragraph 604.2.13, “Membrane Structures,” of Subsection 604.2, “Where Required,” of Section 604, “Emergency and Standby Power Systems” of Chapter 6, “Building Services and Systems”, of the 2015 International Fire Code is amended as follows:

“604.2.13 Membrane structures. Emergency power shall be provided for *exit signs in temporary tents and membrane structures* in accordance with Section 3103.12.6.1. (90 minutes) Standby power shall be provided for auxiliary inflation systems in permanent membrane structures in accordance with Section 2702 of the *International Building Code*. (4 hours) Auxiliary inflation systems shall be provided in temporary air-supported and air-inflated membrane structures in accordance with Section 3103.10.4.”

115. Paragraph 604.2.15, “Smoke Control Systems,” of Subsection 604.2, “Where Required,” of Section 604, “Emergency and Standby Power Systems” of Chapter 6, “Building Services and Systems”, of the 2015 International Fire Code is amended as follows:

“604.2.15 Smoke control systems. Standby power shall be provided for smoke control systems in the following occupancies, or as specified elsewhere in this code, in accordance with Section 909.11:

1. Covered mall building, *International Building Code*, Section 404.5.

2. Atriums, *International Building Code*, Section 404.7.

3. Underground buildings, *International Building Code*, Section 405.5.

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4. Group I-3, *International Building Code*, Section 408.9.
5. Stages, *International Building Code*, Section 410.3.7.2.
6. Special Amusement buildings (as applicable to Group A's), *International Building Code*, Section 411.1.
7. Smoke protected seating, Section 1028.6.2.1.”

115. Subsection 604.2, “Where Required,” of Section 604, “Emergency and Standby Power Systems,” of Chapter 6, “Building Services and Systems”, of the 2015 International Fire Code is amended by adding new Paragraphs 604.2.17 through 604.2.24 as follows:

604.2.17 Covered and Open Mall Buildings. Emergency power shall be provided in accordance with Section 907.2.20 and 914.2.3.

604.2.18 Airport traffic control towers. A standby power system shall be provided in airport traffic control towers more than 65 feet (19 812 mm) in height. Power shall be provided to the following equipment:

1. Pressurization equipment, mechanical equipment and lighting.
2. Elevator operating equipment.
3. Fire alarm and smoke detection systems.

604.2.19 Smokeproof enclosures and Stair Pressurization Alternative. Standby power shall be provided for smokeproof enclosures, stair pressurization alternative and associated automatic fire detection systems as required by the *International Building Code*, Section 909.20.6.2.

604.2.20 Elevator pressurization. Standby power shall be provided for elevator pressurization system as required by the *International Building Code*, Section 909.21.5.

604.2.21 Elimination of Smoke Dampers in Shaft Penetrations. Standby power shall be provided when eliminating the smoke dampers in ducts penetrating shafts in accordance with the *International Building Code*, Section 717.5.3, exception 2.3.

604.2.22 Common exhaust systems for clothes dryers. Standby power shall be provided for common exhaust systems for clothes dryers located in multistory structures in accordance with the *International Mechanical Code* Section 504.8, item 7.

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604.2.23 Hydrogen Cutoff Rooms. Standby power shall be provided for mechanical ventilation and gas detection systems of Hydrogen Cutoff Rooms in accordance with the *International Building Code*, Section 421.8.

604.2.24 Means of Egress Illumination in Existing Buildings. Emergency power shall be provided for *means of egress* illumination in accordance with Section 1104.5 and 1104.5.1 when required by the fire code official. (90 minutes in I-2, 60 minutes elsewhere.)”

116. Subsection 605.10, “Portable, Electric Space Heaters,” of Section 605, “Electrical Equipment, Wiring and Hazards,” of Chapter 6, “Building Services and Systems,” of the 2015 International Fire Code is amended to read as follows:

“605.10 Portable, electric space heaters. Where not prohibited by other sections of this code, portable, electric space heaters shall be permitted to be used in all occupancies other than Group I-2 and in accordance with Sections 605.10.1 through 605.10.4. Owners of the portable, electric space heaters and/or the person in control of the portable, electric space heaters shall be responsible for compliance.

Exception: The use of portable, electric space heaters in which the heating element cannot exceed a temperature of 212°F (100°C) shall be permitted in nonsleeping staff and employee areas in Group I-2 occupancies.”

117. Subsection 607.3, “Emergency Signs” of Section 607, “Elevator Operation, Maintenance and Fire Service Keys,” of Chapter 6, “Building Services and Systems,” of the 2015 International Fire Code is amended to read as follows:

“[BE] 607.3 Emergency signs. An *approved* pictorial sign of a standardized design shall be posted adjacent to each elevator call station on all floors instructing occupants to use the exit stairways and not to use the elevators in case of fire. The sign shall read: IN FIRE EMERGENCY, DO NOT USE ELEVATOR. USE EXIT STAIRS. Existing approved signs that read ELEVATORS MAY NOT BE USED IN CASE OF FIRE – USE STAIRWELLS WHICH ARE MARKED AS EXITS installed prior to the adoption of this code shall be permitted.

Exceptions:

1. The emergency sign shall not be required for elevators that are part of an accessible *means of egress* complying with Section 1007.4.
2. The emergency sign shall not be required for elevators that are used for occupant self-evacuation in accordance with Section 3008 of the *International Building Code*.”

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118. Paragraph 607.8.2, “Access to Standardized Fire Service Keys,” of Subsection 607.8, “Standardized Fire Service Elevator Keys,” of Section 607, “Elevator Operation, Maintenance and Fire Service Keys,” Chapter 6, “Building Services and Systems”, of the 2015 International Fire Code is amended to read as follows:

“607.8.2 Access to standardized fire service keys. Access to standardized fire service elevator keys shall be restricted to the following:

- ~~1. [Elevator owners or their authorized agents.~~
- ~~2. Elevator contractors.~~
- ~~3. Elevator inspectors of the jurisdiction.~~
- 4.] *Fire code officials* of the jurisdiction.
- ~~2. [5.] The fire department and other emergency response agencies designated by the *fire code official*.”~~

119. Section 607, “Elevator Operation, Maintenance and Fire Service Keys,” Chapter 6, “Building Services and Systems,” of the 2015 International Fire Code is amended by adding a new Subsection 607.9, “Inspections,” to read as follows:

“607.9 Inspections. New and existing elevator equipment shall be inspected and tested annually by inspectors licensed by the State of Texas to determine its safety and compliance with ASME A17.1 and ASME A17.3. The building owner shall display the current Certificate of Compliance in an *approved* location.”

120. Subsection 609.1, “General,” of Section 609, “Commercial Kitchen Hoods,” of Chapter 6, “Building Services and Systems,” of the 2015 International Fire Code is amended to read as follows:

“609.1 General. Commercial kitchen exhaust hoods shall comply with the requirements of the International Mechanical Code. Residential kitchen hood exhaust hoods shall comply with Sections 609.3.3.1 and 609.3.3.2.”

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121. Subsection 704.1, “Enclosure,” of Section 704, “Floor Openings and Shafts,” of Chapter 7, “Fire and Smoke Protection Features,” of the 2015 International Fire Code is amended to read as follows:

“704.1 Enclosure. Interior vertical shafts including, but not limited to, *stairways*, elevator hoistways, service and utility shafts, that connect two or more stories of a building shall be enclosed or protected in accordance with the codes in effect at the time of construction but, regardless of when constructed, not less than as required in Chapter 11. New floor openings in existing buildings shall comply with the *International Building Code*.”

122. Subsection 807.3, “Combustible Decorative Materials,” of Section 807, “Decorative Materials Other Than Decorative Vegetation in New and Existing Buildings,” of Chapter 8, “Interior Finish, Decorative Materials and Furnishings,” of the 2015 International Fire Code is amended to read as follows:

“807.3 Combustible Decorative Materials. In occupancies in Groups A, E, I, and R-1, and dormitories in Group R-2 [~~In other than Group I-3~~], curtains, draperies, fabric hangings and other similar combustible decorative materials suspended from walls or ceilings shall comply with Section 807.4 and shall not exceed 10 percent of the specific wall or ceiling area to which they are attached.

Fixed or moveable walls and partitions, paneling, wall pads and crash pads applied structurally or for decoration, acoustical correction, surface insulation or other purposes shall be considered *interior finish*, shall comply with Section 503 and shall not be *considered decorative materials* or furnishings.

Exceptions:

1. In auditoriums in Group A, the permissible amount of curtains, draperies, fabric hangings and other similar combustible decorative material suspended from walls or ceilings shall not exceed 75 percent of the aggregate wall area where the building is equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, and where the material is installed in accordance with Section 803.11 of the *International Building Code*.

2. In Group R-2 dormitories, within sleeping units and dwelling units, the permissible amount of curtains, draperies, fabric hangings and other similar combustible decorative material suspended from walls or ceilings shall not exceed 50 percent of the aggregate wall areas where the building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.

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3. In Group B and M occupancies, the amount of combustible fabric partitions suspended from the ceiling and not supported by the floor shall comply with Section 807.4 and shall not be limited.”

123. Subparagraph 807.5.2.2, “Artwork in Corridors,” of Paragraph 807.5.2, “Group E,” of Subsection 807.5, “Occupancy-Based Requirements,” of Section 807, “Decorative Materials Other Than Decorative Vegetation in New and Existing Buildings,” of Chapter 8, “Interior Finish, Decorative Materials and Furnishings,” of the 2015 International Fire Code is amended to read as follows:

“807.5.2.2 Artwork in corridors. Artwork and teaching materials shall be limited on the walls of *corridors* to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: *Corridors* protected by an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.”

124. Subparagraph 807.5.2.3, “Artwork in Classrooms,” of Paragraph 807.5.2, “Group E,” of Subsection 807.5, “Occupancy-Based Requirements,” of Section 807, “Decorative Materials Other Than Decorative Vegetation in New and Existing Buildings,” of Chapter 8, “Interior Finish, Decorative Materials and Furnishings,” of the 2015 International Fire Code is amended to read as follows:

“807.5.2.3 Artwork in classrooms. Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible. Such materials shall not be continuous from floor to ceiling or wall to wall.”

125. Subparagraph 807.5.5.2, “Artwork in Corridors,” of Paragraph 807.5.5, “Group I-4,” of Subsection 807.5, “Occupancy-Based Requirements,” of Section 807, “Decorative

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Materials Other Than Decorative Vegetation in New and Existing Buildings,” of Chapter 8, “Interior Finish, Decorative Materials and Furnishings,” of the 2015 International Fire Code is amended to read as follows:

“807.5.5.2 Artwork in Corridors. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.”

126. Subparagraph 807.5.5.3, “Artwork in Classrooms,” of Paragraph 807.5.5, “Group I-4,” of Subsection 807.5, “Occupancy-based Requirements,” of Section 807, “Decorative Materials Other Than Decorative Vegetation in New and Existing Buildings,” of Chapter 8, “Interior Finish, Decorative Materials and Furnishings,” of the 2015 International Fire Code is amended to read as follows:

“807.5.5.3 Artwork in Classrooms. Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.”

127. Paragraph 901.2.1, “Statement of Compliance,” of Subsection 901.2 “Construction Documents,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“901.2.1 Statement of compliance. Before requesting final approval of the installation [~~where required by the fire code official~~], the installing contractor shall furnish a written statement to the *fire code official* that the subject *fire protection system or partial system* has been installed in accordance with *approved* plans and has been tested in accordance with the manufacturer’s specifications and the appropriate installation standard. Any deviations from the design standards shall be noted and copies of the approvals for such deviations shall be attached to the written statement.”

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128. Subsection 901.3, “Permits,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“**901.3 Permits.** Permits shall be required as set forth in Section 105.6 and 105.7.

901.3.1 Plans. Complete plans and specifications for fire alarm systems; fire-extinguishing systems, including automatic sprinklers and wet and dry standpipes; halon systems and other special types of automatic fire-extinguishing systems; basement pipe inlets; and other fire protection systems and appurtenances thereto shall be submitted to the fire protection engineers of the Building Inspection department for review and approval prior to system installation. Plans and specifications for fire alarm systems shall include, but not be limited to, a floor plan; location of all alarm-initiating and alarm-signaling devices; alarm control- and trouble-signaling equipment; annunciation; power connection; battery calculations; conductor type and sizes; voltage drop calculations; and manufacturer, model numbers and listing information for all equipment, devices and materials. All submitted plans shall also meet the requirements as specified by the adopted NFPA standards and this code. The provisions of this Code shall govern in the event of conflicts and /or differences between this chapter and the NFPA standards.

901.3.2 Plan review fees. Plan review fees for fire alarm systems shall be in accordance with the Dallas Building Code.”

129. Paragraph 901.4.1, “Required Fire Protection Systems,” of Subsection 901.4, “Installation,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“**901.4.1 Required fire protection systems.** Fire protection systems required by this code or the Dallas [~~International~~] Building Code shall be installed, repaired, operated, tested and maintained in accordance with this code and nationally recognized standards. A fire protection system for which a design option, exception or reduction to the provisions of this code or the Dallas [~~International~~] Building Code has been granted shall be considered to be a required system.”

130. Paragraph 901.4.2, “Nonrequired Fire Protection Systems,” of Subsection 901.4, “Installation,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“**901.4.2 Nonrequired fire protection systems.** A fire protection system [~~or portion thereof~~] not required by this code or the Dallas [~~International~~] Building Code shall be allowed to be furnished for [~~partial or complete~~] protection provided such installed system meets the requirements of this code and the Dallas [~~International~~] Building Code.”

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131. Paragraph 901.4.3, “Fire Areas,” of Subsection 901.4, “Installation,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“901.4.3 Fire areas. Where buildings, or portions thereof, are divided into *fire areas* so as not to exceed the limits and/or occupant load established for requiring a *fire protection system* in accordance with this chapter, such *fire areas* shall be separated by *fire barriers* constructed in accordance with Section 707 of the *International Building Code* or *horizontal assemblies* constructed in accordance with Section 711 of the *International Building Code*, or both, having a fire-resistance rating of not less than that determined in accordance with Section 707.3.10 of the Dallas ~~[International]~~ *Dallas Building Code*.”

132. Paragraph 901.4.6, “Pump and Riser Room Size,” of Subsection 901.4, “Installation,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“901.4.6 Pump and riser room size. Fire pump and *automatic sprinkler system* riser rooms shall be designed with adequate space for all equipment necessary for the installation, as defined by the manufacturer, with sufficient working space around the stationary equipment. Clearances around equipment to elements of permanent construction, including other installed equipment and appliances, shall be not less than 36” (762mm) in width, 36” (762mm) in depth and 78” (1981mm) in height ~~[sufficient]~~ to allow inspection, service, repair or replacement without removing such elements or permanent construction or disabling the function of a required fire-resistance-rated assembly. Fire pump and *automatic sprinkler system* riser rooms shall be provided with a door(s) and an unobstructed passageway large enough to allow removal of the largest piece of equipment.”

133. Subsection 901.5, “Installation Acceptance Testing,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“901.5 Installation acceptance testing. Fire detection and alarm systems, fire-extinguishing systems, fire hydrant systems, fire standpipe systems, fire pump systems, private fire service mains and all other *fire protection systems* and appurtenances thereto shall be subject to acceptance tests as contained in the installation standards and as *approved* by the *fire code official*. The fire code official shall witness ~~[be notified before]~~ any required acceptance testing. A retest fee shall be assessed when the testing of the system and/or appurtenances thereto fails after the contractor has acknowledged that the system has been pre-tested and is in an approved condition. The retest fee shall be \$622.00.”

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134. Subsection 901.6, “Inspection, Testing and Maintenance,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“901.6 Inspection, testing and maintenance. Fire detection, alarm and extinguishing systems, mechanical smoke exhaust systems, and smoke and heat vents shall be maintained in an operative condition at all times, and shall be replaced or repaired where defective. Nonrequired *fire protection systems* and equipment shall be inspected, tested and maintained or removed with written approval of the fire code official.”

135. Paragraph 901.6.1, “Standards,” of Subsection 901.6, “Inspection, testing and maintenance,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding new Subparagraph 901.6.1.1, “Standpipe Testing,” to read as follows:

“901.6.1.1 Standpipe testing. Building owners/managers shall utilize a licensed fire protection contractor to test and certify standpipe systems. In addition to the testing and maintenance requirements of NFPA 25 applying to standpipe systems, the following additional requirements shall be applied to the testing that is required every 5 years:

1. The piping between the fire department connection (FDC) and the standpipe shall be hydrostatically tested for all FDCs on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.
2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the contractor shall connect hose from a fire hydrant or portable pumping system (as *approved* by the *fire code official*) to each FDC, and flow water (at an *approved* rate and pressure) through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Verify that check valves function properly and that there are no closed control valves on the system.
3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25.
4. If the FDC is not already provided with *approved* caps, the contractor shall install such caps for all FDCs.
5. Upon successful completion of standpipe test, the contractor shall place an appropriate service tag as per the State of Texas provisions.

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6. The contractor shall follow the procedures as required by the State of Texas with regard to appropriate tags denoting noncompliance, impairment or any deficiencies noted during the testing, including the required notification of the local authority having jurisdiction.
7. Additionally, records of the testing shall be maintained by the owner and contractor, as required by the State of Texas and NFPA 25.
8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.”
9. Contact the *fire code official* for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the *fire code official*.”

136. Subsection 901.6, “Inspection, Testing and Maintenance,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding Paragraph 901.6.3, “False Alarms and Nuisance Alarms,” to read as follows:

“901.6.3 False Alarms and Nuisance Alarms. False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.”

137. Subsection 901.7, “Systems Out of Service,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“901.7 Systems out of service. Where a required *fire protection system* is out of service, or in the event of an excessive number of accidental activations, the fire department and the *fire code official* shall be notified immediately and, where required by the *fire code official*, the building shall either be evacuated or *standby personnel* [~~an approved fire watch~~] shall be provided for all occupants left unprotected [~~by the shutdown~~] until the *fire protection system* has been returned to service.

Where utilized, *standby personnel* [~~fire watches~~] shall be provided with at least one *approved* means for notification of the fire department and their only duty shall be to perform [~~constant~~] patrols of the protected premises and keep watch for fires.”

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138. Paragraph 901.7.6, “Restoring Systems to Service,” of Subsection 901.7, “Systems Out of Service,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“901.7.6 Restoring systems to service. When impaired equipment is restored to normal working order, the impairment coordinator shall verify that all of the following procedures have been implemented:

1. Necessary inspections and tests have been conducted in the presence of the *fire code official*, if required, to verify that affected systems are operational.
2. Supervisors have been advised that protection is restored.
3. The fire department has been advised that protection is restored.
4. The building *owner*/manager, insurance carrier, alarm company, and other involved parties have been advised that protection is restored.
5. All [The] impairment tags have [has] been removed.”

139. Paragraph 901.8.2, “Removal of Existing Occupant-Use Hose Lines,” of Subsection 901.8, “Removal of or tampering with equipment,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“901.8.2 Removal of existing occupant-use hose lines. The *fire code official* is authorized to permit the removal of existing occupant-use hose lines and hose valves where all of the following conditions exist:

1. [~~Installation is not required by this code or the *International Building Code*.~~
- 2.] The hose line(s) would not be utilized by trained personnel or the fire department.
- 2[3]. If t[F]he [remaining outlets] occupant-use hose lines are removed, but the hose valves are required to remain as per the fire code official, such shall be [are] compatible with local fire department fittings.”

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140. Subsection 901.9, “Termination of Monitoring Service,” of Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows

“901.9 Discontinuation or change of ~~[Termination of monitoring]~~ service. ~~[For fire alarm systems required to be monitored by this code, n]~~ Notice shall be made to the *fire code official* whenever contracted alarm ~~[monitoring]~~ services for monitoring of any fire alarm system are terminated for any reason, or a change in alarm monitoring provider occurs. Notice shall be made in writing to the *fire code official* by the ~~[monitoring service provider]~~ building owner or alarm service provider prior to the service being terminated.”

141. Section 901, “General,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding new Subsection 901.11, “Auxiliary Equipment,” to read as follows:

“901.11 Auxiliary equipment. Auxiliary equipment installed to meet the manufacturer’s recommended requirements or the installation standards, shall be monitored for circuit integrity. This includes but is not limited to heating devices and air compressors.”

142. Subsection 903.2, “Where Required,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“903.2 Where required. *Approved automatic sprinkler systems* in new buildings and structures shall be provided in the locations described in Sections 903.2.1 through 903.2.12. Automatic sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating “ELEVATOR MACHINERY – NO STORAGE ALLOWED.”

~~[**Exception:** Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries and standby engines, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by fire barriers consisting of not less than 1 hour fire barrier constructed in accordance with Section 707 of the *International Building Code* or not less than 2-hour horizontal assemblies constructed in accordance with Section 711 of the *International Building Code*, or both.]”~~

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143. Subparagraph 903.2.8.1, “Group R-3,” of Paragraph 903.2.8, “Group R,” of Subsection 903.2, “Where Required,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding new Paragraphs 903.2.8.1.1 and 903.2.8.1.2, “Group R-3,” to read as follows:

“903.2.8.1 Group R-3. An automatic sprinkler system shall be installed in accordance with *NFPA 13, 13R and/or 13D* when required by this code [~~903.3.1.3 shall be permitted by in Group R-3~~].

903.2.8.1.1 Additional required suppression systems. An approved automatic sprinkler system shall be installed throughout dwellings in which the total unsprinklered building area exceeds 7,500 square feet (697 m²).

Exceptions:

1. Dwellings that are separated into fire areas no greater than 7,500 square feet (697 m²) by the use of 2-hour rated fire walls. Horizontal assemblies shall not be used to satisfy this requirement.

2. The floor area of an existing nonsprinklered dwelling greater than 7,500 square feet (697 m²) and not housing a Group H occupancy may be increased by not more than 1,000 square feet (93 m²). Not more than one increase in floor area shall be permitted under this exception.

903.2.8.1.2 Draftstop requirements. Draftstopping shall be installed in attics and concealed roof spaces, such that any horizontal area does not exceed 3,000 square feet (278.7 m²).

Exception: Draftstopping is not required in dwellings equipped throughout withan automatic sprinkler system, provided that automatic sprinklers are also installed in the combustible concealed spaces.”

144. Paragraph 903.2.9, “Group S-1,” of Subsection 903.2, “Where Required,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding a new Subparagraph 903.2.9.3, “Self-Service Storage Facility,” to read as follows:

“903.2.9.3 Self-service storage facility. *An automatic sprinkler system shall be installed throughout all self-service storage facilities.”*

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145. Subparagraph 903.2.11.3, “Buildings 55 Feet or More in Height,” of Paragraph 903.2.11, “Specific Buildings Areas and Hazards,” of Subsection 903.2, “Where Required,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“903.2.11.3 Buildings 55 feet or more in height. An automatic sprinkler system shall be installed throughout buildings that have one or more stories with an occupant load of 30 or more, other than penthouses in compliance with Section 1510 of the *International Building Code*, located 55 feet (16 764 mm) or more above the lowest level of fire department vehicle access, measured to the finished floor.

Exceptions:

~~[1.] Open parking structures in compliance with Section 406.5 of the *International Building Code*, having no other occupancies above the subject garage.~~

~~[2. Occupancies in Group F-2.]”~~

146. Paragraph 903.2.11, “Specific Buildings Areas and Hazards,” of Subsection 903.2, “Where Required,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding a new Subparagraph 903.2.11.7, “High-Piled Combustible Storage,” to read as follows:

“903.2.11.7 High-piled combustible storage. For any building with a clear height exceeding 12 feet (4572 mm), see Chapter 32 to determine if those provisions apply.”

147. Paragraph 903.2.11, “Specific Buildings Areas and Hazards,” of Subsection 903.2, “Where Required,” of Section 903, “Automatic sprinkler systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding a new Subparagraph 903.2.11.8, “Spray Booths and Rooms,” to read as follows:

“903.2.11.8 Spray booths and rooms. New spray booths and spraying rooms shall be protected by an *approved* automatic fire-extinguishing system.”

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148. Paragraph 903.3.1, “Standards,” of Subsection 903.3, “Installation Requirements,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“903.3.1 Standards. Sprinkler systems shall be designed and installed in accordance with Sections 903.3.1.1, unless otherwise permitted by Sections 903.3.1.2 and 903.3.1.3 and other chapters of this code, as applicable.

903.3.1.1 NFPA 13 sprinkler systems. Where the provisions of this code require that a building or portion thereof be equipped throughout with an *automatic sprinkler system* in accordance with this section, sprinklers shall be installed throughout in accordance with NFPA 13 except as provided in Sections 903.3.1.1.1 and 903.3.1.1.2..

903.3.1.1.1 Exempt locations. When approved by the fire code official, ~~a~~[A]utomatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an *approved* automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion. Sprinklers shall not be omitted from a room merely because it is damp, of fire-resistance rated construction or contains electrical equipment.

1. A room where the application of water, or flame and water, constitutes a serious life or fire hazard.
2. A room or space where sprinklers are considered undesirable because of the nature of the contents, where *approved by the fire code official*.
3. Generator and transformer rooms under the direct control of a public utility separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.
4. ~~[Rooms or areas that are of noncombustible construction with wholly noncombustible contents.]~~
5. ~~Fire service access e~~[E]levator machine rooms, ~~and~~ machinery spaces, and hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances.
6. ~~Machine rooms and machinery spaces associated with occupant evacuation elevators designed in accordance with Section 3008 of the International Building Code.]~~

903.3.1.1.2 Residential systems. Residential sprinkler systems installed in accordance with Sections 903.3.1.2 and 903.3.1.3 shall be recognized for the purposes of exceptions or reductions, commonly referred to as “trade-offs”, only if

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~~permitted by other provisions of this code. **[Bathrooms.** In Group R occupancies, other than Group R-4 occupancies, sprinklers shall not be required in bathrooms that do not exceed 55 square feet (5 m²) in area and are located within individual dwelling units or sleeping units, provided that walls and ceilings, including the walls and ceilings behind a shower enclosure or tub, are of non-combustible or limited-combustible materials with a 15-minute thermal barrier rating.]~~

903.3.1.2 NFPA 13R sprinkler systems. *Automatic sprinkler systems* in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet (18 288 mm) in height above grade plane shall be permitted to be installed throughout in accordance with NFPA 13R. However, for the purposes of exceptions or reductions permitted by other requirements of this code, see Section 903.3.1.1.3.

The number of stories of Group R occupancies constructed in accordance with Sections 510.2 and 510.4 of the Dallas [International] Building Code shall be measured from the horizontal assembly creating separate buildings.

Section 903.3.1.2.1 Balconies and decks. Sprinkler protection shall be provided for exterior balconies, decks and ground floor patios of dwelling units and sleeping units where the building is of Type V construction, provided there is a roof or deck above. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch (25 mm) to 6 inches (152 mm) below the structural members and a maximum distance of 14 inches (356 mm) below the deck of the exterior balconies and decks that are constructed of open wood joist construction.

903.3.1.2.2 Open-ended corridors. Sprinkler protection shall be provided in open-ended corridors and associated exterior stairways and ramps as specified in Section 1027.6, Exception 3.

Section 903.3.1.2.3 Attics and attached garages. Sprinkler protection is required in attic spaces of such buildings two or more stories in height in accordance with NFPA 13 and or NFPA 13R requirements and attached garages.

903.3.1.3 NFPA 13D sprinkler systems. *Automatic sprinkler systems* installed in one- and two-family *dwelling*s; Group R-3; Group R-4 Condition 1 (congregate living facilities) and *townhouses* shall be permitted to be installed throughout in accordance with NFPA 13D or in accordance with state law. Refer also to Section 903.3.1.1.3 for additional requirements.

903.3.1.4 Freeze protection. Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

903.3.1.4.1 Attics. Only dry-pipe, preaction, or listed antifreeze automatic fire sprinkler systems shall be allowed to protect attic spaces.

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Exception: Wet-pipe fire sprinkler systems shall be allowed to protect non-ventilated attic spaces where:

1. The attic sprinklers are supplied by a separate floor control valve assembly to allow ease of draining the attic system without impairing sprinklers throughout the rest of the building, and
2. Adequate heat shall be provided for freeze protection as per the applicable referenced NFPA standard, and
3. The attic space is a part of the building's thermal, or heat, envelope, such that insulation is provided at the roof deck, rather than at the ceiling level.

903.3.1.4.2 Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

149. Paragraph 903.3.5, “Water Supplies,” of Subsection 903.3, “Installation Requirements,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“903.3.5 Water supplies. Water supplies for *automatic sprinkler systems* shall comply with this section and the standards referenced in Section 903.3.1. The potable water supply shall be protected against backflow in accordance with the requirements of this section and the *Dallas [International] Plumbing Code*. For connections to public waterworks systems, the water supply test used for design of fire protection systems shall be adjusted to account for seasonal and daily pressure fluctuations based on information from the water supply authority and as approved by the fire code official. Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with a 10 psi (69 Pa) safety factor. Where a waterflow test is used for the purposes of system design, the test shall be conducted no more than 12 months prior to working plan submittal unless otherwise approved by the authority having jurisdiction. Refer to Section 507.4 for additional design requirements.”

150. Subparagraph 903.3.5.2, “Residential Combination Services,” of Paragraph 903.3.5, “Water Supplies,” of Subsection 903.3, “Installation Requirements,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

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“903.3.5.2 [Residential-e]Combination services. In all NFPA 13 and 13R designs, a[A] single combination water supply shall be allowed provided that the domestic demand is added to the sprinkler demand as required by NFPA 13, 13R, and 13D. Combination services 4” and larger shall be subject to acceptance tests as contained in the installation standards. Such tests shall be witnessed and approved by the fire code official.”

151. Subsection 903.4, “Sprinkler System Supervision and Alarms,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“903.4 Sprinkler system supervision and alarms. All valves on the building side of the water meter controlling the water supply for *automatic sprinkler systems*, pumps, tanks, water levels and temperatures, critical air pressures and water-flow switches on all sprinkler systems shall be electrically supervised by a *listed* fire alarm control unit.

Exceptions:

1. *Automatic sprinkler systems* protecting one- and two-family *dwelling*s.
2. Limited area systems in accordance with Section 903.3.8..
3. *Automatic sprinkler systems* installed in accordance with NFPA 13R where a common supply main is used to supply both domestic water and the *automatic sprinkler system*, and a separate shutoff valve for the *automatic sprinkler system* is not provided.
4. Jockey pump control valves that are sealed or locked in the open position.
5. Control valves to commercial kitchen hoods, paint spray booths or dip tanks that are sealed or locked in the open position.
6. Valves controlling the fuel supply to fire pump engines that are sealed or locked in the open position.
7. Trim valves to pressure switches in dry, preaction and deluge sprinkler systems that are sealed or locked in the open position.

Sprinkler and standpipe system water-flow detectors shall be provided for each standpipe and/or floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.”

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152. Paragraph 903.4.2, “Alarms,” of Subsection 903.4, “Sprinkler System Supervision and Alarms,” of Section 903, “Automatic Sprinkler Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“903.4.2 Alarms. A weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating , installed as close as practicable to the fire department connection, and ~~[An approved audible device, located on the exterior of the building in an approved location,]~~ shall be connected to every ~~each~~ automatic sprinkler system. Such sprinkler waterflow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.”

153. Subsection 904.1, “General,” of Section 904, “Alternative Automatic Fire-Extinguishing Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding a new Paragraph 904.1.2, “Separation,” to read as follows:

“904.1.2 Separation. Areas of buildings protected by an automatic fire- extinguishing system shall be separated from unprotected areas by fire barriers complying with Section 707 of the *Dallas Building Code* having a minimum fire-resistance rating of 2 hours.

Exception: Special application, spray booth and kitchen hood suppression systems.”

154. Subsection 905.2, “Installation Standard,” of Section 905, “Standpipe Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“905.2 Installation standard. Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig (69 kPa) and a maximum of 40 psig (276 kPa) air pressure with a high/low alarm. Fire department connections for standpipe systems shall be in accordance with Section 912.”

155. Paragraph 905.3.2, “Group A,” of Subsection 905.3, “Required Installations,” of Section 905, “Standpipe Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“905.3.2 Group A. Class I automatic wet standpipes shall be provided in nonsprinklered Group A buildings having an *occupant load* exceeding 1,000 persons.

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[Exceptions:

- ~~1. Open air seating spaces without enclosed spaces.~~
- ~~2. Class I automatic dry and semiautomatic dry standpipes or manual wet standpipes are allowed in buildings that are not high rise buildings.]”~~

156. Subsection 905.3, “Required Installations,” of Section 905, “Standpipe Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding a new Paragraph 905.3.9, “Buildings Exceeding 10,000 Square Feet,” to read as follows:

“905.3.9 Buildings Exceeding 10,000 square feet. In buildings exceeding 10,000 square feet in area per story and where any portion of the building’s interior area is more than 200 feet (60960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access, Class I automatic wet or manual wet standpipes shall be provided.

Exceptions:

1. Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.
2. R-2 occupancies of four stories or less in height having no interior corridors.”

157. Subsection 905.4, “Location of Class I Standpipe Hose Connections,” of Section 905, “Standpipe Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“905.4 Location of Class I standpipe hose connections. Class I standpipe hose connections shall be provided in all of the following locations:

1. In every required [~~interior~~] exit stairway, a hose connection shall be provided for each story above or below grade. Hose connections shall be located at an intermediate landing between stories, unless otherwise *approved by the fire code official*.
2. On each side of the wall adjacent to the *exit* opening of a horizontal *exit*.

Exception: Where floor areas adjacent to a horizontal *exit* are reachable from an [~~interior~~] *exit* stairway hose connections by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30480 mm) of hose, a hose connection shall not be required at the horizontal *exit*.

3. In every *exit* passageway, at the entrance from the *exit* passageway to other areas of a

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building.

Exception: Where floor areas adjacent to an exit passageway are reachable from an ~~interior~~ exit stairway hose connection by a 30-foot (9144 mm) hose stream from a nozzle attached to 100 feet (30 480 mm) of hose, a hose connection shall not be required at the entrance from the exit passageway to other areas of the building.

4. In covered mall buildings, adjacent to each exterior public entrance to the mall and adjacent to each entrance from an *exit* passageway or *exit corridor* to the mall. In open mall buildings, adjacent to each public entrance to the mall at the perimeter line and adjacent to each entrance from an exit passageway or exit corridor to the mall.
5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3-percent slope), each standpipe shall be provided with a two-way [a] hose connection [shall be] located to serve the roof or at the highest landing of a stairway with stair access to the roof provided in accordance with Section 1011.12.
6. Where the most remote portion of a nonsprinklered floor or story is more than 150 feet (45 720 mm) from a hose connection or the most remote portion of a sprinklered floor or story is more than 200 feet (60 960 mm) from a hose connection, the *fire code official* is authorized to require that additional hose connections be provided in *approved* locations.
7. When required by this Chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at 200 foot intervals along major corridors thereafter, or as otherwise approved by the *fire code official*.

158. Subsection 905.4, “Location of Class I Standpipe Hose Connections,” of Section 905, “Standpipe Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding a new Paragraph 905.4.3, “Additional Requirements,” to read as follows:

“905.4.3. Additional requirements. All Class I standpipes shall be:

1. Filled with water at all times; or
2. Supervised with a minimum of 10 psig (69 kPa) air pressure with a high/low alarm.”

159. Paragraph 907.1.3, “Equipment,” of Subsection 907.1, “General,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

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“907.1.3 Equipment. Systems and components shall be *listed* and *approved* for the purpose for which they are installed. Where such systems are installed, they shall be designed, installed and maintained in accordance with this code and the applicable National Fire Protection Association standards.”

160. Paragraph 907.1.3, “Equipment,” of Subsection 907.1, “General,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding a new Subparagraph 907.1.3.1, “Prohibited Equipment,” to read as follows:

“907.1.3.1 Prohibited equipment. Smoke generating devices activated by a burglar alarm, motion detector, tamper alarm or other type of intruder alarms are prohibited in all buildings.”

161. Subsection 907.1, “General,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding a new Paragraph 907.1.4, “Design Standards,” to read as follows:

“907.1.4 Design standards. All new or replaced fire alarm systems, including fire alarm control panel replacements, shall comply with the requirements of Section 907 and shall be addressable and in accordance with Section 907.6.3. Alarm systems utilizing more than 20 alarm initiating devices shall be analog addressable.

Exception: Existing systems need not comply unless the total building or fire alarm system remodel or expansion initiated after the effective date of this code, as adopted, exceeds 30 percent of the building area. When cumulative building remodel or expansion exceeds 50 percent of the building area, all existing systems shall comply within 18 months of permit application. The owner/operator of the facility shall maintain documentation of amount of fire alarm system remodel or expansion. The documentation shall be submitted with each fire alarm system plans submittal and/or upon request from the fire code official.”

162. Subsection 907.1, “General,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding a new Paragraph 907.1.5, “Area Separation Walls/Fire Walls,” to read as follows:

“907.1.5 Area separation walls/fire walls. Area separation walls/fire walls shall

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not be used to reduce or eliminate fire alarm requirements.

Exception: Adjacent spaces shall be considered separate areas for fire alarm purposes if separated by minimum fire-rated construction as required in the *Dallas Building Code* to define separate buildings. Separating walls shall not have openings that permit occupant communication between the spaces.”

163. Subsection 907.2, “Where Required—New Buildings and Structures,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.2 Where required—new buildings and structures. An *approved* fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with [Sections 907.2.1](#) through [907.2.23](#) and provide occupant notification in accordance with [Section 907.5](#), unless other requirements are provided by another section of this code.

Not fewer than one manual fire alarm box shall be provided per building in an *approved* location to initiate a fire alarm signal for fire alarm systems and sprinkler monitoring systems employing automatic fire detectors or water-flow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed. Where provided, the manual fire alarm box shall not be located in an area that is accessible to the public.

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
- ~~2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the fire code official to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is accessible to the public.]”~~

164. Paragraph 907.2.1, “Group A,” of Subsection 907.2, “Where Required—New Buildings and Structures,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.2.1 Group A. A manual fire alarm system and automatic fire detection in paths of egress that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group A occupancies [~~where the~~] having an *occupant load* of [due to the assembly occupancy is] 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Group A occupancies not separated from one another in

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accordance with Section 707.3.10 of the *International Building Code* shall be considered as a single occupancy for purposes of applying this section. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.

Exception: Manual fire alarm boxes are not required where the building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1, automatic fire detection in paths of egress, and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

Activation of fire alarm notification appliances shall:

1. Cause illumination of the *means of egress* with light of not less than 1 foot-candle (11 lux) at the walking surface level, and
2. Stop any conflicting or confusing sounds and visual distractions.”

165. Paragraph 907.2.2, “Group B,” of Subsection 907.2, “Where Required—New Buildings and Structures,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.2.2 Group B. A manual fire alarm system, and automatic fire detection system in paths of egress, shall be installed in Group B occupancies where one of the following conditions exists:

1. The combined Group B *occupant load* of all floors is 500 or more.
2. The Group B *occupant load* is more than 100 persons above or below the lowest *level of exit discharge*.
3. The *fire area* contains an ambulatory care facility.

Exception: Manual fire alarm boxes and automatic fire detection in paths of egress are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.

907.2.2.1 Ambulatory care facilities. Fire Areas containing ambulatory care facilities shall be provided with an electronically supervised automatic smoke detection system installed within the ambulatory care facility and in public use areas outside of tenant spaces, including public corridors and elevator lobbies.

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~~[Exception: Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 provided the occupant notification appliances will activate throughout the notification zones upon sprinkler water flow.]”~~

166. Paragraph 907.2.3, “Group E,” of Subsection 907.2, “Where Required—New Buildings and Structures,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.2.3 Group E. A manual fire alarm system and automatic fire detection in paths of egress that initiates the occupant notification signal utilizing an emergency voice/alarm communication system meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall be installed in Group E educational occupancies. Group E daycare occupancies shall have a smoke detector in all areas used by children. When *automatic sprinkler systems* or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. Unless separated by a minimum of 100 feet (30 480 mm) of open space, all buildings, whether portable buildings or the main building, will be considered one building for fire alarm occupant load consideration and interconnection of alarm systems.

Exceptions:

1. A manual fire alarm system with automatic fire detection in paths of egress shall not be required in Group E educational and day care occupancies with an occupant load of 30 [50] or less when provided with an *approved automatic sprinkler system*.
2. Emergency voice/alarm communication systems meeting the requirements of Section 907.5.2.2 and installed in accordance with Section 907.6 shall not be required in Group E occupancies with occupant loads of 100 or less, provided activation of the manual fire alarm system initiates an *approved* occupant notification signal in accordance with Section 907.5.
3. ~~[Manual fire alarm boxes and automatic fire detection are not required in Group E occupancies where all the following apply:~~
 - 3.1. ~~Interior corridors are protected by smoke detectors with alarm verification.~~
 - 3.2. ~~Auditoriums, cafeterias, gymnasiums and the like are protected by heat detectors or other *approved* detection devices.~~
 - 3.3. ~~Shops and laboratories involving dusts or vapors are protected by heat detectors or other *approved* detection devices.~~

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4.] Manual fire alarm boxes and fire detection in paths of egress shall not be required in Group E educational occupancies where all of the following apply:

3[4].1. The building is equipped throughout with an *approved automatic sprinkler system* installed in accordance with Section 903.3.1.1.

3[4].2. The emergency voice/alarm communication system will activate on sprinkler water flow.

3[4].3. Manual activation is provided from a normally occupied location.

4. Residential in-home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms (for care of more than five children 2½ or less years of age, see Section 907.2.6).”

167. Paragraph 907.2.3, “Group E,” of Subsection 907.2, “Where Required—New Buildings and Structures,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding a new Subparagraph 907.2.3.1, “Exterior alarm-signaling device,” to read as follows:

“907.2.3.1 Exterior alarm-signaling device. Alarm-signaling device(s) shall be mounted on the exterior of the building in all common use/gathering areas.”

168. Paragraph 907.2.6, “Group I,” of Subsection 907.2, “Where Required – New Buildings and Structures,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding a new Subparagraph 907.2.6.4, “Institutional Group I-4 Day Care Facilities,” to read as follows:

“907.2.6.4 Institutional Group I-4 day care facilities. A manual fire alarm system and automatic fire detection in paths of egress that activates the occupant notification system in accordance with Section 907.5 shall be installed in Group I-4 day care facility occupancies. Group I-4 daycare occupancies shall have smoke detectors in all areas used by children. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.”

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169. Paragraph 907.2.7, “Group M,” of Subsection 907.2, “Where Required—New Buildings and Structures,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.2.7 Group M. A manual fire alarm system and automatic fire detection in paths of egress that activate[s] the occupant notification system in accordance with Section 907.5 shall be installed in Group M occupancies where one of the following conditions exists:

1. The combined Group M *occupant load* of all floors is 500 or more persons.
2. The Group M *occupant load* is more than 100 persons above or below the lowest *level of exit discharge*.

Exceptions:

1. A manual fire alarm system is not required in covered or open mall buildings complying with Section 402 of the *International Building Code*.
2. Manual fire alarm boxes and automatic fire detection in paths of egress are not required where the building is equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 and the occupant notification appliances will automatically activate throughout the notification zones upon sprinkler water flow.”

170. Subparagraph 907.2.7.1, “Occupant Notification,” of Paragraph 907.2.7, “Group M,” of Subsection 907.2, “Where Required—New Buildings and Structures,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.2.7.1 Occupant notification. During times that the building is occupied, the initiation of a signal from a manual fire alarm box, ~~or from~~ a water flow switch, or automatic fire detection system shall not be required to activate the alarm notification appliances when an alarm signal is activated at a constantly attended location from which evacuation instructions shall be initiated over an emergency voice/alarm communication system installed in accordance with Section 907.5.2.2.”

171. Paragraph 907.2.13, “High-Rise Buildings,” of Subsection 907.2, “Where Required—New Buildings and Structures,” of Section 907, “Fire Alarm and Detection Systems,”

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of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.2.13 High-rise buildings. ~~[High-rise]~~ Buildings with a floor used for human occupancy located more than 75 feet (22 860 mm) above the lowest level of fire department vehicle access shall be provided with an automatic smoke detection/fire alarm system in accordance with Section 907.2.13.1, a fire department communication system in accordance with Section 907.2.13.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

Exceptions:

1. Airport traffic control towers in accordance with Section 907.2.22 and Section 412 of the Dallas ~~[International]~~ *Building Code*.
2. Open parking garages in accordance with Section 406.5 of the Dallas ~~[International]~~ *Building Code*.
3. Open air portions of b[B]uildings with an occupancy in Group A-5 in accordance with Section 303.6[4] of the Dallas ~~[International]~~ *Building Code*; however, this exception does not apply to enclosed concourses or accessory uses areas, including but not limited to sky boxes, restaurants and similarly enclosed areas.
4. Low-hazard special occupancies in accordance with Section 503.1.1 of the Dallas ~~[International]~~ *Building Code*.
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415 of the Dallas ~~[International]~~ *Building Code*.
6. In Group I-1 and I-2 occupancies, the alarm shall sound at a constantly attended location and occupant notification shall be broadcast by the emergency voice/alarm communication system.

907.2.13.1 Automatic smoke detection. Automatic smoke detection in high-rise buildings shall be in accordance with Sections 907.2.13.1.1 and 907.2.13.1.2.

907.2.13.1.1 Area smoke detection. Area smoke detectors shall be provided in accordance with this section. Smoke detectors shall be connected to an automatic fire alarm system. The activation of any detector required by this section shall activate the emergency voice/alarm communication system in accordance with Section 907.5.2.2. In addition to smoke detectors required by Sections 907.2.1 through 907.2.10, smoke detectors shall be located as follows:

1. In each mechanical equipment, electrical, transformer, telephone equipment or similar room that is not provided with sprinkler protection.

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2. In each elevator machine room, machinery space, control room and control space and in elevator lobbies.
3. In all interior corridors serving as a means of egress for an occupant load of 10 or more in Group R-1 and R-2 occupancies.

[M] 907.2.13.1.2 Duct smoke detection. Duct smoke detectors complying with Section 907.3.1 shall be located ~~[as follows:]~~

- ~~[1.] In the main return air and exhaust air plenum of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute (cfm) (0.94 m³/s). Such detectors shall be located in a serviceable area downstream of the last duct inlet per NFPA 72. The actuation of any such detector shall shut down the affected air-handling units or operate dampers to prevent the recirculation of smoke. Controls allowing the manual restarting of air-handling equipment during an alarm condition shall be provided.~~
- ~~[2. At each connection to a vertical duct or riser serving two or more stories from a return air duct or plenum of an air-conditioning system. In Group R-1 and R-2 occupancies, a smoke detector is allowed to be used in each Return air riser carrying not more than 5,000 cfm (2.4 m³/s) and serving not more than 10 air inlet openings.]~~

907.2.13.2 Fire department communication system. Where a wired communication system is *approved* in lieu of an emergency responder radio coverage system in accordance with Section 510, the wired fire department communication system shall be designed and installed in accordance with NFPA 72 and shall operate between a *fire command center* complying with Section 508, elevators, elevator lobbies, emergency and standby power rooms, fire pump rooms, areas of refuge and inside interior *exit stairways*. The fire department communication device shall be provided at each floor level within the interior *exit stairway*.”

172. Paragraph 907.4.2, “Manual Fire Alarm Boxes,” of Subsection 907.4, “Initiating Devices,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.4.2 Manual fire alarm boxes. Where a manual fire alarm system is required by another section of this code, it shall be activated by fire alarm boxes installed in accordance with Sections 907.4.2.1 through 907.4.2.6. Manual alarm actuating devices shall be an *approved* double action type.”

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173. Subparagraph 907.4.2.3, “Color,” of Paragraph 907.4.2, “Manual Fire Alarm Boxes,” of Subsection 907.4, “Initiating Devices,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.4.2.3 Color. Manual fire alarm boxes shall be red in color.

Exception: Other colors may be acceptable if red does not provide a contrast with the surrounding background, when approved by the fire code official.”

174. Subparagraph 907.4.2.3, “Color,” of Paragraph 907.4.2, “Manual Fire Alarm Boxes,” of Subsection 907.4, “Initiating Devices,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.4.2.4 Signs. Where *approved* fire alarm systems are not monitored by a supervising station, an *approved* permanent sign shall be installed adjacent to each manual fire alarm box that reads: WHEN ALARM SOUNDS—CALL FIRE DEPARTMENT.

Exception: Where the manufacturer has permanently provided this information on the manual fire alarm box.”

175. Subparagraph 907.4.2.5, “Protective Covers,” of Paragraph 907.4.2, “Manual Fire Alarm Boxes,” of Subsection 907.4, “Initiating Devices,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.4.2.5 Protective covers. The *fire code official* is authorized to require the installation of *listed* manual fire alarm box protective covers to prevent malicious false alarms or to provide the manual fire alarm box with protection from physical damage. The protective cover shall be transparent or red in color with a transparent face to permit visibility of the manual fire alarm box. Each cover shall include proper operating instructions. A protective cover that emits a local alarm signal shall not be installed unless *approved by the fire code official*. Protective covers shall not project more than that permitted by Section 1003.3.3”

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176. Subparagraph 907.5.2.2, “Emergency Voice/Alarm Communication System,” of Paragraph 907.5.2, “Alarm Notification Appliances,” of Subsection 907.5, “Occupant Notification Systems,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

907.5.2.2 Emergency voice/alarm communication system. Emergency voice/alarm communication systems required by this code shall be designed and installed in accordance with NFPA 72. The operation of any automatic fire detector, sprinkler waterflow device or manual fire alarm box shall automatically sound an alert tone followed by voice instructions giving *approved* information and directions for a general or staged evacuation in accordance with the building’s fire safety and evacuation plans required by Section 404. In high-rise buildings, the system shall operate on at least the alarming floor, the floor above and the floor below, and identify on an annunciator the zone or address from which the alarm signal originated. Speakers shall be provided throughout the building by paging zones. At a minimum, paging zones shall be provided as follows:

1. Elevator groups.
2. *Interior exit stairways.*
3. Each floor.
4. *Areas of refuge* as defined in Chapter 2.

Exception: In Group I-1 and I-2 occupancies, the alarm shall sound in a constantly attended area and a general occupant notification shall be broadcast over the overhead page.

177. Subparagraph 907.5.2.3, “Visible Alarms,” of Paragraph 907.5.2, “Alarm Notification Appliances,” of Subsection 907.5, “Occupant Notification Systems,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire protection systems,” of the 2015 International Fire Code is amended to read as follows:

“907.5.2.3 Visible alarms. Visible alarm notification appliances shall be provided in accordance with Sections 907.5.2.3.1 through 907.5.2.3.3. Visual alarm notification appliances shall be provided where an existing fire alarm system is upgraded, altered or a new fire alarm system is installed.

Exceptions:

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1. Visible alarm notification appliances are not required in storage areas of Group S occupancies (excluding parking garages and aircraft hangers used only for storage purposes [alterations, except where an existing fire alarm system is upgraded or replaced, or a new fire alarm system is installed].
2. Visible alarm notification appliances shall not be required in *exits* as defined in Chapter 2.
3. Visible alarm notification appliances shall not be required in elevator cars.
4. Visual alarm notification appliances are not required in critical care areas of Group I-2 Condition 2 occupancies that are in compliance with Section 907.2.6, Exception 2.”

178. Subparagraph 907.5.2.3, “Visible Alarms,” of Paragraph 907.5.2, “Alarm Notification Appliances,” of Subsection 907.5, “Occupant Notification Systems” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire protection systems,” of the 2015 International Fire Code is amended by adding a new Item 907.5.2.3.4, “Notification alarm continuation,” to read as follows:

“907.5.2.3.4 Notification alarm continuation. Fire alarm systems shall be programmed non-silenceable for all extinguishing and suppression systems. Visible notification appliances shall continue to operate until the fire alarm system has been cleared and reset.”

179. Paragraph 907.6.1, “Wiring,” of Subsection 907.6 “Installation and Monitoring,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding new Paragraphs 907.6.1.1 “Installation”, 907.6.1.2 “Support” , 907.6.1.3 “Identification” and 907.6.1.4 “Inspection” to read as follows:

“907.6.1 Wiring. Wiring shall comply with the requirements of NFPA 70 and NFPA 72. Wireless protection systems utilizing radio-frequency transmitting devices shall comply with the special requirements for supervision of low-power wireless systems in NFPA 72.

907.6.1.1 Installation. All fire alarm systems shall be installed in such a manner that the failure of any single alarm initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All initiating circuit conductors shall be Class “A” or Class “X” wired with a minimum of six

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foot horizontal and vertical separation between supply and return circuit conductors. All fire alarm systems shall be wired as follows: IDC – Class A or Class “X” style – D; SLC – Class A or Class “X” style 6; NAC – Class B.

Exception: The IDC from an addressable device used to monitor the status of a suppression system and duct detectors may be wired Class B, Style B provided the addressable device is located within 10 feet of the suppression system device.

907.6.1.2 Support. Fire alarm system wiring and cables shall be independently supported using guide wires and anchors that are attached to the building structure.

Exception: Independent support wires may be attached to the ceiling grid for stabilization only.

907.6.1.3 Identification. All fire alarm system guide wires shall be painted red or labeled “Fire Alarm Only”. All fire alarm wiring junction boxes shall be labeled “Fire Alarm Use”. All fire alarm circuits shall be identified at terminal and junction boxes.

907.6.1.4 Inspection. All fire alarm system wiring installations shall be inspected by the fire code official for compliance with the requirements of this code, NFPA 70 and NFPA 72.

907.6.1.5 Surge Protection. In addition to any built-in surge protection of the fire alarm panel, each fire alarm panel and power supply panel shall have an added surge protector installed. The secondary surge protection device must be installed in a manner that it is isolated a minimum of two (2) feet from the panel as measured along the route of electrical travel. If data lines run between separate buildings, data line surge/spike protection is required on each data line where the line enters and/or exits each building.”

180. Paragraph 907.6.3, “Initiating Device Identification,” of Subsection 907.6, “Installation and Monitoring,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.6.3 Initiating device identification. All [The] fire alarm systems, new or replacement, shall identify the specific initiating device address, location, device type, floor level where applicable and status including indication of normal, alarm, trouble and supervisory status, as appropriate. Alarms shall not be permitted to be transmitted as a general alarm or zone condition.

Exceptions:

1. Fire alarm systems in single-story buildings less than 22,500 square feet (2090 m²) in area where the building is equipped throughout with an automatic sprinkler system install in accordance with Section 903.3.3.1.1.

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2. Fire alarm systems that only include [~~manual fire alarm boxes, waterflow initiating devices, and~~] not more than 10 additional alarm initiating devices.
- ~~3. Special initiating devices that do not support individual device identification.~~
4. ~~Fire alarm systems or devices that are replacing existing equipment.]”~~

181. Paragraph 907.6.6, “Monitoring,” of Subsection 907.6, “Installation and Monitoring,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.6.6 Monitoring. Fire alarm systems required by this chapter, other chapters of this code, or by the *International Building Code* shall transmit device identification in accordance with Section 907.6.3 to an [be monitored by an] *approved* central station, remote supervising station or proprietary supervising station as defined in [accordance with] NFPA 72, or a local alarm which gives audible and visual signals at a constantly attended location. A constantly attended location is defined as being occupied by 2 or more persons whose responsibility it is to monitor the fire alarm system.

Exception: Monitoring by a supervising station is not required for:

1. Single- and multiple-station smoke alarms required by Section 907.2.11.
2. Smoke detectors in Group I-3 occupancies.
3. *Automatic sprinkler systems* in one- and two-family dwellings.

907.6.6.1 Automatic telephone-dialing devices. Automatic telephone-dialing devices used to transmit an emergency alarm shall not be connected to any fire department telephone number unless *approved* by the fire chief.

907.6.6.2 Termination of monitoring service. Termination of fire alarm monitoring services shall be in accordance with Section 901.9.

907.6.6.3 Communication requirements. All alarm systems, new or replacement, shall transmit alarm, supervisory and trouble signals descriptively to the approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72, with the correct device designation and location of addressable device identification. Alarms shall not be permitted to be transmitted as a General Alarm or Zone condition.”

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182. Subsection 907.7, “Acceptance Tests and Completion,” of Section 907, “Fire Alarm and Detection Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“907.7 Acceptance tests and completion. Upon completion of the installation, the fire alarm system and all fire alarm components shall be tested and approved in accordance with NFPA 72 and Section 901.5.”

183. Section 909, “Smoke Control Systems,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding a new Paragraph 909.22, “Stairway or Ramp Pressurization Alternative,” to read as follows:

“909.22 Stairway or ramp pressurization alternative. Where the building is equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 and the stair pressurization alternative is chosen for compliance with Building Code requirements for a smokeproof enclosure, interior exit stairways or ramps shall be pressurized to a minimum of 0.10 inches of water (25 Pa) and a maximum of 0.35 inches of water (87 Pa) in the shaft relative to the building measured with all interior exit stairway and ramp doors closed under maximum anticipated conditions of stack effect and wind effect. Such systems shall comply with Section 909, including the installation of a separate fire-fighter’s smoke control panel as per Section 909.16, and a Smoke Control Permit shall be required from the fire department as per Section 105.7.

[F] 909.22.1 Ventilating equipment. The activation of ventilating equipment for the stair or ramp pressurization system shall be by smoke detectors installed at each floor level at an approved location at the entrance to the smokeproof enclosure. When the closing device for the stairway or ramp shaft and vestibule doors is activated by smoke detection or power failure, the mechanical equipment shall activate and operate at the required performance levels. Smoke detectors shall be installed in accordance with Section 907.3.

909.22.1.1 Ventilation Systems. Smokeproof enclosure ventilation systems shall be independent of other building ventilation systems. The equipment, control wiring, power wiring and ductwork shall comply with one of the following:

1. Equipment, control wiring, power wiring and ductwork shall be located exterior to the building and directly connected to the smokeproof enclosure or connected to the smokeproof enclosure by ductwork enclosed by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

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2. Equipment, control wiring, power wiring and ductwork shall be located within the smokeproof enclosure with intake or exhaust directly from and to the outside or through ductwork enclosed by not less than 2-hour barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both. 3.
3. Equipment, control wiring, power wiring and ductwork shall be located within the building if separated from the remainder of the building, including other mechanical equipment, by not less than 2-hour fire barriers constructed in accordance with Section 707 of the Building Code or horizontal assemblies constructed in accordance with Section 711 of the Building Code, or both.

Exceptions:

1. Control wiring and power wiring utilizing a 2-hour rated cable or cable system.
2. Where encased with not less than 2 inches (51 mm) of concrete.
3. Control wiring and power wiring protected by a listed electrical circuit protective systems with a fire-resistance rating of not less than 2 hours.

909.21.1.2 Standby Power. Mechanical vestibule and stairway and ramp shaft ventilation systems and automatic fire detection systems shall be provided with standby power in accordance with Section 2702 of the Building Code.

909.22.1.3 Acceptance and Testing. Before the mechanical equipment is approved, the system shall be tested in the presence of the fire code official to confirm that the system is operating in compliance with these requirements.”

184. Subsection 910.2, “Where Required,” of Section 910, “Smoke and Heat Removal,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“**910.2 Where required.** Smoke and heat vents or a mechanical smoke removal system shall be installed as required by Sections 910.2.1 through [~~and~~] 910.2.3[2].

Exceptions:

1. Frozen food warehouses used solely for storage of Class I and II commodities where protected by an approved automatic sprinkler system.

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2. Only manual s[S]moke and heat removal shall [not] be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
3. Only manual s[S]moke and heat removal shall [not] be required in areas of buildings equipped with control mode special application sprinklers with a response time index of $50(m*S)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

910.2.1 Group F-1 or S-1. Smoke and heat vents installed in accordance with Section 910.3 or a mechanical smoke removal system installed in accordance with Section 910.4 shall be installed in buildings and portions thereof used as a Group F-1 or S-1 occupancy having more than 50,000 square feet (4645 m²) of undivided area. In occupied portions of a building equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, where the upper surface of the story is not a roof assembly, a mechanical smoke removal system in accordance with Section 910.4 shall be installed.

Exception: Group S-1 aircraft repair hangars.

910.2.2 High-piled combustible storage. Smoke and heat removal required by Table 3206.2 for buildings and portions thereof containing high-piled combustible storage shall be installed in accordance with Section 910.3 in unsprinklered buildings. In buildings and portions thereof containing high-piled combustible storage equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1, a smoke and heat removal system shall be installed in accordance with Section 910.3 or 910.4. In occupied portions of a building equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 where the upper surface of the story is not a roof assembly, a mechanical smoke removal system in accordance with Section 910.4 shall be installed.

910.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m²) in single floor area.

Exception: Buildings of noncombustible construction containing only noncombustible materials.

2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Exception: Buildings of noncombustible construction containing only noncombustible materials.”

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185. Subsection 910.3, “Smoke and Heat Vents,” of Section 910 “Smoke and Heat Removal” of Chapter 9, “Fire Protection Systems” of the 2015 International Fire Code is amended by adding a new Paragraph 910.3.4, “Vent Operation,” to read as follows:

“910.3.4 Vent operation. Smoke and heat vents shall be capable of being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.2.1 through 910.3.2.3.

910.3.4.1 Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically. The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

Exception: Manual only systems per Section 910.2.

910.3.4.2 Nonsprinklered buildings. Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100°F (56°C) and 220°F (122°C) above ambient.

Exception: Listed gravity-operated drop out vents.”

186. Subparagraph 910.4.3.1, “Makeup Air,” of Paragraph 910.4.3, “System Design Criteria,” of Subsection 910.4, “Mechanical Smoke Removal Systems,” of Section 910, “Smoke and Heat Removal,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“910.4.3.1 Makeup Air. Makeup air openings shall be provided within 6 feet (1829 mm) of the floor level. Operation of makeup air openings shall be [~~manual or~~] automatic. The minimum gross area of makeup air inlets shall be 8 square feet per 1,000 cubic feet per minute (0.74 m² per 0.4719 m³/s) of smoke exhaust.”

187. Paragraph 910.4.4, “Activation,” of Subsection 910.4, “Mechanical Smoke Removal Systems,” of Section 910, “Smoke and Heat Removal,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

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“910.4.4 Activation. The mechanical smoke removal system shall be activated automatically by the automatic sprinkler system or by an approved fire detection system [~~by manual controls only~~]. Individual manual controls shall also be provided.

Exception: Manual only systems per Section 910.2.”

188. Subsection 912.2, “Location,” of Section 912, “Fire Department Connections,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. Fire apparatus access roads shall be required within 50 feet (15,240 mm) of any fire department hose connections. A [~~The location of~~] fire department hose connection[s] shall be located within 400 feet (122 m) of a fire hydrant and approved by the fire chief.

912.2.1 Visible location. Fire department connections shall be located on the street side of buildings, fully visible and recognizable from the street or nearest point of fire department vehicle access or as otherwise *approved* by the *fire code official* [~~chief~~].

912.2.2 Existing buildings. On existing buildings, wherever the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an *approved* sign mounted on the street front or on the side of the building. Such sign shall have the letters ‘FDC’ not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. All such signs shall be subject to the approval of the *fire code official*.

912.2.3 Remote and free-standing fire department connections. Free-standing fire department connections shall be internally and externally galvanized, permanently marked with the address being served, or portion thereof, and provided with approved locking caps/covers. Means to service the drain/check valve shall be provided.”

189. Subsection 913.1, “General,” of Section 913, “Fire Pumps,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“913.1 General. Where provided, fire pumps shall be installed in accordance with this section, the Dallas Building Code, and NFPA 20. When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 feet in width and 6 feet, 8 inches in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.

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Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the fire code official. Access keys shall be provided in the key box as required by Section 506.1.”

190. Subsection 913.4, “Valve Supervision,” of Section 913, “Fire Pumps,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

“913.4 Valve supervision. Where provided, the fire pump suction, discharge and bypass valves, and isolation valves on the backflow prevention device or assembly shall be supervised open by one of the following methods.

1. Central-station, proprietary, or remote-station signaling service.
2. Local signaling service that will cause the sounding of an audible signal at a constantly attended location.
3. Locking valves open, when approved by the fire code official.
4. Sealing of valves and *approved* weekly recorded inspection where valves are located within fenced enclosures under the control of the *owner*, when approved by the fire code official.”

191. Section 913, “Fire Pumps,” of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended by adding a new Subsection 913.6, “Pump Supervision,” to read as follows:

“913.6 Pump supervision. Where the pump room is not constantly attended, the fire pump shall transmit a supervisory signal to indicate loss of power, phase reversal and pump running conditions in accordance with NFPA 20.”

192. Subparagraph 914.3.1.2, “Water Supply to Required Fire Pumps”, of Paragraph 914.3.1, “Automatic Sprinkler System,” of Subsection 914.3, “High-rise Buildings”, of Section 914, “Fire Protection Based on Special Detailed Requirements of Use and Occupancy”, of Chapter 9, “Fire Protection Systems,” of the 2015 International Fire Code is amended to read as follows:

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914.3.1.2 Water Supply to required fire pumps. In buildings that are more than 120 [420] feet (128 m) in *building height*, required fire pumps shall be supplied by connections to no fewer than two water mains located in different streets. Separate supply piping shall be provided between each connection to the water main and the pumps. Each connection and the supply piping between the connection and the pumps shall be sized to supply the flow and pressure required for the pumps to operate.

Exception: Two connections to the same main shall be permitted provided the main is valved such that an interruption can be isolated so that the water supply will continue without interruption through no fewer than one of the connections. The valves shall be placed a distance apart not less than one half of the length of the diagonal dimension of the lot or area to be served, measured in a straight line between the connections.

193. Paragraph 1004.1.2, “Areas Without Fixed Seating,” of Subsection 1004.1, “Design Occupant Load,” of Section 1004, “Occupant Load,” of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is amended to read as follows:

“[B] 1004.1.2 Areas without fixed seating. The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.1.2. For areas without fixed seating, the *occupant load* shall not be less than that number determined by dividing the floor area under consideration by the *occupant load* factor assigned to the function of the space as set forth in Table 1004.1.2. Where an intended function is not listed in Table 1004.1.2, the *building [fire] code official* shall establish a function based on a listed function that most nearly resembles the intended function.

~~**[Exception:** Where *approved by the fire code official*, the actual number of occupants for whom each occupied space, floor or building is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design *occupant load*.]~~

194. Subsection 1004.5, “Outdoor Areas,” of Section 1004, “Occupant Load,” of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is amended to read as follows:

“[B] 1004.5 Outdoor areas. Yards, patios, courts and similar outdoor areas accessible to and usable by the building occupants shall be provided with *means of egress* as required by this chapter. The *occupant load* of such outdoor areas shall be assigned by the *building [fire] code official* in accordance with the anticipated use. Where outdoor areas are to be used by persons in addition to the occupants of the building, and the path of egress travel from the outdoor areas passes through the building, *means of egress* requirements for the building shall be based on the sum of the *occupant loads* of the building plus the outdoor areas.

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Exceptions:

1. Outdoor areas used exclusively for service of the building need only have one *means of egress*.
2. The occupant load of the outdoor area need not be added to the building's total occupant load if: [~~Both outdoor areas associated with Group R-3 and individual dwelling units of Group R-2.~~]
 - 2.1 The outdoor areas are located at grade and associated with Group R-3 and individual dwelling units of Group R-2. Means of egress must be provided from the outdoor area in accordance with this chapter.
 - 2.2 The outdoor areas are not located at grade and associated with Group R-3 and individual dwelling units of Group R-2 and the outdoor area occupies not more than 10 percent of the area of the dwelling unit of a nonsprinklered building or not less than 20 percent of the area of the dwelling unit of a building provided throughout with an approved automatic sprinkler system. Means of egress must be provided from the outdoor area in accordance with this chapter.

195. Subparagraph 1006.2.2.4, "Day Care Means of Egress," of Paragraph 1006.2.2, "Egress Based on Use, of Subsection 1006.2, "Egress from Spaces," of Section 1006, "Number of Exits and Exit Access Doorways", of Chapter 10, "Means of Egress", of the 2015 International Fire Code is amended to read as follows:

“1006.2.2.4 Day care means of egress. Day care facilities, rooms or spaces where care is provided for more than 10 children that are 2 ½ years of age or less, shall have access to not less than two exits or exit access doorways. Rooms normally occupied by preschool, kindergarten, or first grade students shall be located on a level of exit discharge.”

196. Subsection 1007.1.1, "Two Exits or Exit Access Doorways", of Subsection 1007.1 "General," of Section 1007, "Exit or Exit Access Doorway Configuration," of Chapter 10, "Means of Egress," of the 2015 International Fire Code is amended to read as follows:

“[B] 1007.1.1 Two exits or exit access doorways. Where two *exits, exit access doorways, exit access stairways or ramps, or any combination thereof,* are required from any portion of the *exit* access, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between them. Interlocking or scissor stairways shall be counted as one *exit* stairway.

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Exceptions:

1. Where interior *exit stairways* or ramps are interconnected by a 1-hour fire-resistance-rated *corridor* conforming to the requirements of Section 1020, the required *exit* separation shall be measured along the shortest direct line of travel within the *corridor*.
2. Where a building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2, the separation distance of shall not be less than one-fourth [~~third~~] of the length of the maximum overall diagonal dimension of the area served.
3. Interlocking stairs are permitted to be counted as two exits if all of the following conditions are met:
 - 3.1. The building is not a high-rise as defined in Section 202;
 - 3.2. The distance between *exit* doors complies with Section 1007.1;
 - 3.3. The building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2;
 - 3.4. Each stairway is separated from each other and from the remainder of the building by construction having a fire-resistance rating of not less than 2 hours with no openings or penetrations between the stairways other than hose for standpipes and *automatic sprinkler systems*. The separation between the stairways is permitted to be constructed as a single wall; and
 - 3.5. Each *exit* meets all of the requirements in Section 1023, except as otherwise noted in the exception.”

197. Subsection 1009.1, “Accessible Means of Egress Required,” of Section 1009, “Accessible Means of Egress,” of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is amended to read as follows:

“**[B] 1009.1 Accessible means of egress required.** *Accessible means of egress* shall comply with this section. *Accessible* spaces shall be provided with not less than one *accessible means of egress*. Where more than one *means of egress* is required by Section 1006.2 or 1006.3 from any *accessible* space, each *accessible* portion of the space shall be served by not less than two *accessible means of egress*.”

Exceptions:

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1. *Accessible means of egress* are not required to be provided in existing buildings.
2. One *accessible means of egress* is required from an *accessible mezzanine* level in accordance with Section 1009.3, 1009.4 or 1009.5.
3. In assembly areas with ramped aisles or stepped *aisles*, one *accessible means of egress* is permitted where the common path of egress travel is *accessible* and meets the requirements in Section 1029.8.
4. Accessible means of egress may satisfy this section if designed in accordance with Article 9102, "Architectural Barriers," of Vernon's Texas Civil Statutes and the "Texas Accessibility Standards of the Architectural Barriers Act," adopted by the Texas Commission of Licensing and Regulation and built in accordance with state certified plans, including any variances or waivers granted by the state.

198. Subsection 1010.1, "Doors," of Section 1010, "Doors, Gates and Turnstiles," of Chapter 10, "Means of Egress," of the 2015 International Fire Code is amended to read as follows:

"1010.1 Doors. *Means of egress* doors shall meet the requirements of the section. Doors serving a *means of egress* system shall meet the requirements of this section and Section 1022.2. Doors provided for egress purposes in numbers greater than required by this code shall meet the requirements of this section.

Means of egress doors shall be readily distinguishable from the adjacent construction and finishes such that the doors are easily recognizable as doors. Mirrors or similar reflecting materials shall not be used on *means of egress* doors. *Means of egress* doors shall not be concealed by curtains, drapes, decorations or similar materials.

Security and electronic locking devices affecting *means of egress* shall be subject to approval by the building official and subject to inspections by the *fire code official*.

199. Subparagraph 1010.1.9.4, "Bolt Locks," of Paragraph 1010.1.9, "Door Operations," of Subsection 1010.1, "Doors," of Section 1010, "Doors, Gates and Turnstiles," of Chapter 10, "Means of Egress," of the 2015 International Fire Code is amended to read as follows:

"[B] 1010.1.9.4 Bolt locks. Manually operated flush bolts or surface bolts are not permitted.

Exceptions:

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1. On doors not required for egress in individual dwelling units or sleeping units.
2. Where a pair of doors serves a storage or equipment room, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf.
3. Where a pair of doors serves an *occupant load* of less than 50 persons in a Group B, F, M or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf. The inactive leaf shall not contain doorknobs, panic bars or similar operating hardware.
4. Where a pair of doors serves a Group A, B, F, M or S occupancy, manually operated edge- or surface-mounted bolts are permitted on the inactive leaf provided such inactive leaf is not needed to meet egress capacity requirements and the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1. The inactive leaf shall not contain doorknobs, panic bars or similar operating hardware.
5. Where a pair of doors serves patient care rooms in Group I-2 occupancies, self-latching edge- or surface-mounted bolts are permitted on the inactive leaf provided that the inactive leaf is not needed to meet egress capacity requirements and the inactive leaf shall not contain doorknobs, panic bars or similar operating hardware.”

200. Subparagraph 1010.1.9.9, “Electromagnetically Locked Egress Doors,” of Paragraph 1010.1.9, “Door Operations,” of Subsection 1010.1, “Doors,” of Section 1010, “Doors, Gates and Turnstiles,” of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is amended to read as follows:

“1010.1.9.9 Electromagnetically Locked Egress Doors/Electronic Locking Devices. Doors in the means of egress in buildings in all occupancies [~~with an occupancy in Group A, B, E, I-1, I-2, I-4, M, R-1 or R-2~~] and doors to tenant spaces in all occupancies [~~Group A, B, E, I-1, I-2, I-4, M, R-1 or R-2~~] shall be permitted to be locked with an electromagnetic locking system where equipped with hardware that incorporates a built in switch, the building is protected throughout by an automatic sprinkler system or by a fire alarm system or smoke detection system or with UL 268 smoke detectors installed on each interior side of all doors provided with electronic locks, and [~~where~~] installed and operated in accordance with all of the following:

1. The hardware that is affixed to the door leaf has an obvious method of operation that is readily operated under all lighting conditions.
2. The hardware is capable of being operated with one hand.

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3. Operation of the hardware directly interrupts the power to the electromagnetic lock and unlocks the door immediately.
4. Loss of power to the locking system automatically unlocks the door.
5. Where panic or fire exit hardware is required by Section 1010.1.10, operation of the panic or fire exit hardware also releases the electromagnetic lock.
6. The locking system units shall be listed in accordance with UL 294.

Exception: Electronic strikes or electronic mortise locks that do not impede egress are not subject to these requirements.

1010.1.9.9.1 Ability to exit. Regardless of the location of the device or the level of security desired, the ability to *exit* at the option of the individual, not the controlling authority, shall always be provided.

Exceptions:

1. Locations for occupants needing self-protection because of reduced mental capacities such as mental hospitals of Alzheimer care as further specified in Section 1010.1.9.9.4.
2. Locations where national security interest are present with approval of the building official.
3. Modified arrangements may be made for hospital nursery wards with approval of the building official.

(Note: For interior locations such as elevator lobbies, access includes passage into and through the tenant space being secured to provide access to the stairway. If access through the secured area is not desired, another exiting method such as providing a public *corridor* to the stairway should be utilized.)

1010.1.9.9.2 General. Electronic locking devices installed in such a manner that the method of unrestricted exiting relies upon electricity or electronics instead of mechanical means shall comply with the provisions as set forth herein. General guidelines for such installation shall be as follows:

1. Entrance doors in buildings with an occupancy in Group A, B, E or M shall not be secured from the egress side during periods that the building is open to the general public.
2. Access to *exits*, even in non-fire situations, shall be available to all

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individuals, even those individuals that are considered as unauthorized. Manually activated release mechanisms shall be made available. For specific provisions and exceptions, see Section 1010.1.9.9.4.

3. For emergency situations, buildings shall be provided with an automatic release mechanism as specified in Section 1010.1.9.9.5.
4. Once released, the door shall swing freely as a push/pull door. For specific provisions and exceptions, see Section 1010.1.9.9.6.
5. Request to exit buttons, break glass boxes and emergency pull boxes, with their required signs, shall be installed in accordance with Sections 1010.1.9.9.4 and 1010.1.9.9.7.
6. All devices used in a fire rated/fire door situation shall be *approved* for such use.

1008.1.9.9.3 Permits and inspections. A separate permit is required to install electronic security devices. Permits will be issued as SE permits and the fee will be based on the value of work. Delayed egress locks meeting the criteria set forth in Section 1010.1.9.7 will not require separate permits. Electronic security devices must be *approved* by the building official and must be functionally tested by the *fire code official*.

1010.1.9.9.4 Access to exits/manual release mechanisms. Passage through the secured door shall be provided.

(Note: Under usual circumstances, passage by individuals on the inside, going to the outside, is made available. Controls are usually installed to prevent unauthorized entry. Examples of such installations are the lobby entrance doors where exiting is by pushing the exit button.)

Normal passage shall be provided with the use of an *approved* button installed in accordance with Section 1010.1.9.9.7.

Other acceptable normal release methods may include options as follows:

1. Pushing on or making contact with an *approved* electronic release bar. Such bars shall be installed such that they will fail in the released position should the electrical connection with the bar be lost.
2. Use of an *approved* motion detector. Upon detection of an approach, the device will unlatch. When using a motion detector, a release button in accordance with Section 1010.1.9.9.7 is still required to be installed in case of failure or inaccurate detection of the motion device.

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When access to the *exits* requires passage through the device, manual release mechanisms shall be made available.

(Note: Examples of installations that must provide a manual override method are as follows:

1. Elevator lobbies on full floor tenants. Access to the *exit* stairs is controlled and the *exit* path is through the device and tenant space. A manual override system must be installed to permit access to the stairs.
2. Warehouses/factories where employees are required to enter and *exit* through one point. Use of other building *exits* is undesired and controlled. A manual override system must still be installed at the controlled *exits*.
3. Secured systems where employee ingress/egress is monitored at all secured doors. A manual override system must still be installed at each door.
4. Occupancies like jewelry stores where the desire is to buzz entry and *exit*. Buzzing entry is acceptable. Buzzing *exit* may be used but a manual override system must still be installed at the door.)

When passage of individuals is undesired, unless other *approved exits* are available, access at the option of the individual shall be provided. Acceptable release methods may include options as follows:

1. An emergency pull box or a break glass emergency box may be located adjacent to the door to activate the release in an emergency. Choice of box shall be *approved* by the fire chief so as not to be confused with any other alarm boxes. An *approved* sign shall be adjacent to the box with the appropriate message such as 'Pull to Open Door' or 'Break Glass to Open Door.'
2. When *approved* by the building official, a release button will not be required for buildings provided with an *approved automatic sprinkler system* throughout with monitored twenty-four-hour security personnel on site, if a means for two-way communication with security such as intercom or telephone is provided in an *approved* location. Controls shall be provided at the security station for unlatching the electronic device. The two-way communication system shall be wired through a supervised circuit as defined in the *Dallas Fire Code*.
3. In I occupancies provided with an *approved automatic sprinkler system* throughout, the release button will not be required provided a control for releasing the device is provided at a nurse station and a deactivation method, e.g. a keyed control, a control pad, or card reader, is provided at the door and staff is supplied with the appropriate tool or knowledge to operate the release

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mechanism.

1010.1.9.9.5 Automatic release mechanisms. Electronic locking devices shall automatic releasing that complies with the following:

1. Automatically release upon activation of the smoke detection or fire alarm system, if provided. The control devices shall remain unlocked until the system has been reset.
2. When the area of concern has a sprinkler system, automatically release upon activation of a water flow alarm or trouble signal. The control devices shall remain unlocked until the system is reset.
3. Automatically release upon loss of electrical power to the building, electronic device, or the fire alarm system. Locking mechanisms shall not be provided with emergency backup power such as generators or batteries.
4. Automatically release upon activation of a manual release mechanism as specified in Section 1010.1.9.9.4 and as further specified in Section 1010.1.9.9.7.

Manual resetting of the devices is not required. Automatically resetting of the devices may be done by zones.

1010.1.9.9.5.1 Zone control. Deactivation of devices may be zone controlled as follows:

1. All devices on the same floor as the source of activation in fully sprinklered buildings.
2. All devices on the same floor as the source of activation of the smoke detection system plus one floor below and all floors above in unsprinklered buildings.

(Note: When security is still desired after the automatic release of the system, or when positive latching is necessary for fire door installation, it is still possible to maintain security provided the appropriate combination of devices is installed. As an example, use of panic hardware or doorknobs that provide mechanical *exiting* at all times, but do not function from the exterior unless electronically activated, will still provide a secured door. It will provide the required manual *exiting* but entry by card or code is not available until the system resets.

No such provision can be used when passage through the device is necessary for access to the *exit*. As an example, when the elevator lobby is secured from the *exit* stairs by a full floor tenant, upon automatic activation those devices shall release and access be provided through the tenant space to the stairs. A manual

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locking system cannot be installed to insure security.)

1010.1.9.9.6 Door swing freely/single exit motion. Doors shall swing freely when the device is released.

(Note: It is required that the *exit* motion require only one activity. With normal doors one activity is pushing the mechanical panic bar or turning the mechanical doorknob. With an electronic device, one motion is pushing the button; therefore, pushing the button and pushing a panic bar or turning a doorknob would be two activities. An acceptable alternative is to use a motion detector (push button is still required). The motion detector will release the device upon approach and turning the doorknob is now just one activity. The push button is only necessary should the motion device fail. Another option is to use an electronic panic bar. One motion, pushing the bar, is for *exiting* but entry is controlled. Or, use of an electronic doorknob where *exiting* is always mechanical but the entry side does not engage without electronic activation.)

Exception: When doors are required to have positive latching, the building official and fire chief shall determine:

1. If a double motion to *exit*, i.e. the release of the electronic device then the operation of a door knob or push bar, is an acceptable *exit* means;
2. If the latch should be designed to fail in the secure position; or
3. Whether to deny the usage of the locks.

1010.1.9.9.7 Request to exit buttons/break glass boxes/emergency pull boxes. Exit buttons, break glass boxes and emergency pull boxes shall be installed as follows:

1. **Button:** The release button shall be red in color and at least a 2-inch (50.8 mm) Mushroom switch or 2-inch (50.8 mm) Square Lexan Palm button.
2. **Location:** The button, break glass box or emergency pull box shall be located 40 inches (1016 mm) to 48 inches (1219 mm) vertically above the floor and within 5 feet (1524 mm) of the secured doors. Ready access shall be provided to the manual unlocking device.
3. **Sign:** An *approved* sign shall be adjacent to the button, break glass box or emergency pull box with the words 'Push to *Exit*' or 'Pull to *Exit*' as applicable. Sign lettering shall be white on a red background and at least 1 inch (25 mm) in height and shall have a stroke of not less than $\frac{1}{8}$ inch (3.2 mm).
4. **Activation:** When operated, the manual unlocking device shall result in direct interruption of power to the device, independent of the access control

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system electronics, and the device shall remain unlocked for a minimum of 30 seconds. It shall not be required that the release mechanism be constantly held, such as holding down the button, to get out.

(Note: When buzzing someone out, holding down the button is acceptable; however, the manual release device installed at the door, even those required in the occupancy using buzzing, shall not require constant holding down to exit.)

5. **Time delay:** Exit devices in accordance with this section shall not possess a time delay option.

201. Subparagraph 1010.1.9.11, “Stairway Doors,” of Paragraph 1010.1.9, “Door Operations,” of Subsection 1010.1, “Doors,” of Section 1010, “Doors, Gates and Turnstiles,” of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is amended to read as follows:

“1010.1.9.11 Stairway doors. Interior stairway means of egress doors shall be openable from both sides without the use of a key or special knowledge or effort.

Exceptions:

1. Stairway discharge doors shall be openable from the egress side and shall only be locked from the opposite side.
2. This section shall not apply to doors arranged in accordance with Section 403.5.3 of the *Dallas [International] Building Code*.
3. In stairways serving buildings other than a high-rise building [~~not more than four stories~~], doors are permitted to be locked from the side opposite the egress side, provided they are openable from the egress side and capable of being unlocked simultaneously without unlatching upon a signal from the fire command center, if present, or a signal by emergency personnel from a single location inside the main entrance to the building.
4. *Stairway* exit doors shall be openable from the egress side and shall only be locked from the opposite side in Group B, F, M and S occupancies where the only interior access to the tenant space is from a single *exit stairway* where permitted in Section 1006.3.2.
5. *Stairway* exit doors shall be openable from the egress side and shall only be locked from the opposite side in Group R-2 occupancies where the only

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interior access to the *dwelling unit* is from a single *exit stairway* where permitted in Section 1006.3.2.”

202. Subsection 1011.9, “Curved Stairways,” of Section 1011, “Stairways,” of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is amended to read as follows:

“**1011.9 Curved stairways.** Curved stairways with winder treads shall have treads and risers in accordance with Section 1011.5 and the smallest radius shall be not less than twice the minimum width or required capacity of the stairway.

Exceptions:

1. The radius restriction shall not apply to curved stairways in Group R-3, and within individual *dwelling units* in Group R-2.
2. Private circular stairways may be used as convenience stairways, provided the width of the stairway shall not be less than 44 inches (1711.6 mm) with the interior radius not less than 44 inches (1711.6 mm). In all cases, the stairway shall comply with the structural provisions and Chapter 6 of the *Dallas Building Code*.”

203. Subsection 1016.2, “Egress through Intervening Spaces,” of Section 1016, “Exit Access,” of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is amended to read as follows:

“**1016.2 Egress through intervening spaces.** Egress through intervening spaces shall comply with this section.

1. Exit access through an enclosed elevator lobby is permitted. Access to not less than one of the required *exits* shall be provided without travel through the enclosed elevator lobbies required by Section 3006.2, 3007 or 3008 of the Dallas [International] Building Code. Where the path of exit access travel passes through an enclosed elevator lobby the level of protection required for the enclosed elevator lobby is not required to be extended to the *exit* unless direct access to an *exit* is required by other sections of this code.
2. Egress from a room or space shall not pass through adjoining or intervening rooms or areas, except where such adjoining rooms or areas and the area served are accessory to one or the other; are not a Group H occupancy and provide a discernible path of egress travel to an *exit*.

Exception: *Means of egress* are not prohibited through adjoining or intervening rooms or spaces in a Group H, S or F occupancy where the adjoining or intervening rooms or spaces are the same or a lesser hazard occupancy group.

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3. An *exit access* shall not pass through a room that can be locked to prevent egress.
4. *Means of egress* from *dwelling units* or sleeping areas shall not lead through other sleeping areas, toilet rooms or bathrooms.
5. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes.

Exceptions:

1. *Means of egress* are not prohibited through a kitchen area serving adjoining rooms constituting part of the same *dwelling unit* or sleeping unit.
2. *Means of egress* are not prohibited through stockrooms in Group M occupancies when all of the following are met:
 - 2.1 The stock is of the same hazard classification as that found in the main retail area.
 - 2.2 Not more than 50 percent of the *exit* access is through the stockroom.
 - 2.3 The stockroom is not subject to locking from the egress side.
 - 2.4 There is a demarcated, minimum 44-inch-wide (1118 mm) aisle defined by full- or partial-height fixed walls or similar construction that will maintain the required width and lead directly from the retail area to the *exit* without obstructions.
3. In a building protected throughout by an approved automatic sprinkler system, one exit may pass through a kitchen or storeroom provided the following are met:
 - 3.1. The *exit* door is visible upon entering the kitchen or storeroom and is clearly marked and identifiable as an *exit*.
 - 3.2. The required *exit* width through the kitchen or storeroom is permanently marked and maintained clear and unobstructed.

204. Table 1017.2, “Exit Access Travel Distance,” of Subsection 1017.2, “Limitations,” of Section 1017, “Exit Access Travel Distance,” of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is amended to read as follows:

“Table 1017.2 EXIT ACCESS TRAVEL DISTANCE^a”

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OCCUPANCY	WITHOUT SPRINKLER SYSTEM (feet)	WITH SPRINKLER SYSTEM (feet)
A, E, [F-1,] M, R[,S-1]	200	250 ^b
I-1	Not Permitted	250 ^c
B, F-1, S-1	200	300 ^c
F-2, S-2, U	300	400 ^b
H-1	Not Permitted	75 ^c
H-2	Not Permitted	100 ^c
H-3	Not Permitted	150 ^c
H-4	Not Permitted	175 ^c
H-5	Not Permitted	200 ^c
I-2, I-3, I-4	Not Permitted	200 ^c

For SI: 1 foot = 304.8 mm.

- a. See the following sections for modifications to exit access travel distance requirements:
 - Section 402.8 of the Dallas [~~International~~] *Building Code*: For the distance limitation in malls.
 - Section 404.9 of the Dallas [~~International~~] *Building Code*: For the distance limitation through an atrium space.
 - Section 407.4 of the Dallas [~~International~~] *Building Code*: For the distance limitation in Group I-2.
 - Sections 408.6.1 and 408.8.1 of the Dallas [~~International~~] *Building Code*: For the distance limitations in Group I-3.
 - Section 411.4 of the Dallas [~~International~~] *Building Code*: For the distance limitation in special amusement buildings.
 - Section 412.7 of the Dallas [~~International~~] *Building Code*: For the distance limitations in aircraft manufacturing facilities.
 - Section 1006.2.2.2: For the distance limitation in refrigeration machinery rooms.
 - Section 1006.2.2.3: For the distance limitation in refrigerated rooms and spaces.
 - Section 1006.3.2: For buildings with one exit.
 - Section 1017.2.2: For increased limitation in Groups F-1 and S-1..
 - Section 1029.7: For increased limitation in assembly seating.
 - Section 3103.4 of the Dallas [~~International~~] *Building Code*: For temporary structures.
 - Section 3104.9 of the Dallas [~~International~~] *Building Code*: For pedestrian walkways.
- b. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2. See Section 903 for occupancies where automatic sprinkler systems are permitted in accordance with Section 903.3.1.2.
- c. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1.
- d. Group H occupancies equipped throughout with an automatic sprinkler system in accordance with Section 903.2.5.1.

205. Subsection 1020.1, “Construction,” of Section 1020, “Corridors,” of Chapter 10,

“Means of Egress,” of the 2015 International Fire Code is amended to read as follows:

“**1020.1 Construction.** *Corridors* shall be fire-resistance rated in accordance with Table 1020.1(1). The *corridor* walls required to be fire-resistance rated shall comply with Section 708 of the Dallas [~~International~~] *Building Code* for fire partitions.

Exceptions:

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1. A fire-resistance rating is not required for *corridors* in an occupancy in Group E where each room that is used for instruction has not less than one door opening directly to the exterior and rooms for assembly purposes have not less than one-half of the required means of egress doors opening directly to the exterior. Exterior doors specified in this exception are required to be at ground level.
2. A fire-resistance rating is not required for corridors contained within a dwelling or sleeping unit in an occupancy in Groups I-1 and R.
3. A fire-resistance rating is not required for *corridors* in open parking garages.
4. A fire-resistance rating is not required for *corridors* in an occupancy in Group B that is a space requiring only a single means of egress complying with Section 1006.2.
5. *Corridors* adjacent to the exterior walls of buildings shall be permitted to have unprotected openings on unrated exterior walls where unrated walls are permitted by Table 602 of the Dallas [*International*] *Building Code* and unprotected openings are permitted by Table 705.8 of the Dallas [*International*] *Building Code*.
6. Corridor walls and ceilings need not be of fire-resistive construction within the applicable single tenant space as listed in Table 1020.1(2) in the Dallas Building Code when the space is equipped with an approved automatic smoke detection system within the corridor. The actuation of any detector shall activate alarms audible in all areas served by the corridor. The smoke detection system shall be connected to the building's fire alarm system where such a system is provided.

206. Table 1020.1, “Corridor Fire-Resistance Rating,” of Subsection 1020.1, “Construction,” of Section 1020, “Corridors,” of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is amended to read as follows:

**“TABLE 1020.1(1)
CORRIDOR FIRE-RESISTANCE RATING**

OCCUPANCY	OCCUPANT LOAD SERVED BY CORRIDOR	REQUIRED FIRE-RESISTANCE RATING (hours)	
		Without sprinkler system	With sprinkler system ^c
H-1, H-2, H-3	All	Not Permitted	1
H-4, H-5	Greater than 30	Not Permitted	1
A, B, E, F, M, S, U	Greater than 30	1	0
R ^d	Greater than 10	Not Permitted	0.5
I-2 ^a , I-4	All	Not Permitted	0
I-1, I-3	All	Not Permitted	1 ^b

- a. For requirements for occupancies in Group I-2, see Sections 407.2 and 407.3 of the Dallas [*International*] *Building Code*.
- b. For a reduction in the fire-resistance rating for occupancies in Group I-3, see Section 408.8 of the Dallas

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~~[International]~~ *Building Code.*

- c. Buildings equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1 or 903.3.1.2 where allowed.
- d. In Group R, Divisions 2 and 4 equipped throughout with an *automatic sprinkler system* in accordance with Sections 903.3.1.1 or 903.3.1.2, standard ½-inch gypsum wallboard may be substituted for Type X gypsum wallboard in construction of the *corridor*. *Corridor* openings shall be protected with *approved* self-closing 1¾-inch solid-core wood door installations or *approved* equivalent. See Section 717 in the *Dallas Building Code* for requirements on fire and smoke dampers.

207. Subsection 1020.1, “Construction,” of Section 1020, “Corridors,” of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is amended by adding Table 1020.1(2), “Corridor Fire-Resistance Rating of Single Tenant Space,” to read as follows:

**“TABLE 1020.1(2)
CORRIDOR FIRE-RESISTANCE RATING OF SINGLE TENANT SPACE**

CATEGORY	NATURE OF OCCUPANCY SERVED BY CORRIDOR	REQUIRED FIRE-RESISTANCE RATING (hours)	
		Without smoke detectors	With smoke detectors
I	Uses and occupancies except those listed in Categories II and III	1	0
II	Buildings and other structures that represent a substantial hazard to human life in the event of failure, including but not limited to: <ul style="list-style-type: none"> • Buildings and other structures whose primary occupancy is public assembly with an occupant load greater than 300. • Buildings and other structures containing elementary school, secondary school or day care facilities with an occupant load greater than 250. • Buildings and other structures containing adult education facilities, such as colleges and universities, with an occupant load greater than 500. • Group I-2 occupancies with an occupant load of 50 or more resident care recipients but not having surgery or emergency treatment facilities. • Group I-3 occupancies. • Any other occupancy with an 	1	1

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	<p>occupant load greater than 5,000.</p> <ul style="list-style-type: none"> • Power-generating stations, water treatment facilities for potable water, waste water treatment facilities and other public utility facilities not included in Risk Category III. • Buildings and other structures not included in Risk Category III containing quantities of toxic or <i>explosive materials</i> that: Exceed maximum allowable quantities per control area as given in Table 307.1(1) or 307.1(2) or per outdoor control area in accordance with the International Fire Code; and Are sufficient to pose a threat to the public if released. 		
III	<p>Buildings and other structures designated as essential facilities, including but not limited to:</p> <ul style="list-style-type: none"> • Group I-2 occupancies having surgery or emergency treatment facilities. • Fire, rescue, ambulance and police stations and emergency vehicle garages. • Designated earthquake, hurricane or other emergency shelters. • Designated emergency preparedness, communications and operations centers and other facilities required for emergency response. • Power-generating stations and other public utility facilities required as emergency backup facilities for Risk Category III structures. • Buildings and other structures containing quantities of highly toxic materials that: Exceed maximum allowable quantities per control area as given in Table 307.1(2) or per outdoor control area in accordance with the International Fire Code; and Are sufficient to pose a threat to 	1	1

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	the public if released. <ul style="list-style-type: none">• Aviation control towers, air traffic control centers and emergency aircraft hangars.• Buildings and other structures having critical national defense functions.• Water storage facilities and pump structures required to maintain water pressure for fire suppression.		
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- a. For requirements for occupancies in Group I-2, see Section 407.2 of the Dallas Building Code.
- b. For requirements for occupancies in Group I-3, see Section 408.8 of the Dallas Building Code.”

208. Subsection 1020.4, “Dead Ends,” of Section 1020, “Corridors,” of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is amended to read as follows:

“**1020.4 Dead ends.** Where more than one *exit* or *exit* access doorway is required, the *exit* access shall be arranged such that there are no dead ends in *corridors* more than 20 feet (6096 mm) in length.

Exceptions:

1. In occupancies in Group I-3 of Occupancy Condition 2, 3 or 4, the dead end in a *corridor* shall not exceed 50 feet (15 240 mm).
2. In occupancies in Groups B, E, F, I-1, M, R-1, R-2, R-4, S and U, where the building is equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1, the length of dead-end *corridors* shall not exceed 50 feet (15 240 mm).
3. A dead-end *corridor* shall not be limited in length where the length of the dead-end *corridor* is less than 2.5 times the least width of the dead-end *corridor*.
4. In a Group I, Division 2 occupancy building used as a hospital or nursing home and equipped throughout with an approved automatic sprinkler system, the maximum dead-end distance shall not exceed 30 feet (9144 mm).”

209. Subparagraph 1029.1.1.1, “Spaces Under Grandstands and Bleachers,” of Paragraph 1029.1.1, “Bleachers,” of Subsection 102.9.1, “General,” of Section 1029, “Assembly”, of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is deleted as follows:

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~~“[1029.1.1.1 Spaces under grandstands and bleachers. When spaces under grandstands or bleachers are for purposes other than ticket booths less than 100 square feet (9.29 m²) and toilet rooms, such spaces shall be separated by fire barriers complying with Section 707 and horizontal assemblies complying with Section 711 with not less than 1-hour fire-resistance-rated construction.]”~~

210. Subsection 1030.1, “General”, of Section 1030, “Emergency Escape and Rescue”, of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is amended to read as follows:

“1030.1 General. In addition to the *means of egress* required by this chapter, provisions shall be made for *emergency escape and rescue openings* in Group R and I-1 [~~R-2~~] occupancies [~~in accordance with Tables 1006.3.2(1) and 1006.3.2(2) and Group R-3 occupancies~~]. Basements and sleeping rooms below the fourth story above grade plane shall have at least one exterior emergency escape and rescue opening in accordance with this section. Where basements contain one or more sleeping rooms, emergency escape and rescue openings shall be required in each sleeping room, but shall not be required in adjoining areas of the basement. Such openings shall open directly into a public way or to a yard or court that opens to a public way.

Exceptions:

1. Basements with a ceiling height of less than 80 inches (2032 mm) shall not be required to have emergency escape and rescue openings.
2. Emergency escape and rescue openings are not required from basements or sleeping rooms that have an exit door or exit access door that opens directly into a public way or to a yard, court or exterior exit balcony that opens to a public way.
3. Basements without habitable spaces and having not more than 200 square feet (18.6 m²) in floor area shall not be required to have emergency escape and rescue openings.
4. In other than Group R-3 occupancies, buildings equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1 or 903.3.1.2.”

211. Subsection 1031.2, “Reliability”, of Section 1031, “Maintenance of the Means of Egress”, of Chapter 10, “Means of Egress,” of the 2015 International Fire Code is amended to read as follows:

“1031.2 Reliability. Required *exit accesses, exits* and *exit discharges* shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency [~~where the building area served by the means of egress is occupied~~]. An *exit* or *exit passageway* shall not be used for any purpose that interferes with a means of egress.”

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212. Section 1101, "General," of Chapter 11, "Construction Requirements for Existing Buildings," of the 2015 International Fire Code is amended by adding Subsection 1101.5, "Installation Acceptance Testing of Fire and Life Safety System Components for Existing Buildings," to read as follows:

"1101.5 Installation acceptance testing of fire and life safety system components for existing buildings. The installation, upgrades or repairs to fire and life safety systems in existing buildings and appurtenances there to shall be in accordance with Section 901.5.

1101.5.1 Fire Alarm System Design Standards. Where an existing fire alarm system is upgraded or replaced, including fire alarm control panel replacements, the devices shall be addressable. Fire alarm systems utilizing more than 20 initiating devices shall be analog addressable systems. When provided, visual alarm notification appliances shall be installed throughout all contiguous spaces (tenant space, lease space or other definable boundaries) as approved by the fire code official.

Exception: Existing systems need not comply unless the total building, or fire alarm system, remodel or expansion exceeds 30% of the building. When cumulative building, or fire alarm system, remodel or expansion initiated after the date of original fire alarm panel installation exceeds 50% of the building, or fire alarm system, the fire alarm system must comply within 18 months of permit application pending fire code official approval.

1101.5.2 Communication requirements. Refer to Section 907.6.6 for applicable requirements."

213. Subsection 1103.5, "Sprinkler Systems," of Section 1103, "Fire Safety Requirements for Existing Buildings," of Chapter 11, "Construction Requirements for Existing Buildings", of the 2015 International Fire Code is amended by adding a new subsection to read as follows:

"1103.5.4 Spray booths and rooms. Existing spray booths and spraying rooms shall be protected by an *approved* automatic fire-extinguishing system in accordance with Section 2404."

214. Subsection 1103.7, "Fire Alarm Systems," of Section 1103, "Fire Safety Requirements for Existing Buildings," of Chapter 11, "Construction Requirements for Existing

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Buildings,” of the 2015 International Fire Code is amended by adding Paragraphs 1103.7.8, “Group A,” 1103.7.9, “Group B,” and 1103.7.10, “Group M,” to read as follows:

“1103.7.8 Group A. A fire alarm system shall be installed in existing Group A occupancies in accordance with Section 907.2.1.

Exception: Group A-5 occupancies.

1103.7.9 Group B. A fire alarm system shall be installed in existing Group B occupancies in accordance with Section 907.2.2.

1103.7.10 Group M. A fire alarm system shall be installed in existing Group M occupancies in accordance with Section 907.2.7.”

215. Paragraph 2006.4.4, “Operators,” of Subsection 2006.4, “Operation, Maintenance and Use of Aircraft-Fueling Vehicles,” of Section 2006, “Aircraft Fueling,” of Chapter 20, “Aviation Facilities,” of the 2012 International Fire Code is amended to read as follows:

“2006.4.4 Operators. Aircraft-fueling vehicles [~~that are operated by a person, firm or corporation other than the permittee or the permittee’s authorized employee~~] shall be provided with a legible sign visible from outside the vehicle showing the name of the person, firm or corporation operating such unit.”

216. Subsection 2301.1, “Scope,” of Section 2301, “General,” of Chapter 23, “Motor Fuel-Dispensing Facilities and Repair Garages,” of the 2015 International Fire Code is amended to read as follows:

“2301.1 Scope. Automotive motor fuel-dispensing facilities, marine motor fuel-dispensing facilities, fleet vehicle motor fuel-dispensing facilities, aircraft motor-vehicle fuel-dispensing facilities and repair garages shall be in accordance with this chapter and the *Dallas [International] Building Code*, *Dallas [International] Fuel Gas Code* and *Dallas [International] Mechanical Code*. Such operations shall include both those that are accessible to the public and private operations. Flammable and combustible liquids, compressed natural gas, hydrogen and liquefied petroleum gas shall also be in accordance with Chapters 57, 58, and 61.”

217. Subsection 2301.3, “Construction Documents,” of Section 2301, “General,” of Chapter 23, “Motor Fuel-Dispensing Facilities and Repair Garages,” of the 2015 International Fire Code is amended to read as follows:

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“2301.3 Construction documents. Construction documents shall be submitted for review and approval prior to the installation or construction of automotive, marine or fleet vehicle motor fuel-dispensing facilities and repair garages [~~in accordance with Section 105.4~~]. Additionally, a site plan shall be submitted that illustrates the location of flammable liquid, LP-gas, compressed natural gas (CNG), or hydrogen storage vessels, or liquefied natural gas (LNG) and their spatial relation to each other, property lines and building openings. Both above-ground and underground storage vessels shall be shown on plans. For each type of station, plans and specifications shall include, but not be limited to, the following:

1. **Flammable and combustibles liquids:** the type and design of underground and above-ground liquid storage tanks; the location and design of the fuel dispensers and dispenser nozzles; the design and specifications for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and venting components.
2. **Liquefied petroleum gas:** equipment and components as required in NFPA 58; the location and design of the LP-gas dispensers and dispenser nozzles; the design, specifications and location for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and pressure-relief components.
3. **Compressed natural gas:** when provided, the location of CNG compressors; the location and design of CNG dispensers and vehicle fueling connections; the design, specification and location for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specification for fuel storage and pressure-relief components.
4. **Hydrogen:** when provided, the location of equipment used for generation of hydrogen; the location of hydrogen compressors; the location and design of hydrogen dispensers and vehicle fueling connections; the design, specification and location for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specification for fuel storage and pressure-relief components.
5. **Liquefied natural gas:** equipment and components as required in NFPA 52 and NFPA 59A; the location and design of the LP-gas dispensers and dispenser nozzles; the design, specifications and location for related piping, valves and fittings; the location and classification of electrical equipment, including emergency fuel shutdown devices; and specifications for fuel storage and pressure-relief components.”

218. Subsection 2304.1, “Supervision of Dispensing,” of Section 2308, “Dispensing Operations,” of Chapter 23, “Motor Fuel-Dispensing Facilities and Repair Garages,” of the 2015 International Fire Code is amended to read as follows:

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2304.1 Supervision of Dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be ~~[conducted by a qualified attendant or shall be under the supervision of a qualified attendant at all times or shall be]~~ in accordance with the following: [Section 2204.3.]

1. Conducted by a qualified attendant;
2. Conducted under the supervision of a qualified attendant; or
3. Conducted as an unattended self-service facility in accordance with Section 2304.3.

At any time the qualified attendant of item Number 1 or 2 above is not present, such operations shall be considered as an unattended self-service facility and shall comply with Section 2304.3.”

219. Subsection 2311.2, “Storage and Use of Flammable and Combustible Liquids,” of Section 2311, “Repair Garages,” of Chapter 23, “Motor Fuel-Dispensing Facilities and Repair Garages,” of the 2015 International Fire Code is amended by adding a new Paragraph 2311.2.5, “Spontaneous Ignition,” to read as follows:

“2311.2.5 Spontaneous ignition. Materials susceptible to spontaneous ignition, such as rags containing flammable or combustible liquids and similar materials, shall be stored in a *listed* disposal container.”

220. Subsection 2401.2, “Nonapplicability,” of Section 2401, “General,” of Chapter 24, “Flammable Finishes,” of the 2015 International Fire Code is deleted as follows:

~~“[2401.2 Nonapplicability. This chapter shall not apply to spray finishing utilizing flammable or combustible liquids that do not sustain combustion, including:~~

- ~~1. Liquids that have no fire point when tested in accordance with ASTM D 92.~~
- ~~2. Liquids with a flashpoint greater than 95°F (35°C) in a water-miscible solution or dispersion with a water and inert (noncombustible) solids content of more than 80 percent by weight.]”~~

221. Subsection 2404.2, “Location of Spray-Finishing Operations,” of Section 2404, “Spray Finishing,” of Chapter 24, “Flammable Finishes,” of the 2012 International Fire Code is amended by adding a new Paragraph 2404.2.1, “Prohibited Locations,” to read as follows:

“2404.2.1 Prohibited locations. Outside spraying or spray-finishing operations in basements or subbasements are prohibited except when *approved* by the fire chief.”

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222. Subsection 2404.4, “Fire Protection,” of Section 2404, “Spray Finishing,” of Chapter 24, “Flammable Finishes,” of the 2015 International Fire Code is amended to read as follows:

“2404.4 Fire protection. New and existing s[S]pray booths and spray rooms shall be protected by an *approved* automatic fire-extinguishing system complying with Chapter 9. Protection shall also extend to exhaust plenums, exhaust ducts and both sides of dry filters when such filters are used.”

223. Subsection 2410.4, “Ignition Sources,” of Section 2410, “Floor Surfacing and Finishing Operations,” of Chapter 24, “Flammable Finishes,” of the 2015 International Fire Code is amended to read as follows:

“2410.4 Ignition sources. The power shall be shut down to all electrical sources of ignition within the flammable vapor area, unless those devices are classified for use in Class I, Division 1 hazardous locations. Open-flame devices and electrical equipment not classified for use in Class I locations, as defined in the *Dallas Electrical Code*, shall not be operated during or within four hours of the application of flammable or combustible liquids.”

224. Paragraph 2703.12.3, “Alarm Signals,” of Subsection 2703.12, “Emergency Alarm System,” of Section 2703, “General Safety Provisions,” of Chapter 27, “Semiconductor Fabrication Facilities,” of the 2015 International Fire Code is amended to read as follows:

“2703.12.3 Alarm signals. Activation of the emergency alarm system shall sound a local alarm and transmit a signal to the *emergency control station*. The alarm shall be both visual and audible and shall provide warning both inside and outside the area where the hazard is detected. The audible alarm shall be distinct from all other alarms.”

225. Chapter 31, “Tents and Other Membrane Structures,” of the 2015 International Fire Code is retitled as Chapter 31, “Tents, Canopies, Other Membrane Structures and Exhibition Halls.”

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226. Subsection 3103.2, “Approval Required,” of Section 3103, “Temporary Tents and Membrane Structures,” of Chapter 31, “Tents, Canopies, Other Membrane Structures and Exhibition Halls,” of the 2015 International Fire Code is amended to read as follows:

“3103.2 Approval required. Tents, ~~and~~ membrane structures and canopies having an area in excess of 399 [400] square feet (37 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the *fire code official*. Site plans shall be submitted at least 15 days before the event for review and approval by the fire code official.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Fabric canopies and tents open on all sides that comply with all of the following:
 - 2.1. Individual tents and canopies having a maximum size of 700 square feet (65 m²).
 - 2.2. The aggregate area of multiple tents or canopies placed side by side without a fire break clearance of 12 feet (3658 mm) not exceeding 700 square feet (65 m²) total.
 - 2.3. A minimum clearance of 12 feet (3658 mm) to all structures and other tents or canopies.
3. Awnings.
4. Tents or canopies having an occupant load of less than 10 persons.
5. Tents, membrane structures, and canopies required to be issued by the building official.”

227. Subsection 3103.8, “Access, Location and Parking,” of Section 3103, “Temporary Tents and Membrane Structures,” of Chapter 31, “Tents and Other Membrane Structures and Exhibition Halls,” of the 2015 International Fire Code is amended to read as follows:

“3103.8 Access, location and parking. Access, location and parking for temporary tents and membrane structures shall be in accordance with this section and the Dallas Development Code.”

228. Subsection 3104.5, “Combustible Materials,” of Section 3104, “Temporary and Permanent Tents and Membrane Structures,” of Chapter 31, “Tents, Canopies, Other Membrane

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Structures and Exhibition Halls,” of the 2015 International Fire Code is amended to read as follows:

“3104.5 Combustible materials. Hay, straw, shavings or similar combustible materials shall not be located within any tent or membrane structure containing an assembly occupancy, except the materials necessary for the daily feeding and care of animals. Sawdust and shavings utilized for a public performance or exhibit shall not be prohibited provided the sawdust and shavings are kept damp. Combustible materials shall not be permitted under stands or seats at any time.

Exception: Hay, straw and similar combustible materials treated with a flame retardant in an approved manner when approved by the fire chief.”

229. Subsection 3104.6, “Smoking,” of Section 3104, “Temporary and Permanent Tents and Membrane Structures,” of Chapter 31, “Tents, Canopies, Other Membrane Structures and Exhibition Halls,” of the 2015 International Fire Code is amended to read as follows:

“3104.6 Smoking. Smoking shall not be permitted in tents or membrane structures, or in adjacent areas where hay, straw, sawdust or other combustible materials are stored or used. *Approved* “No Smoking” signs shall be conspicuously posted in accordance with Section 310.”

230. Subsection 3104.7, “Open or Exposed Flame,” of Section 3104, “Temporary and Permanent Tents and Membrane Structures,” of Chapter 31, “Tents, Canopies, Other Membrane Structures and Exhibition Halls,” of the 2015 International Fire Code is amended to read as follows:

“3104.7 Open or exposed flame. Open flame or other devices emitting flame, fire or heat or any flammable or *combustible liquids*, gas, charcoal or other cooking device or any other unapproved devices shall not be permitted inside or located within 20 feet (6096 mm) of the tent, canopy or membrane structures while open to the public unless approved by the fire code official. When approved, cooking devices shall be located so there is a separation of 4 feet (1219 mm) between the flame and the tent, canopy or membrane structure material.”

231. Paragraph 3104.15.5, “Cooking Tents,” of Subsection 3104.15, “Heating and Cooking Equipment,” of Section 3104, “Temporary and Permanent Tents and Membrane Structures,” of Chapter 31, “Tents, Canopies, Other Membrane Structures and Exhibition Halls,” of the 2015 International Fire Code is amended to read as follows:

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“3104.15.5 Cooking tents. Tents with sidewalks or drops where cooking is performed shall be separated from other tents or membrane structures by not less than of 20 feet (6096 mm). Cooking equipment shall be located so there is a separation of 4 feet (1219 mm) between the flame and the tent, canopy or membrane structure material.”

232. Subsection 3104.16, “LP-Gas,” of Section 3104, “Temporary and Permanent Tents and Membrane Structures,” of Chapter 31, “Tents, Canopies, Other Membrane Structures and Exhibition Halls,” of the 2015 International Fire Code is amended by adding a new Paragraph 3104.16.4, “Places of Exhibition,” to read as follows:

“3104.16.4 Places of exhibition. The operator of and exhibitors at premises used as a place of exhibition may use LP-gas inside a structure if:

1. The use is *approved by the fire code official* in writing; or
2. The use satisfies the requirements of Chapter 61 of this code and, when applied inside Fair Park, satisfies the requirements of Section 32-19 of the *Dallas City Code*.

3104.16.4.1 Capacity. When used inside structures, LP-gas containers shall not exceed a water capacity greater than 12 pounds (5 kg).”

233. Paragraph 3104.17.3, “Refueling,” of Subsection 3104.17, “Flammable and Combustible Liquids,” of Section 3104, “Temporary and Permanent Tents and Membrane Structures,” of Chapter 31, “Tents, Canopies, Other Membrane Structures and Exhibition Halls,” of the 2015 International Fire Code is amended to read as follows:

“3104.17.3 Refueling. Refueling shall be performed in an *approved* location not less than 20 feet (6096 mm) from tents, canopies or membrane structures. Fuel tanks shall be of adequate capacity to permit uninterrupted operation during normal operating hours. Refueling in a place of assembly shall be conducted only when the equipment is not in use and shall be *approved by the fire code official*.”

234. Chapter 31, “Tents, Canopies, Other Membrane Structures and Exhibition Halls,” of the 2015 International Fire Code is amended by adding a new Section 3105, “Exhibition Halls,” to read as follows:

“SECTION 3106 EXHIBITION HALLS

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3106.1 General. No display or exhibit shall be installed or operated in a manner that would interfere in any way with access to any required *exit* or with visibility of any required *exit* or any required *exit* sign, nor shall any display block access to fire-fighting equipment.

3106.1.1 Lessee notification. The operator of premises used as a place of exhibition shall notify each lessee and the person in charge of the lessee's proposed exhibition of the requirements of this section at the time the lease is made.

3106.1.2 Description and plans. Two copies of accurately-scaled floor plans are required to be submitted to the *fire code official* for approval at least 15 days prior to the move-in of any exhibit. No exhibition shall occupy any facility without approved plans. The plans shall include a detailed description of the nature of the exhibit and the following information:

1. Exhibit layout.
2. Aisles.
3. *Exits*.
4. Exhibits.
5. Show decorator's booth.
6. Location and nature of the fire-extinguishing equipment.
7. Dates of show preparation.
8. Dates when open to public or trade.

3106.1.3 Compliance with plans. The exhibit shall be constructed, operated and maintained in accordance with this code and the *approved* plans.

3106.2 Structures within structures. The operator of a premises used as a place of exhibition where a structure is to be erected within another structure as a display shall submit to the fire chief two copies of accurately scaled plans and two lists of materials to be used in the construction.

3106.3 Storage of combustible containers. Combustible materials not on display, including combustible packing crates used to ship exhibitors' supplies and products, shall be stored:

1. In a location separated from the exhibit area by a 1-hour fire-resistive barrier;
2. In an area protected by an *automatic sprinkler system*; or
3. Otherwise isolated and secured in a manner adequate to provide safety from fire.

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3106.4 Liquefied petroleum gas inside structures. The operator of and exhibitors at premises used as a place of exhibition may use LP-gas inside a structure if:

1. The use is *approved* by the fire chief in writing; or
2. The use satisfies the requirements of Chapter 61 and, when applied inside Fair Park, satisfies the requirements of Section 32-19 of the *Dallas City Code*.
3. When allowed, a single container shall not exceed a water capacity of 12 pounds (5 kg).

3106.5 Flammable and combustible liquids and compressed flammable gas prohibited. Flammable and combustible liquids, compressed flammable gas and other similar hazardous materials are prohibited within a place of exhibition.

Exception: The *fire code official* may permit limited use of the above prohibited materials under special circumstances.

3106.6 Smoking and open flames. The operator of premises used as a place of exhibition shall do the following:

1. Conspicuously post and maintain signs stating NO SMOKING in areas designated by the *fire code official*.
2. Provide and maintain noncombustible ashtrays in areas where smoking is not prohibited by the *fire code official*.
3. Prohibit the use of open flames, burning or smoke-emitting materials as part of an act, display or show without approval of the *fire code official*.

3106.7 Combustible waste. The operator of premises used as a place of exhibition shall do the following:

1. Provide and maintain *approved* containers for the collection and storage of combustible waste.
2. Collect combustible waste as it accumulates.
3. Remove the contents of waste containers at least once each day.

3106.8 Cooking appliances. The operator of and exhibitors at premises used as a place of exhibition may use cooking appliances if the appliances are:

1. Equipped with ventilating hoods or other equipment when required by the fire chief;
2. Installed in a manner satisfying the requirements of the *Dallas Plumbing Code* and

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Dallas Mechanical Code; and

3. Separated from combustible materials by an unobstructed spatial separation adequate to maintain surface temperature of adjacent combustibles below 160°F (71°C) or by metal or another *approved* guard adequate to maintain the same heat control.

3106.9 Gas fired heating units. The operator of premises used as a place of exhibition shall prohibit the use of gas-fired heating units unless specifically *approved* by the mechanical or plumbing inspector and the *fire code official*.

3106.10 Sawdust and shavings. The operator of premises used as a place of exhibition shall keep sawdust and shavings flameproofed.

3106.11 Hay and straw. The operator of premises used as a place of exhibition shall store and maintain hay and straw in a manner *approved* by the *fire code official*.

3106.12 Flameproof materials. The operator of a premise used as a place of exhibition shall prevent:

1. The use of tents, awnings, curtains, drapes, decorations and similar items; or
2. The hanging of materials, merchandise, signs and similar items over or in booth enclosures.

Exception: Noncombustible or flameproof items may be used or hung.

3106.13 Vehicles. Liquid- or gas-fueled vehicles, boats or other motorcraft shall not be located indoors unless:

1. Batteries are disconnected.
2. Fuel in fuel tanks does not exceed the lesser of one-quarter tank or 5 gallons (19 L). Fuel tank levels shall be inspected and *approved* by the *fire code official* prior to locating the vehicles or equipment indoors.
3. Fuel tanks and fill openings are closed and sealed to prevent tampering.
4. Vehicles, boats or other motorcraft equipment are not fueled or defueled within the building.
5. Fuel systems are inspected for leaks.
6. The location of vehicles or equipment does not block or obstruct means of egress.
7. Fuel for the vehicle or equipment is stored in *approved* containers in an *approved* location outside of the building.

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8. Fuel spills are cleaned up immediately.
9. Refueling is performed outside of the building at an *approved* site.
10. Keys to all vehicles, boats or other motorcraft are maintained at the display site and available for use by the *fire code official*.”

235. Footnote J of Table 3206.2, ”General Fire Protection and Life Safety Requirements”, of Section 3206, “General Fire Protection and Life Safety Features,” of Chapter 32, “High-Piled Combustible Storage,” of the 2015 International Fire Code is amended to read as follows:

- “j. ~~[Not required w]~~Where storage areas are protected by either early suppression fast response (ESFR) sprinkler systems or control mode special application sprinklers with a response time index of $50 (m \cdot s)^{1/2}$ or less that are listed to control a fire in the stored commodities with 12 or fewer sprinklers, installed in accordance with NFPA 13, manual smoke and heat vents or manually activated engineered mechanical smoke exhaust systems are required within these areas.”

236. Subsection 3207.2, “Fire Protection,” of Section 3207, “Solid-Piled and Shelf Storage,” of Chapter 32, “High-Piled Combustible Storage,” of the 2015 International Fire Code is amended to read as follows:

“**3207.2 Fire protection.** Where automatic sprinklers are required by Table 3206.2, an *approved automatic sprinkler system* shall be installed throughout the building or to 2 [~~4~~]-hour fire barriers constructed in accordance with Section 707 of the *Dallas* [~~International~~] *Building Code*. Openings in such fire barriers shall be protected by opening protectives having a 1.5-hour *fire protection rating*. The design and installation of the *automatic sprinkler system* and other applicable fire protection shall be in accordance with the *Dallas* [~~International~~] *Building Code* and NFPA 13.”

237. Subsection 3208.2, “Fire Protection,” of Section 3208, “Rack Storage,” of Chapter 32, “High-Piled Combustible Storage,” of the 2015 International Fire Code is amended to read as follows:

- “**3208.2 Fire protection.** Where automatic sprinklers are required by Table 3206.2, an *approved automatic sprinkler system* shall be installed throughout the building or to 2 [~~4~~]-hour fire barriers constructed in accordance with Section 707 of the *Dallas*

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~~[International]~~ *Building Code*. Openings in such fire barriers shall be protected by opening protectives having 1.5-hour fire protection ratings. The design and installation of the *automatic sprinkler system* and other applicable fire protection shall be in accordance with Section 903.3.1.1 and the *Dallas* ~~[International]~~ *Building Code*.”

238. Subsection 3308.5, “Hot Work Operations,” of Section 3308, “Owner’s Responsibility for Fire Protection,” of Chapter 33, “Fire Safety During Construction and Demolition,” of the 2015 International Fire Code is amended to read as follows:

“**3308.5 Hot work operations.** The fire prevention program superintendent shall be responsible for supervising the ~~[permit system for]~~ hot work operations in accordance with Chapter 35.”

239. Subsection 3310.1, “Required Access,” of Section 3310, “Access for Fire Fighting,” of Chapter 33, “Fire Safety During Construction and Demolition,” of the 2015 International Fire Code is amended to read as follows:

“**3310.1 Required access.** *Approved* vehicle access for firefighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 50 ~~[400]~~ feet (15 240 ~~[30-480]~~ mm) of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available. When fire apparatus access roads are required to be installed for any structure or development, they shall be approved by the fire code official prior to the time of which construction has progressed beyond completion of the foundation of the structure. Construction material shall not block access to buildings, hydrants or fire appliances. Wherever the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign.”

240. Subsection 3311.1, “Stairways Required,” of Section 3311, “Means of Egress,” of Chapter 33, “Fire Safety During Construction and Demolition,” of the 2015 International Fire Code is amended to read as follows:

“**3311.1 Stairways required.** Where a building has been constructed to a *building height* of 35 ~~[50]~~ feet (10 668 ~~[15-240]~~ mm) or three ~~[four]~~ stories, or where an existing building exceeding 35 ~~[50]~~ feet (10 668 ~~[15-240]~~ mm) in *building height* is altered, not less than one temporary lighted *stairway* shall be provided unless one or more of the permanent *stairways* are erected as the construction progresses.”

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241. Subsection 3313.1, “Where Required,” of Section 3313, “Standpipes,” of Chapter 33, “Fire Safety During Construction and Demolition,” of the 2015 International Fire Code is amended to read as follows:

“3313.1 Where required. Buildings four or more stories in height shall be provided with not less than one standpipe for use during construction. [~~In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction.~~] Such standpipes shall be installed when the progress of construction is not more than 35 [40] feet (10 668 [12 192] mm) in height above the lowest level of fire department vehicle access. Such standpipe shall be provided with 2½ inch fire department hose outlet connections with 7½ inch national standard fire hose coupling screw threads per inch, at accessible locations adjacent to usable stairways. Such standpipes, wet or dry, shall be monitored for damage by a waterflow or pressure switch (10 psi minimum) and audible alarm. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.”

242. Section 3409, “Indoor Storage Arrangement,” of Chapter 34, “Tire Rebuilding and Tire Storage,” of the 2015 International Fire Code is amended to read as follows:

“SECTION 3409 INDOOR STORAGE ARRANGEMENT

3409.1 Pile dimensions less than 6 feet in height. Where tires are stored on-tread, the dimension of the pile in the direction of the wheel hole shall be not more than 50 feet (15 240 mm). Tires stored adjacent to or along one wall shall not extend more than 25 feet (7620 mm) from that wall. Other piles shall be not more than 50 feet (15 240 mm) in width.

3409.2 Pile dimensions 6 feet in height or greater. Where tires are stored in piles 6 feet (1829 mm) in height or greater, storage shall comply with Chapter 32.”

243. Subsection 3502.1, “Definitions,” of Section 3502, “Definitions,” of Chapter 35, “Welding and Other Hot Work,” of the 2015 International Fire Code is amended to read as follows:

“3502.1 Definitions. The following words and terms are defined in Chapter 2:

HOT WORK.

HOT WORK AREA.

HOT WORK EQUIPMENT.

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HOT WORK PERMITS.

~~[HOT WORK PROGRAM.~~

~~RESPONSIBLE PERSON.]~~

TORCH-APPLIED ROOF SYSTEM. ”

244. Subsection 3503.3, “Hot Work Program Permit,” of Section 3503, “General Requirements,” of Chapter 35, “Welding and Other Hot Work,” of the 2015 International Fire Code is amended to read as follows:

“3503.3 Reserved. [~~Hot work program permit.~~ Hot work permits, issued by an approved responsible person under a hot work program, shall be available for review by the fire code official at the time the work is conducted and for 48 hours after work is complete.]”

245. Paragraph 3504.2.1, “When Required,” of Subsection 3504.2, “Fire Watch,” of Section 3504, “Fire Safety Requirements,” of Chapter 35, “Welding and Other Hot Work,” of the 2015 International Fire Code is amended to read as follows:

“3504.2.1 When required. A fire watch shall be provided during hot work activities and shall continue for not less than 30 minutes after the conclusion of the work. The *fire code official* [~~or the responsible manager under a hot work program,~~] is authorized to extend the fire watch based on the hazards or work being performed.

Exception: Where the hot work area has no fire hazards or combustible exposures.”

246. Subsection 3504.3, “Area Reviews,” of Section 3504, “Fire Safety Requirements,” of Chapter 35, “Welding and Other Hot Work,” of the 2015 International Fire Code is amended to read as follows:

“3504.3 Area reviews. Before hot work is permitted and not less than once per day while the permit is in effect, the area shall be inspected by the individual responsible for the [~~authorizing~~] hot work operations to ensure that it is a fire safe area. [~~Information shown on the permit shall be verified prior to signing the permit in accordance with Section 105.6.~~]”

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247. Subsection 3505.5, “Remote Locations,” of Section 3505, “Gas Welding and Cutting,” of Chapter 35, “Welding and Other Hot Work,” of the 2015 International Fire Code is amended to read as follows:

“3505.5 Remote locations. Oxygen and fuel-gas cylinders and acetylene generators shall be located away from the hot work area to prevent such cylinders or generators from being heated by radiation from heated materials, sparks or slag, or misdirection of the torch flame. Portable oxygen/fuel gas welding equipment located inside buildings shall be stored in a well-ventilated, dry location at least 20 feet (6096 mm) from combustible material and away from elevators, stairs, gangways or means of egress.”

248. Subsection 5001.5, “Permits,” of Section 5001, “General,” of Chapter 50, “Hazardous Materials—General Provisions,” of the 2015 International Fire Code is amended by adding a new Paragraph 5001.5.3, “Plan Review,” to read as follows:

“5001.5.3 Plan review. Plans detailing outdoor storage, dispensing, use and handling of hazardous materials must be submitted for review and approval to the fire chief. Plans must include the following:

1. Amounts of hazardous materials involved.
2. Material safety data sheets on all materials involved.
3. Location on property.
4. Property lines.
5. Buildings and structures.
6. Fire apparatus access roads.
7. Fire hydrants.
8. Manufacturer’s specifications on all equipment involved (tanks, dispensers, pumps, etc.).
9. Process description.

5001.5.3.1 Plan review fees. Plans for hazardous materials shall be accompanied by a nonrefundable \$200.00 review fee.”

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249. Subsection 5003.12, “Outdoor Control Areas,” of Section 5003, “General Requirements,” of Chapter 50, “Hazardous Materials—General Provisions,” of the 2015 International Fire Code is amended to read as follows:

“5003.12 Outdoor control areas. Outdoor control areas for hazardous materials in amounts not exceeding the maximum allowable quantity per outdoor control area shall be in accordance with the following:

1. Outdoor control area shall be kept free from weeds, debris and common combustible materials not necessary to the storage. The area surrounding an outdoor control area shall be kept clear of such materials for not less than 15 feet (4572 mm).
2. Outdoor control areas shall be located not closer than 20 feet (6096 mm) from a lot line that can be built upon, public street, public alley or public way.

Exceptions:

1. For solid and liquid hazardous materials, a 2-hour fire-resistance-rated wall without openings extending not less than 30 inches (762mm) above and to the sides of the storage area shall be allowed in lieu of such distance.
2. For compressed gas hazardous materials, unless otherwise specified, the minimum required distances shall not apply where *fire barriers* without openings or penetrations having a minimum *fire-resistance rating* of 2 hours interrupt the line of sight between the storage and the exposure. The configuration of the *fire barrier* shall be designed to allow natural ventilation to prevent the accumulation of hazardous gas concentrations.
3. Where a property exceeds 10,000 square feet (929 m²), a group of two outdoor *control areas* is allowed where *approved* and where each *control area* is separated by a minimum distance of 50 feet (15 240 mm).
4. Where a property exceeds 35,000 square feet (3252 m²), additional groups of outdoor *control areas* are allowed where approved and where each group is separated by a minimum distance of 300 feet (91 440 mm).
5. Outdoor storage of hazardous materials shall be provided with fire department access and fire hydrant availability in accordance with Chapter 5.”

250. Paragraph 5005.4.4, “Dispensing, Use and Handling,” of Subsection 5005.4, “Handling,” of Section 5005, “Use, Dispensing and Handling,” of Chapter 50, “Hazardous

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Materials—General Provisions,” of the 2015 International Fire Code is amended to read as follows:

“5005.4.4 Dispensing, use and handling. Where hazardous materials having a hazard ranking of 3 or 4 in accordance with NFPA 704 are transported through *corridors*, interior *exit stairways* or *ramps* or *exit passageways*, there shall be an emergency telephone system, a local manual alarm station or an *approved* alarm-initiating device at not more than 150-foot (45 720 mm) intervals and at each *exit* and *exit* access doorway throughout the transport route. The signal shall be relayed to an *approved* central, proprietary or remote station service or constantly attended on-site location and shall also initiate a local, visual, and audible alarm. The alarm shall provide warning both inside and outside the area where the hazard is detected. The audible alarm shall be distinct from all other alarms.”

251. Subsection 5306.2, “Interior Supply Location,” of Section 5306, “Medical Gasses,” of Chapter 53, “Compressed Gases,” of the 2015 International Fire Code is amended to read as follows:

“5306.2 Interior supply location. Medical gases shall be stored in areas dedicated to the storage of such gases without other storage or uses. Where containers of medical gases in quantities greater than the exempt [permit] amount are located inside buildings, they shall be in a 1-hour exterior room, a 1-hour interior room or a gas cabinet in accordance with Section 5306.2.1, 5306.2.2 or 5306.2.3, respectively. Rooms or areas where medical gases are stored or used in quantities exceeding the *maximum allowable quantity per control area* as set forth in Section 5003.1 shall be in accordance with the *International Building Code* for high-hazard Group H occupancies.”

252. Paragraph 5307.5.2, “Emergency Alarm System,” of Subsection 5307.5, “Required Protection,” of Section 5307, “Carbon Dioxide (CO₂) Systems Used in Beverage Dispensing Applications,” of Chapter 53, “Compressed Gases,” of the 2015 International Fire Code is amended to read as follows:

“5307.5.2 Emergency alarm system. An emergency alarm system shall comply with all of the following:

1. Continuous gas detection shall be provided to monitor areas where carbon dioxide can accumulate.
2. The threshold for activation of an alarm shall not exceed 5,000 parts per million (9,000mg/m³).

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3. Activation of the emergency alarm system shall initiate a local alarm within the room or area in which the system is installed and shall be electrically supervised and monitored by an approved supervising station or shall initiate an audible and visual signal at a constantly attended on-site location.

253. Subsection 5601.1, “Scope,” of Section 5601, “General,” of Chapter 56, “Explosives and Fireworks,” of the 2015 International Fire Code is amended to read as follows:

“5601.1 Scope. The provisions of this chapter shall govern the possession, manufacture, storage, handling, transportation, sale and use of *explosives*, *explosive materials*, fireworks and small arms ammunition.

Exceptions:

1. The Armed Forces of the United States, Coast Guard or National Guard.
2. *Explosives* in forms prescribed by the official United States Pharmacopoeia.
3. The possession, storage, transportation and use of small arms ammunition where packaged in accordance with DOTn packaging requirements.
4. The possession, storage, transportation and use of not more than 1 pound (0.454 kg) of commercially manufactured sporting black powder, 20 pounds (9 kg) of smokeless powder and 10,000 small arms primers for hand loading of small arms ammunition for personal consumption.
5. The transportation and use of *explosive materials* by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
6. Special industrial *explosive* devices which in the aggregate contain less than 50 pounds (23 kg) of *explosive materials*.
7. The possession, storage, transportation and use of blank industrial-power load cartridges where packaged in accordance with DOTn packaging regulations.
8. Transportation in accordance with DOTn 49 CFR Parts 100-185.
9. Items preempted by federal regulations.”

254. Paragraph 5601.1.3, “Fireworks,” of Subsection 5601.1, “Scope,” of Section 5601, “General,” of Chapter 56, “Explosives and Fireworks,” of the 2015 International Fire Code is amended to read as follows:

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“5601.1.3 Fireworks. The possession, manufacture, storage, sale, handling, transportation and use of fireworks are prohibited.

Exceptions:

1. The display, storage, transportation [Storage] and handling of fireworks when approved and permitted as provided [allowed] in Section 5604.
2. ~~[Manufacture, assembly and testing of fireworks as allowed in Section 5605.]~~
- ~~[3.] The use of fireworks for approved fireworks displays as allowed in Section 5608.~~
- ~~[4. The possession, storage, sale, handling and use of specific types of Division 1.4G fireworks where allowed by applicable laws, ordinances and regulations provided such fireworks comply with CPSC 16 CFR, Parts 1500 and 1507, and DOTn 49 CFR, Parts 100-185, for consumer fireworks.]”~~

255. Section 5608, “Fireworks Display,” of Chapter 56, “Explosives and Fireworks,” of the 2015 International Fire Code is amended to read as follows:

“SECTION 5608 FIREWORKS DISPLAY AND PYROTECHNIC SPECIAL EFFECTS MATERIAL”

5608.1 General. ~~[Outdoor fireworks displays, use of pyrotechnics before a proximate audience]~~ The display, transportation and temporary storage of fireworks, including proximate audience displays and pyrotechnic special effects in motion picture, television, theatrical, and group entertainment productions, shall be in accordance [comply] with Section[s] 5608, [5608.2 through 5608.10 and] NFPA 1123 or NFPA 1126, Chapter 2154 of the *Texas Occupations Code*, and the *Texas Fireworks Rules*.

5608.1.1 Jurisdiction. This chapter applies within:

1. The corporate limits of the city of Dallas; and
2. The area immediately adjacent and contiguous to the Dallas city limits and extending outside the city limits for a distance of 5,000 feet (1520 m), unless such area is within the corporate limits of another city.

5608.1.2 Public nuisance and seizure. The presence of fireworks within the jurisdiction of the city of Dallas in violation of this chapter is declared to be a common and public nuisance. The fire code official shall seize, remove or cause to be removed at the expense of the owner all stocks of fireworks offered or exposed for sale, stored or held in violation of this chapter

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and cause the fireworks to be safely destroyed. It is not necessary to obtain injunctive relief as a prerequisite to seizure and destruction of illegal fireworks.

5608.2 Permits [application]. Permits are required to conduct fireworks and pyrotechnic displays in accordance with Section 105.6. The permit application shall be submitted to the fire code official for approval at least 15 days prior to the scheduled date of the display. Prior to issuing permits for fireworks display, plans for the display, inspections of the display site, and demonstrations of the display operations shall be *approved*. A plan establishing procedures to follow and actions to be taken in the event that a shell fails to ignite in, or discharge from, a mortar or fails to function over the fallout area or other malfunctions shall be provided to the *fire code official*.

5608.2.1 Outdoor displays. In addition to the requirements of Section 403, permit applications for outdoor fireworks displays using Division 1.3G fireworks shall include: [a diagram of the location at which the display will be conducted, including the site from which fireworks will be discharged; the location of buildings, highways, overhead obstructions and utilities; and the lines behind which the audience will be restrained.]

1. Site plans prepared by the display operator, sponsor or both.
2. A site diagram of the display site drawn to scale which shall include identifying significant ground features, public rights of way, significant buildings or structures, overhead obstructions, location of nearby trees, telegraph or telephone lines, parking areas and spectator viewing areas at which the display will be conducted. The site diagram shall also include the site from which fireworks will be discharged and the lines behind which the audience will be restrained.
3. The location of fireworks storage areas.
4. The fallout area, including dimensions.
5. A north arrow.
6. Likely wind direction.
7. The location of significant roadways and utilities including access and control points.
8. Traffic plans indicating the flow of vehicles into and out of the site before and after the display.
9. The location of emergency vehicle staging areas and access routes. At the time of permit application, the *fire code official* shall be consulted regarding requirements for standby fire apparatus.

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10. Diagrams illustrating the general arrangement and size of mortars and the location of shell storage at the discharge site. The diagrams should include the location of the electrical firing unit.
11. The Texas Department of Insurance application for permit and site certification and a copy of the state permit once *approved* by the Texas Department of Insurance.
12. A certificate of insurance as required in Section 5608.5.2.2.
13. A list of the amount and type of fireworks to be used.
14. A copy of the transportation route from the Dallas city limits to the display site.
15. A copy of the pyrotechnic operator's state license and picture identification.

5608.2.2 Use of pyrotechnics before a proximate audience. Where the separation distances required in Section 5608[.4] and NFPA 1123 are unavailable or cannot be secured, fireworks displays shall be conducted in accordance with NFPA 1126 for *proximate audiences*. Permits are required to conduct a special effects display in accordance with Section 105.6. The permit a[A]pplication[s] for use of pyrotechnics before a *proximate audience* shall [~~include plans indicating the required clearances for spectators and combustibles, crowd control measures, smoke control measures and requirements for standby personnel and equipment where provision of such personnel or equipment is required by the fire code official~~] be made not less than 15 days prior to the scheduled date of the display. A rush fee of \$622.00 shall be required in the event the required documentation and/or permit application is not submitted more than 15 days prior to the requested date of the display. In addition to the requirements of Section 403, permit applications for special effects pyrotechnic material using Division 1.4G fireworks shall include:

1. The name of the person, group or organization sponsoring the production.
2. The date and time of day of the production.
3. The exact location of the production.
4. The name of the pyrotechnic operator.
5. The number, names and ages of all assistants who are to be present.
6. The qualifications of the pyrotechnic operator.
7. The pyrotechnic experience of the operator.
8. Confirmation of any applicable state and federal licenses held by the operator or assistants.

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9. Evidence of the permittee's insurance carrier or financial responsibility.
10. The number and type of pyrotechnic devices and materials to be used, the operator's experience with those devices and effects, and a definition of the general responsibility of the assistants.
11. A diagram of the grounds of the facilities where the production is to be held. This diagram shall show the point at which the pyrotechnic devices are to be fired, the fallout radius for each pyrotechnic device used in the performance, and the lines behind which the audience shall be restrained.
12. The point of on-site assembly of pyrotechnic devices.
13. The manner and place of storage of the pyrotechnic materials and devices.
14. The material safety data sheet (MSDS) for the pyrotechnic materials to be used.
15. Certification that the set, scenery and rigging materials are inherently flame retardant or have been treated to achieve flame retardancy.
16. Certification that all materials worn by performers in the fallout area during use of pyrotechnic effects shall be inherently flame retardant or have been treated to achieve flame retardancy.

5608.2.2.1 Pyrotechnics demonstration. The fire code official shall approve a walk-through and a representative demonstration of the pyrotechnics. The demonstration shall be scheduled with sufficient time allowed to reset/reload the pyrotechnics before the arrival of the audience.

Exception: The fire code official shall be permitted to waive this requirement based upon past history, prior knowledge and other factors, provided the authority is confident that the discharge of pyrotechnics can be conducted safely.

5608.2.3 Pyrotechnic special effects material. A display permit is required to use pyrotechnic special effects material in accordance with Section 105.6. A permit for use shall be granted only to a pyrotechnic operator licensed by the State of Texas.

5608.2.4 Transportation and storage. A permit is required for the transportation and storage of fireworks in accordance with Section 105.6.

5608.2.5 Manufacturing. The manufacturing of fireworks is prohibited except under special permits as required by local and state regulations.

5608.2.6 Refusal to issue permit. The fire code official shall refuse to approve issuance of a permit if the applicant:

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1. Intentionally makes a false statement as to a material matter in the permit application;
2. Is a fugitive from justice;
3. Is under a felony indictment;
4. Has been finally convicted of a felony offense within the 5-year period immediately preceding the filing of the application;
5. Has been finally convicted of a misdemeanor violation of an *explosive* law or regulation within the 2-year period immediately preceding the filing of the application;
6. Held a permit issued under this chapter which was revoked within the 1-year period immediately preceding the filing of the application;
7. Has been adjudicated a mental defective; is an unlawful user of, or is addicted to, a controlled substance or dangerous drug; or suffers from any other handicap, infirmity, defect or condition which might reasonably diminish competency to safely conduct the proposed activity or would create an unreasonable risk of injury to life or property in the performance of the proposed activity;
8. Submits an application which indicates that the proposed display will not comply with the provisions of this chapter; or
9. Proposes a display which will create an unreasonable risk of injury to life or property in the performance of the proposed activity.

5608.3 Approved fireworks displays. *Approved* fireworks displays shall include only the *approved* fireworks 1.3G, fireworks 1.4G, fireworks 1.4S and pyrotechnic articles, 1.4G, which shall be handled by an *approved*, competent operator. The *approved* fireworks shall be arranged, located, discharged and fired in a manner that will not pose a hazard to property or endanger any person.

5608.3.1 Violations. A person who knowingly violates a provision of this chapter shall be fined not less than \$200 nor more than \$2000 for each offense.

5608.3.2 Separate offenses. A person who knowingly violates a provision of this chapter is guilty of a separate offense for:

1. Each separate package of fireworks, if the fireworks are packaged separately; and
2. Each day or part of a day during which the violation is committed, continued or permitted.

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5608.4 Clearance. Spectators, spectator parking areas, and *dwellings*, buildings or structures shall not be located within the display site.

Exceptions:

1. This provision shall not apply to pyrotechnic special effects and fireworks displays using Division 1.4G materials before a *proximate audience* in accordance with NFPA 1126.
2. This provision shall not apply to unoccupied *dwellings*, buildings and structures with the approval of the building *owner* and the *fire code official*.

5608.5 Storage, use and handling of fireworks ~~[at display site]~~. ~~[The s]~~Storage, use and handling of fireworks ~~[at the display site]~~ shall be in accordance ~~[comply]~~ with ~~[the requirements of this s]~~Sections 5604 and 5608, Chapter 2154 of the *Texas Occupations Code* and the *Texas Fireworks Rules* ~~[NFPA 1123 or NFPA 1126]~~.

Exceptions:

1. The use of fireworks by railroads or other transportation agencies for signaling or illumination.
2. The sale or use of blank cartridges for theatrics, signaling or ceremonial purposes.
3. The use of fireworks by the United States Armed Forces.

5608.5.1 Prohibition ~~[Supervision and weather protection]~~. It shall be unlawful for any person to possess, use, manufacture, sell, offer for sale, give away, transport or discharge ~~[Beginning as soon as]~~ fireworks of any description ~~[have been delivered to the display site, they shall not be left unattended]~~.

Exception: The use of fireworks for display is allowed as set forth in Section 5608.

5608.5.2 Display requirements. ~~[Weather protection]~~. Fireworks displays shall be in accordance with Sections 5608.5.2.1 through 5608.5.2.9.7.9. Only Division 1.4G fireworks (class C common) and Division 1.3G fireworks (special fireworks) are allowed to be used. When Division 1.3G fireworks are used, see Section 5604 ~~[kept dry after delivery to the display site]~~.

5608.5.2.1 Pyrotechnic operator. Fireworks display operations shall be under the direct supervision of a pyrotechnic operator. The pyrotechnic operator shall be responsible for all aspects of a display related to pyrotechnics.

5608.5.2.2 Bond. The permittee shall furnish a bond or certificate of insurance in an amount deemed adequate by the *fire code official* for the payment of damages which

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could be caused either to a person or persons or to property by reason of the permitted display and arising from acts of the permittee, agents, employees or subcontractors.

5608.5.2.3 Mortars for aerial shell displays. Mortars for aerial shell displays shall be in accordance with Sections 5608.5.2.3.1 through 5608.5.2.3.12.

5608.5.2.3.1 Site criteria. Mortars for aerial displays shall be separated from spectator viewing areas, vehicles and buildings as set forth in Table 5608.5.2.3.

Exception: The fire code official is authorized to modify separation distance requirements based on characteristics of specific sites.

The designated landing area shall be an approved large, clear, open area. Spectators, vehicles and combustible materials shall not be allowed within the designated landing area. The designated landing area shall not be within 100 feet (30 480 mm) of tents, canopies and membrane structures.

5608.5.2.3.2 Construction. Mortars shall be approved for use with the aerial shells to be fired. Mortars shall be constructed of heavy cardboard, paper or metal other than cast iron.

5608.5.2.3.3 Inspection. Prior to placement, mortars shall be inspected for defects such as dents, bent ends, damaged interiors and damaged plugs. Mortars found to be defective shall not be used.

5608.5.2.3.4 Positioning. Mortars shall be positioned so that aerial shells are directed over the designated landing area and away from ground pieces. Mortars shall not be angled toward spectator viewing areas.

The trajectory of aerial shells shall be arranged such that a minimum clearance of 25 feet (7620 mm) is maintained from potential obstructions.

Seamed metal mortars shall be placed such that the seam of a mortar faces to the side rather than to the top or bottom.

5608.5.2.3.5 Securing. Mortars shall be buried to a depth of not less than two-thirds of their length, either in the ground or in aboveground troughs or drums. In soft ground, wood not less than 2 inches (50.8 mm) nominal thickness or rock slabs shall be placed beneath mortars which will be used more than once to prevent their sinking or being driven into the ground during firing.

Exception: Approved, securely positioned mortar racks are allowed for the firing of single-break shells 6 inches (152 mm) or less in diameter.

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5608.5.2.3.6 Mortar separation. Mortars that are buried in the ground, in troughs or in drums shall be separated from adjacent mortars by a distance equal to or greater than the diameter of the mortar.

Exception: For electrically fired displays, or displays where all shells are loaded into mortars prior to the show, there is no requirement for separation of shells according to size or their designation as salutes.

5608.5.2.3.7 Moisture protection. In damp ground, a weather-resistant bag shall be placed under the bottoms of mortars prior to placement in the ground to protect mortars from moisture. Weather-resistant bags shall be placed over the open end of mortars in damp weather to keep moisture from accumulating on the inside surface of mortars.

5608.5.2.3.8 Ground burst protection. Sand bags, dirt boxes or other suitable protection shall be placed around mortars on the up-range side to protect the operator from ground bursts.

5608.5.2.3.9 Convolute and spiral wound paper mortars. Paper mortars constructed of convolute wound paper shall be *approved* for the size aerial shells being discharged having a maximum double break.

Spiral wound paper mortars shall not be used for greater than 3-inch (76.2 mm) diameter aerial shells with a maximum double break.

5608.5.2.3.10 Grouping mortars. Mortars of the same diameter, which are to be reloaded during a display, shall be grouped together such that various sizes are not intermixed. Groups shall be separated.

5608.5.2.3.11 Loose gravel and rocks. Loose gravel, rocks and other loose solid objects shall be removed from the area around mortars to prevent such materials from being thrown from ground bursts during firing.

5608.5.2.3.12 Cleaning tool. When mortars are to be fired more than once during a display, a cleaning tool shall be available for the cleaning of debris from mortars as necessary. For metal mortars, the tool shall be nonsparking.

TABLE 5608.5.2.3
MINIMUM MORTAR SEPARATION DISTANCES

<u>MORTAR DIAMETER (INCHES)</u>	<u>MINIMUM SEPARATION FROM SPECTATOR VIEWING AREAS, VEHICLES AND BUILDINGS (feet)</u>
<u>X25.4 for mm</u>	<u>X 0.3048 for m</u>
<u>less than 3</u>	<u>140</u>
<u>3</u>	<u>210</u>

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<u>4</u>	<u>280</u>
<u>5</u>	<u>350</u>
<u>6</u>	<u>420</u>
<u>7</u>	<u>490</u>
<u>8</u>	<u>560</u>
<u>10</u>	<u>700</u>
<u>12</u>	<u>840</u>
<u>greater than 12</u>	<i>Approved</i>

5608.5.2.4 Ground pieces. Ground pieces shall be in accordance with Sections 5608.5.2.4.1 through 5608.5.2.4.3.

5608.5.2.4.1 Location. Ground pieces shall be located not less than 150 feet (45 720 mm) from spectators and vehicles; not less than 100 feet (30 480 mm) from tents, canopies or membrane structures; not less than 100 feet (30 480 mm) from mortars; and outside of the designated landing area.

Exceptions:

1. Fixed ground pieces are allowed not less than 75 feet (22 860 mm) from spectators and vehicles.
2. Electrically fired ground pieces are allowed in the designated landing area.

5608.5.2.4.2 Combustibles. The area beneath ground pieces shall be free of dry grass and combustibles.

5608.5.2.4.3 Securing. Poles for ground pieces shall be securely placed and braced.

5608.5.2.5 Electrical firing units. Electrical firing units shall be in accordance with Sections 5608.5.2.5.1 through 5608.5.2.5.6.

5608.5.2.5.1 Wiring. Electrical wiring associated with an electrical firing unit shall be prevented from contacting metal objects in contact with the ground.

5608.5.2.5.2 Power supply. AC-powered electrical firing units shall be isolated from the power source using an isolation transformer.

5608.5.2.5.3 Security. Electrical firing units shall require a key-operated switch or other similar device to prevent unauthorized operation.

Exception: Hand-held electrical firing units connected to fireworks only during a display.

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5608.5.2.5.4 Manually activated firing units. Manually activated electrical firing units shall require two or more distinct actions to apply electric current to an electric match.

5608.5.2.5.5 Automatic-firing units. Automatic-sequencing-type electrical firing units shall include a momentary contact switch which shall be held to cause application of current to an electric match and which will immediately disconnect current to all electric matches upon release.

5608.5.2.5.6 Testing of firing circuits. The pyrotechnic operator shall ensure that personnel are kept at a safe distance from fireworks which are connected to electrical firing units during testing. Electrical firing units with integral test circuits shall be designed to limit the maximum current output during a test to 0.05 ampere or to 20 percent of the no-fire current of electric matches, whichever is less. Multitesters shall not be used for testing unless the maximum current output has been measured and determined not to exceed the current output limits for integral test circuits.

5608.5.2.6 Supervision. Beginning as soon as fireworks have been delivered to the display site, they shall not be left unattended.

5608.5.2.7 Weather protection. Fireworks shall be kept dry after delivery to the display site.

5608.5.2.8 Display operation. Display operation shall be in accordance with Sections 5608.5.2.8.1 through 5608.5.2.8.6.7.

5608.5.2.8.1 Fire protection. When required by the *fire code official*, the pyrotechnic operator shall provide two or more portable fire extinguishers of the proper classification and size for the discharge area and shall be readily accessible while the pyrotechnics are being loaded, fired or prepared for firing. The pyrotechnic operator shall arrange for standby fire apparatus for protection down range when required by the *fire code official*.

5608.5.2.8.2 Monitors. The pyrotechnic operator shall employ monitors whose sole duty shall be the enforcement of crowd control around the display area. Unauthorized persons shall not be allowed to enter the discharge site until the site has been inspected after the display by the pyrotechnic operator.

5608.5.2.8.3 Barriers. The *fire code official* is authorized to require rope barriers, fences, signs or other devices to be installed around the display area to aid in crowd control.

5608.5.2.8.4 Illumination. Display operators shall use only flashlights or electric lighting for illumination.

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5608.5.2.8.5 Smoking and open flames. Smoking and use of open flames are prohibited in the aerial shell storage area. NO SMOKING OR OPEN FLAME signs shall be conspicuously posted.

5608.5.2.8.6 Aerial shells. Aerial shell operations shall be in accordance with Sections 5608.5.2.9.7.1 through 5608.5.2.9.7.9.

5608.5.2.8.6.1 Ready boxes. Ready boxes shall be located not less than 25 feet (7620 mm) in an upwind direction from mortars.

5608.5.2.8.6.2 Transporting and loading. Aerial shells shall be carried to mortars by the shell body. For the purpose of loading mortars, aerial shells shall be held by the thick portion of the fuse and carefully lowered into mortars.

5608.5.2.8.6.3 Proper fit. Aerial shells shall be checked for proper fit in mortars prior to discharge. The pyrotechnic operator shall inspect all aerial shells to be certain that they are properly seated in mortars prior to firing. Aerial shells that do not fit properly shall not be fired.

5608.5.2.8.6.4 Safety cap. The safety cap protecting a fuse shall not be removed until immediately before an aerial shell is to be fired.

5608.5.2.8.6.5 Ignition. Aerial shells shall be ignited by lighting the tips of fuses with a fuse, torch, portfire, electrical ignition source or similar device. Operators shall not place any part of their bodies over the throat of a mortar. All aerial shells greater than 6 inches (152 mm) in diameter shall be fired using electrical ignition, or other means of remote ignition that place the shooter and assistants at least 75 feet (23 m) away from the mortar or behind a sturdy barricade at the time of ignition of the lift charge.

Exception: Shells that are nominally 7 inches (178 mm) or 8 inches (203 mm) in diameter shall be permitted to be ignited manually provided that the mortars are buried at least three-quarters of their length in the ground and the shooter has been provided with alternative means of protection.

5608.5.2.8.6.6 Trajectory. The first aerial shell fired shall be carefully observed to determine that its trajectory will carry it into the intended firing range and that the aerial shell will function over and debris will drop into the designated landing area. Mortars shall be reangled or reset if necessary at any time during the display to properly maintain trajectories over the designated landing area.

5608.5.2.8.6.7 Record. The pyrotechnic operator shall keep a record of aerial shells that fail to ignite or fail to function.

~~**5608.5.4 Sorting and separation.** After delivery to the display site and prior to the fireworks display, all shells shall be separated according to size and their designation as~~

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salutes.

Exception: ~~For electrically fired displays, or displays where all shells are loaded into mortars prior to the show, there is no requirement for separation of shells according to size or their designation as salutes~~

5608.5.5 Ready boxes. ~~Display fireworks, 1.3G, that will be temporarily stored at the site during the fireworks display shall be stored in ready boxes located upwind and not less than 25 feet (7620 mm) from the mortar placement and separated according to size and their designation as salutes.~~

Exception: ~~For electrically fired displays, or displays where all shells are loaded into mortars prior to the show, there is no requirement for separation of shells according to size, their designation as salutes, or for the use of ready boxes.]~~

5608.6 Pyrotechnic special effects material [~~Installation of mortars~~]. Temporary storage, use and handling of pyrotechnic special effects material used in motion picture, television, theatrical and group entertainment productions shall be in accordance with Sections 5608.6.1 through 5608.6.7.3. Permanent storage of pyrotechnic special effects material shall be in accordance with Section 5604 [~~Mortars for firing fireworks shells shall be installed in accordance with NFPA 1123 and shall be positioned so that shells are propelled away from spectators and over the fallout area. Under no circumstances shall mortars be angled toward the spectator viewing area. Prior to placement, mortars shall be inspected for defects, such as dents, bent ends, damaged interiors and damaged plugs. Defective mortars shall not be used].~~

5608.6.1 Classification of materials. Pyrotechnic special effects material shall be classified in accordance with U.S. Department of Transportation regulations and procedures.

Exception: Pyrotechnic special effects material which is manufactured on-site and which is in storage or use need not be classified.

5608.6.2 Construction of magazines. Magazines used for the storage of pyrotechnic special effects material shall be constructed in accordance with Section 5604.6.

5608.6.3 Storage. Storage of fireworks and pyrotechnic special effects material shall be in accordance with Sections 5608.6.3.1 through 5608.6.3.6.

5608.6.3.1 Fireworks 1.4G. Fireworks and all *explosive* material including Division 1.4G fireworks (class C common fireworks) shall be stored in accordance with the requirements for *Explosives* in Section 5604 and Table 5604.3.

5608.6.3.2 Other pyrotechnic special effects material. Storage of pyrotechnic special effects material other than Division 1.4G fireworks (class C common fireworks) shall be in accordance with the requirements of Section 5604. Containers of *explosive materials* shall be closed when stored. For amounts and requirements for indoor and outdoor storage see Section 5604.

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5608.6.3.3 Storage against walls. *Explosive materials* within a magazine shall not be placed directly against interior walls and shall not interfere with ventilation. To prevent contact of stored *explosive materials* with walls, a nonsparking lattice-work or other nonsparking material is allowed to be used.

5608.6.3.4 Marking of containers. Containers of *explosive materials* shall be stored such that identifying marks are visible. Stocks of *explosive materials* shall be stored so they can be easily counted and checked upon inspection.

5608.6.3.5 Unpacking and repacking containers. Containers of *explosive materials* shall not be unpacked or repacked inside a magazine or within 50 feet (15 240 mm) of a magazine, and shall not be unpacked or repacked close to other *explosive materials*.

Exception: Unpacking and repacking of fiberboard and other nonmetallic containers.

5608.6.3.6 Tools. Tools used for opening or closing containers of *explosive materials* shall be of non-sparking materials. A wood wedge and a fiber, rubber or wooden mallet shall be used for opening or closing wood containers of *explosive materials*. Metal tools, other than non-sparking transfer conveyors, shall not be stored in magazines containing high *Explosives*.

Exception: Metal slitters are allowed to be used for opening fiberboard containers.

5608.6.4 Smoking and open flames. Smoking, matches, flame-producing devices, open flames, firearms and firearms cartridges shall not be permitted inside of or within 50 feet (15 240 mm) of magazines. Where low *Explosives* are stored in magazines, spark-producing tools shall not be used. Such magazines shall be bonded and grounded.

5608.6.5 Housekeeping. Housekeeping shall be in accordance with Section 5604.8.1.

5608.6.6 Pyrotechnic operators. A pyrotechnic operator shall obtain required permits and be responsible for notifying the *fire code official* prior to using the pyrotechnic special effects material. The pyrotechnic operator shall have the authority and responsibility for the storage, use and handling of the pyrotechnic special effects material. The authority of the pyrotechnic operator shall not be assumed by anyone and shall be superseded only by the *fire code official*.

5608.6.7 Use of pyrotechnic special effects material. Use of pyrotechnic special effects material shall be in accordance with Sections 5608.6.7.1 through 5608.6.7.3.

5608.6.7.1 General precautions.

5608.6.7.1.1 Demonstration and approval. When required by the *fire code official*, a test shall be conducted to demonstrate the safe use of pyrotechnic special effects

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material prior to normal use. The use of pyrotechnic special effects material shall be approved by the fire code official and the pyrotechnic operator in charge.

5608.6.7.1.2 Preparation. The company or producer shall allocate sufficient time to the pyrotechnic operator to prepare for the transportation, packing, storing and daily securing, and to dispose of or otherwise handle pyrotechnic special effects material in a safe manner.

5608.6.7.1.3 Separation distances for audiences. Each pyrotechnic device fired during a performance shall be separated from the audience by at least 15 feet (5 m) but not by less than twice the fallout radius of the device.

Exception: Where otherwise approved by the authority having jurisdiction.

Concussion mortars shall be separated from the audience by a minimum of 25 feet (8 m). There shall be no glowing or flaming particles within 10 feet (3 m) of the audience.

5608.6.7.1.4 Crowd control. Onlookers shall be kept at a safe distance from the area where the pyrotechnic special effects material is discharged and so restrained until the area is cleared.

5608.6.7.1.5 Smoke control. When pyrotechnic special effects material is fired within a building, the quantity of smoke developed shall not obscure the visibility of exit signs or paths of egress travel.

The maximum density of smoke shall be approved, and the pyrotechnic operator shall ensure that the maximum density is not exceeded.

When required by the fire code official, provisions shall be made to confine smoke generated by pyrotechnic special effects material to an approved area and to remove such smoke from the building.

5608.6.7.2 Binary Explosives. When binary explosives are used, the compounding and firing shall be performed by a pyrotechnic operator. Firing shall be subject to the conditions described in the permit.

5608.6.7.3 Surplus materials. Surplus materials shall be properly stored until they can be disposed of in a safe manner.

5608.7 Standby personnel and equipment [Handling]. When necessary for the preservation of life or property, the fire code official is authorized to require the attendance of standby personnel and fire equipment. Where the use of certain indoor pyrotechnics requires smoke detectors to be bypassed or air-handling systems to be disengaged, the fire department shall be notified and a representative shall be present. The individual responsible for the life safety systems of the building shall return those systems to normal operating conditions as soon as the likelihood of

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~~false alarms from the pyrotechnics has passed. [Aerial shells shall be carried to mortars by the shell body. For the purpose of loading mortars, aerial shells shall be held by the thick portion of the fuse and carefully loaded into mortars.]~~

5608.8 Fireworks display supervision. Whenever in the opinion of the *fire code official* or the *pyrotechnic* operator a hazardous condition exists, such as a lack of crowd control or the crowd is in danger, the fireworks display shall be discontinued immediately until such time as the dangerous situation is corrected. If at any time high winds or wet weather creates a danger, the display shall be postponed until weather conditions are acceptable to the *fire code official*.

5608.9 Post-fireworks display inspection. After the fireworks display, the firing crew shall conduct an inspection of the fallout area for the purpose of locating unexploded aerial shells or live components. This inspection shall be conducted before public access to the site shall be allowed. Where fireworks are displayed at night and it is not possible to inspect the site thoroughly, the operator or designated assistant shall inspect the entire site at first light.

A report identifying any shells that fail to ignite in, or discharge from, a mortar or fail to function over the fallout area or otherwise malfunction, shall be filed with the fire code official.

5608.10 Disposal. Any shells found during the inspection required in Section 5608.9 shall not be handled until not less than 15 minutes have elapsed from the time the shells were fired. The fireworks shall then be dowsed with water and allowed to remain for not less than 5 additional minutes before being placed in a plastic bucket or fiberboard box. The disposal instructions of the manufacturer as provided by the fireworks supplier shall then be followed in disposing of the fireworks in accordance with Section 5604.10.”

256. Subsection 5701.4, “Permits,” of Section 5701, “General,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

“5701.4 Permits. Permits shall be required as set forth in Sections 105.6, ~~[and]~~ 105.7, and 5706.”

257. Section 5701, “General,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended by adding a new Subsection 5701.6, “Construction Documents,” to read as follows:

“5701.6 Construction documents. Plans detailing indoor or outdoor storage (above or below grade), dispensing, use and handling of flammable and combustible liquids shall be submitted for review and approval to the *fire code official*. Plans shall include, but not be limited to, the following:

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1. Amounts of flammable or combustible liquid involved.
2. Material safety data sheets of all flammable or combustible liquid involved.
3. Room construction, dimensions, ventilation, sprinkler design, etc.
4. Secondary containment.
5. Piping specifications (vents, ports, etc.).
6. Location on property.
7. Property lines.
8. Buildings and structures.
9. Fire apparatus access roads.
10. Fire hydrants.
11. Manufacturer's specifications on all equipment involved (tanks, dispensers, pumps, etc.).

5701.6.1 Plan review fees. Plan review fees for flammable and combustible liquids storage tanks shall be in accordance with the *Dallas Building Code*.”

258. Subsection 5703.2, “Fire Protection,” of Section 5703, “General Requirements,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended by adding a new Paragraph 5703.2.2, “Access,” to read as follows:

“5703.2.2 Access. Fire apparatus access roads for storage, use, dispensing, mixing and handling of flammable and combustible liquids shall be in accordance with Chapter 5.”

259. Subsection 5703.4, “Spill Control and Secondary Containment,” of Section 5703, “General Requirements,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

“5703.4 Spill control and secondary containment. Where the maximum allowable quantity per control area is exceeded, and where required by Section 5004.2, rooms, buildings or areas used for storage, dispensing, use, mixing, or handling of flammable and combustible [~~Class I, II and III-A~~] liquids shall be provided with spill control and secondary containment in accordance with Section 5004.2.”

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260. Subsection 5703.6, “Piping Systems,” of Section 5703, “General Requirements,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

“5703.6 Piping systems. Piping systems, and their component parts, for flammable and *combustible liquids* shall be in accordance with Sections 5703.6.1 through 5703.6.11. An approved method of secondary containment shall be provided for underground tank and piping systems.”

261. Subparagraph 5704.2.7.4, “Emergency Venting,” of Paragraph 5704.2.7, “Design, Fabrication and Construction Requirements for Tanks,” of Subsection 5704.2, “Tank Storage,” of Section 5704, “Storage,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

“5704.2.7.4 Emergency venting. Stationary, aboveground storage tanks shall be equipped with additional venting that will relieve excessive internal pressure caused by exposure to fires. Emergency vents for Class I, II and IIA liquids shall not discharge inside buildings. The venting shall be installed and maintained in accordance with Section 22.7 of NFPA 30.

Exception[s]:

1. Tanks larger than 12,00 gallons (45 420 L) in capacity storing Class IIIB liquids that are not within the diked area or drainage path of Class I or II liquids do not require emergency relief venting.
- ~~[2. Emergency vents on protected above-ground tanks complying with UL 2085 containing Class II or IIA liquids are allowed to discharge inside the building.]”~~

262. Item 5704.2.7.5.8, “Overfill Prevention,” of Subparagraph 5704.2.7.5, “Tank Openings Other Than Vents,” of Paragraph 5704.2.7, “Design, Fabrication and Construction Requirements for Tanks,” of Subsection 5704.2, “Tank Storage,” of Section 5704, “Storage,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

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“5704.2.7.5.8 Overfill prevention. An approved means or method in accordance with 5704.2.9.7.6 shall be provided to prevent the overfill of all Class I, II or IIIA liquid storage tanks. Storage tanks in refineries, bulk plants or terminals regulated by Section 5706.4 or 5706.7 shall have overfill protection accordance with API 2350.

~~[**Exception:** Outside above-ground tanks with a capacity of 1,320 gallons (5000 L) or less.]”~~

263. Subparagraph 5704.2.9.5, “Above-Ground Tanks Inside of Buildings,” of Paragraph 5704.2.9, “Above-Ground Tanks,” of Subsection 5704.2, “Tank Storage,” of Section 5704, “Storage,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

“5704.2.9.5 Above-ground tanks inside of buildings. Above-ground tanks inside of buildings shall comply with Sections 5704.2.9.5.1 through 5704.2.9.5.3 [~~and 5704.2.9.5.2~~].

5704.2.9.5.1 Overfill prevention. Above-ground tanks storing Class I, II and IIIA liquids inside buildings shall be equipped with a device or other means to prevent overflow into the building including, but not limited to: a float valve; a preset meter on the fill line; a valve actuated by the weight of the tank’s contents; a low-head pump that is incapable of producing overflow; or a liquid-tight overflow pipe not less than one pipe size larger than the fill pipe and discharging by gravity back to the outside source of liquid or to an *approved* location. Tanks containing Class IIIB liquids and connected to fuel-burning equipment shall be provided with a means to prevent overflow into buildings in accordance with Section 5704.2.7.5.8.

5704.2.9.5.2 Fill pipe connections. Fill pipe connections for tanks storing Class I, II and IIIA liquids and Class IIIB liquids connected to fuel-burning equipment shall be in accordance with Section 5704.2.9.7.7.

5704.2.9.5.3 Combustible liquid storage tanks inside of buildings. The maximum aggregate allowable quantity limit shall be 3,000 gallons (11 356 L) of Class II or III combustible liquid for storage in protected aboveground tanks complying with Section 5704.2.9.7 when all of the following conditions are met:

1. The entire 3,000 gallon (11 356 L) quantity shall be stored in protected above-ground tanks;
2. The 3,000 gallon (11 356 L) capacity shall be permitted to be stored in a single tank or multiple smaller tanks.

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3. The tanks shall be located in a room protected by an *automatic sprinkler system* complying with Section 903.3.1.1; and
4. Tanks shall be connected to fuel-burning equipment, including generators, utilizing an *approved* closed piping system.

The quantity of combustible liquid stored in tanks complying with this section shall not be counted towards the maximum allowable quantity set forth in Table 5003.1.1(1), and such tanks shall not be required to be located in a control area. Such tanks shall not be located more than two stories below grade.”

264. Paragraph 5704.2.11, “Underground Tanks,” of Subsection 5704.2, “Tank Storage,” of Section 5704, “Storage,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

“5704.2.11 Underground tanks. Underground storage of flammable and *combustible liquids* in tanks shall comply with Section 5704.2 and Sections 5704.2.11.1 through 5704.2.11.4.4[2].”

265. Subparagraph 5704.2.11.2, “Depth and Cover,” of Paragraph 5704.2.11, “Underground Tanks,” of Subsection 5704.2, “Tank Storage,” of Section 5704, “Storage,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

“5704.2.11.2 Depth and cover. Excavation for underground storage tanks shall be made with due care to avoid undermining of foundations of existing structures. Underground tanks shall be set on firm foundations and surrounded with not less than 6 inches (152 mm) of noncorrosive inert material, such as clean sand or gravel well tamped in place or in accordance with the manufacturer’s installation instructions. Tanks shall be covered with a minimum of 2 feet (610 mm) of earth or shall be covered by not less than 1 foot (305 mm) of earth, on top of which shall be placed a slab of reinforced concrete not less than 4 inches (102 mm) thick.

When underground tanks are, or are likely to be, subjected to traffic, they shall be protected against damage from vehicles passing over them by at least 3 feet (914 mm) of earth cover, or 18 inches (457 mm) of well-tamped earth plus 6 inches (152 mm) of reinforced concrete, or 8 inches (203 mm) of asphaltic concrete. When asphaltic or reinforced concrete paving is used as part of the protection, it shall extend at least 1 foot (305 mm) horizontally beyond the outline of the tank in all directions.

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For tanks built in accordance with Section 5704.2.7, the burial depth and the height of the vent line shall be such that the static head imposed at the bottom of the tank will not exceed 10 psig (69 kPa) if the fill or vent pipe is filled with liquid.

If the depth of cover exceeds 7 feet (2157 mm) or the manufacturer's specifications, reinforcements shall be provided in accordance with the tank manufacturer's recommendations.

Nonmetallic underground tanks shall be installed in accordance with the manufacturer's instructions. The minimum depth of cover shall be as specified above."

266. Subparagraph 5704.2.11.4, "Leak Prevention," of Paragraph 5704.2.11, "Underground Tanks," of Subsection 5704.2, "Tank Storage," of Section 5704, "Storage," of Chapter 57, "Flammable and Combustible Liquids," of the 2015 International Fire Code is amended to read as follows:

"5704.2.11.4 Leak prevention. Leak prevention for underground tanks shall comply with Sections 5704.2.11.4.1 through ~~and~~ 5704.2.11.4.4~~2~~].

5704.2.11.4.1 Inventory control. Daily inventory records for underground storage tank systems shall be maintained.

5704.2.11.4.2 Leak detection. Underground storage tank systems shall be provided with an *approved* method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 5704.2.11.4.3.

5704.2.11.4.3 Observation wells. *Approved* sampling tubes of a minimum of 4 inches (102 mm) in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches (305 mm) below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling sump at the corners of the excavation with a minimum of four sumps. Sampling tubes shall be placed in the product line excavation within 10 feet (3048 mm) of the tank excavation and one every 50 feet (15 240 mm) routed along product lines towards the dispensers. A minimum of two sampling tubes are required.

5704.2.11.4.4 Secondary containment. An *approved* method of secondary containment shall be provided for underground tank and piping systems."

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267. Subparagraph 5704.2.12.1, “Acceptance Testing,” of Paragraph 5704.2.12, “Testing,” of Subsection 5704.2, “Tank Storage,” of Section 5704, “Storage,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

“5704.2.12.1 Acceptance testing. Prior to being placed into service, tanks shall be tested for tightness in the presence of the *fire code official* in accordance with Section 21.5 of NFPA 30.”

268. Item 5704.2.13.1.4, “Tanks Abandoned in Place,” of Subparagraph 304.2.13.1, “Underground Tanks,” of Paragraph 5704.2.13, “Abandonment and Status of Tanks,” of Subsection 5704.2, “Tank Storage,” of Section 5704, “Storage,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

“5704.2.13.1.4 Tanks abandoned in place. Tanks abandoned in place shall be as follows:

1. Flammable and *combustible liquids* shall be removed from the tank and connected piping.
2. The suction, inlet, gauge, vapor return and vapor lines shall be disconnected.
3. The tank shall be filled completely with an *approved* inert solid material.
4. Remaining underground piping shall be capped or plugged.
5. A record of tank size, location and date of abandonment shall be retained.
6. All exterior above-grade fill piping shall be permanently removed when tanks are abandoned or removed.

7. Abandonment of tanks shall be in the presence of the *fire code official*.”

269. Subparagraph 5704.2.14.1, “Removal,” of Paragraph 5704.2.14, “Removal and Disposal of Tanks,” of Subsection 5704.2, “Tank Storage,” of Section 5704, “Storage,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

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“5704.2.14.1 Removal. Removal of above-ground and underground tanks shall be in accordance with all of the following:

1. Flammable and *combustible liquids* shall be removed from the tank and connected piping.
2. Piping at tank openings that is not to be used further shall be disconnected.
3. Piping shall be removed from the ground.

Exception: Piping is allowed to be abandoned in place where the *fire code official* determines that removal is not practical. Abandoned piping shall be capped and safeguarded as required by the *fire code official*.

4. Tank openings shall be capped or plugged, leaving a 1/8-inch to 1/4-inch-diameter (3.2 mm to 6.4 mm) opening for pressure equalization.
5. Tanks shall be purged of vapor and inerted prior to removal.
6. All exterior above-grade fill and vent piping shall be permanently removed.

Exception: Piping associated with bulk plants, terminal facilities and refineries.

7. Removal of tanks shall be in the presence of the *fire code official*.

270. Paragraph 5706.5.4, “Dispensing From Tank Vehicles and Tank Cars,” of Subsection 5706.5, “Bulk Transfer and Process Transfer Operations,” of Section 5706, “Special Operations,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

“5706.5.4 Dispensing from tank vehicles and tank cars. Dispensing from tank vehicles and tank cars into the fuel tanks of motor vehicles shall be prohibited unless allowed by and conducted in accordance with Sections 5706.5.4.1 through 5706.5.4.5. A permit shall be issued for each site where mobile dispensing of Class II or Class III liquids into the fuel tanks of motor vehicles occurs in accordance with this chapter.”

271. Subparagraph 5706.5.4.3, “Aircraft Fueling,” of Paragraph 5706.5.4, “Dispensing from Tank Vehicles and Tank Cars,” of Subsection 5706.5, “Bulk Transfer and Process Transfer

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Operations,” of Section 5706, “Special Operations,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

“5706.5.4.3 Aircraft fueling. Transfer of liquids from tank vehicles to the fuel tanks of aircraft shall be in accordance with Chapter 20. Mobile fuel dispensing vehicles are prohibited from dispensing flammable or combustible liquids into the fuel tanks of aircraft on non-airport property.

Exception: Requests for temporary dispensing of flammable or combustible liquids into the fuel tanks of aircraft on non-airport property will be reviewed on an individual basis. If *approved* by the fire chief, *standby personnel* shall be required. Charges for *standby personnel* shall be as normally calculated by the fire department.”

272. Subparagraph 5706.5.4.5, “Commercial, Industrial, Governmental or Manufacturing,” of Paragraph 5706.5.4, “Dispensing From Tank Vehicles and Tank Cars,” of Subsection 5706.5, “Bulk Transfer and Process Transfer Operations,” of Section 5706, “Special Operations,” of Chapter 57, “Flammable and Combustible Liquids,” of the 2015 International Fire Code is amended to read as follows:

“5706.5.4.5 Commercial, industrial, governmental or manufacturing. Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments is allowed where permitted, provided such dispensing operations are conducted in accordance with the following:

1. Dispensing shall occur only at sites that have been issued a permit to conduct mobile fueling.
2. The *owner* of a mobile fueling operation shall provide to the jurisdiction a written response plan which demonstrates readiness to respond to a fuel spill and carry out appropriate mitigation measures, and describes the process to dispose properly of contaminated materials.
3. A detailed site plan shall be submitted with each application for a permit. The site plan shall indicate: all buildings, structures and appurtenances on site and their use or function; all uses adjacent to the lot lines of the site; the locations of all storm drain openings, adjacent waterways or wetlands; information regarding slope, natural drainage, curbing, impounding and how a spill will be retained upon the site property; and the scale of the site plan.

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Provisions shall be made to prevent liquids spilled during dispensing operations from flowing into buildings or off-site. Acceptable methods include, but shall not be limited to, grading driveways, raising doorsills or other *approved* means.

4. The *fire code official* is allowed to impose limits on the times and days during which mobile fueling operations is allowed to take place, and specific locations on a site where fueling is permitted.
5. Mobile fueling operations shall be conducted in areas not accessible to the public or shall be limited to times when the public is not present.
6. Mobile fueling shall not take place within 15 feet (4572 mm) of buildings, property lines, combustible storage or storm drains.

Exceptions:

1. The distance to storm drains shall not apply where an *approved* storm drain cover or an *approved* equivalent that will prevent any fuel from reaching the drain is in place prior to fueling or a fueling hose being placed within 15 feet (4572 mm) of the drain. Where placement of a storm drain cover will cause the accumulation of excessive water or difficulty in conducting the fueling, such cover shall not be used and the fueling shall not take place within 15 feet (4572 mm) of a drain.
2. The distance to storm drains shall not apply for drains that direct influent to *approved* oil interceptors.
7. The tank vehicle shall comply with the requirements of NFPA 385 and local, state and federal requirements. The tank vehicle's specific functions shall include that of supplying fuel to motor vehicle fuel tanks. The vehicle and all its equipment shall be maintained in good repair.
8. Signs prohibiting smoking or open flames within 25 feet (7620 mm) of the tank vehicle or the point of fueling shall be prominently posted on three sides of the vehicle including the back and both sides.
9. A portable fire extinguisher with a minimum rating of 40:BC shall be provided on the vehicle with signage clearly indicating its location.
10. The dispensing nozzles and hoses shall be of an *approved* and *listed* type.
11. The dispensing hose shall not be extended from the reel more than 100 feet (30 480 mm) in length.

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12. Absorbent materials, nonwater-absorbent pads, a 10-foot-long (3048 mm) containment boom, an *approved* container with lid and a nonmetallic shovel shall be provided to mitigate a minimum 5-gallon (19 L) fuel spill.
13. Tank vehicles shall be equipped with a “fuel limit” switch such as a count-back switch, to limit the amount of a single fueling operation to a maximum of 500 gallons (1893 L) before resetting the limit switch.

Exception: Tank vehicles where the operator carries and can utilize a remote emergency shutoff device which, when activated, immediately causes flow of fuel from the tank vehicle to cease.

14. Persons responsible for dispensing operations shall be trained in the appropriate mitigating actions in the event of a fire, leak or spill. Training records shall be maintained by the dispensing company and shall be made available to the *fire code official* upon request.
15. Operators of tank vehicles used for mobile fueling operations shall have in their possession at all times an emergency communications device to notify the proper authorities in the event of an emergency.
16. The tank vehicle dispensing equipment shall be constantly attended and operated only by designated personnel who are trained to handle and dispense motor fuels.
17. Fuel dispensing shall be prohibited within 25 feet (7620 mm) of any source of ignition.
18. The engines of vehicles being fueled shall be shut off during dispensing operations.
19. Nighttime fueling operations shall only take place in adequately lighted areas.
20. The tank vehicle shall be positioned with respect to vehicles being fueled to prevent traffic from driving over the delivery hose.
21. During fueling operations, tank vehicle brakes shall be set, chock blocks shall be in place and warning lights shall be in operation.
22. Motor vehicle fuel tanks shall not be topped off.
23. The dispensing hose shall be properly placed on an *approved* reel or in an *approved* compartment prior to moving the tank vehicle.
24. The *fire code official* and other appropriate authorities shall be notified when a Reportable spill or unauthorized discharge occurs.

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25. Operators shall place a drip pan or an absorbent pillow under each fuel fill opening prior to and during dispensing operations. Drip pans shall be liquid-tight. The pan or absorbent pillow shall have a capacity of not less than 3 gallons (11.36 L). Spills retained in the drip pan or absorbent pillow need not be reported. Operators, when fueling, shall have on their person an absorbent pad capable of capturing diesel fuel overfills. Except during fueling, the nozzle shall face upward and an absorbent pad shall be kept under the nozzle to catch drips. Contaminated absorbent pads or pillows shall be disposed of regularly in accordance with local, state and federal requirements.

26. Requests for temporary dispensing of Class I flammable liquids will be reviewed on an individual basis. If *approved* by the fire chief, a mobile fueling permit will be required for the dispensing of Class I flammable liquids. The permit will specify the location, dates and times which have been *approved* for the temporary operation. Additionally, the fire chief may require standby personnel and a standby fire engine with fire personnel during the temporary operation. Charges for standby personnel shall be as normally calculated by the fire department.

27. A mobile fueling permit shall be issued for each fuel dispensing vehicle that dispenses Class II or Class III liquids in accordance with this chapter. The fire department shall inspect each vehicle to ensure that the equipment is in good working order and in compliance with the provisions of this chapter before issuing a permit to operate. ”

273. Subsection 5804.2, “Outdoor Storage,” of Section 5804, “Storage,” of Chapter 58, “Flammable Gases and Flammable Cryogenic Fluids,” of the 2015 International Fire Code is amended by adding a new Paragraph 5804.2.1, “Access,” to read as follows:

“**5804.2.1 Access.** Outdoor storage of flammable gas shall be provided with fire department access and fire hydrant availability in accordance with Chapter 5.”

274. Subsection 5904.2, “Outdoor Storage,” of Section 5904, “Storage,” of Chapter 59, “Flammable Solids,” of the 2015 International Fire Code is amended by adding a new Paragraph 5904.2.3, “Access,” to read as follows:

“**5904.2.3 Access.** Outdoor storage of flammable solids shall be provided with fire department access and fire hydrant availability in accordance with Chapter 5.”

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275. Subsection 5906.3, “Storage of Pigs, Ingots and Billets,” of Section 5906, “Magnesium,” of Chapter 59, “Flammable Solids,” of the 2015 International Fire Code is amended by adding a new Paragraph 5906.3.3, “Access,” to read as follows:

“5906.3.3 Access. Outdoor storage of magnesium pigs, ingots and billets shall be provided with fire department access and fire hydrant availability in accordance with Chapter 5.”

276. Subparagraph 6004.2.2.9, “Automatic Fire Detection System—Highly Toxic Compressed Gases,” of Paragraph 6004.2.2, “General Indoor Requirements,” of Subsection 6004.2, “Indoor Storage and Use,” of Section 6004, “Highly Toxic and Toxic Compressed Gases,” of Chapter 60, “Highly Toxic and Toxic Materials,” of the 2015 International Fire Code is amended to read as follows:

“6004.2.2.9 Automatic fire detection system—highly toxic compressed gases. An *approved supervised* automatic fire detection system shall be installed in rooms or areas where highly toxic *compressed gases* are stored or used. Activation of the detection system shall sound a local alarm. The fire detection system shall comply with Section 907.”

277. Section 6101, “General,” of Chapter 61, “Liquefied Petroleum Gases,” of the 2015 International Fire Code is amended to read as follows:

“SECTION 6101 GENERAL

6101.1 Scope. Storage, handling and transportation of liquefied petroleum gas (LP-gas) and the installation of LP-gas equipment pertinent to systems for such uses shall comply with this chapter, ~~and~~ NFPA 58 and NFPA 160. Properties of LP-gases shall be determined in accordance with Appendix B of NFPA 58 and NFPA 160. Storage and use of LP-gas inside Fair Park shall be in accordance with Section 32-19 of the *Dallas City Code*.

6101.2 Permits. Permits shall be required as set forth in Sections 105.6 and 105.7.

Distributors shall not fill an LP-gas container for which a permit is required unless a permit for installation has been issued for that location by the *fire code official*.

6101.2.1 Permit duration. A permit expires on the earliest of the following dates:

1. On the expiration date shown on the permit.

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2. When the permittee completes the permitted activity.
3. When the permittee abandons the permitted activity.
4. If the permittee is an employee conducting the permitted activity within the course and scope of employment, when the employer's permit expires or is revoked, whichever occurs first.

6101.2.2 Demonstration or portable cooking permits. A permit to use LP-gas for demonstration or portable cooking purposes that are temporary in nature, including but not limited to convention and promotional uses, may be issued for a period not to exceed 10 days, and, upon expiration, may be renewed by the *fire code official* upon application and the payment of all required permit fees. The *fire code official* may issue an annual permit for portable cooking purposes that are long term and continuous in nature and performed at a fixed location, including, but not limited to, street vending uses. The annual permit expires one year from the date of issuance and may be renewed by the *fire code official* upon application and the payment of all required permit fees. See Section 105.6 for additional permits required.

6101.3 Construction documents. Where a single LP-gas container is 250 [~~more than 2,000~~] gallons [~~(7570 L)~~] in water capacity or the aggregate water capacity of LP-gas containers is 2,000 [~~more than 4,000~~] gallons (7570 L) or more [~~(15-140 L)~~], the installer shall submit *construction documents* for such installation.

Plans detailing indoor or outdoor storage (above or below grade), dispensing, use and handling of LP-gas shall be submitted for review and approval to the *building official*. Plans shall include, but not be limited to, the following:

1. Amounts of LP-gas involved.
2. Material safety data sheets of all LP-gas involved.
3. Room construction, dimensions, ventilation, sprinkler design, etc.
4. Secondary containment.
5. Piping specifications (vents, ports, etc.).
6. Location on property.
7. Property lines.
8. Buildings and structures.
9. Fire apparatus access roads.

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10. Fire hydrants.

11. Manufacturer's specifications on all equipment involved (tanks, dispensers, pumps, etc.).

6101.4 LP-gas equipment. All LP-gas devices shall be *listed* for their intended use.”

278. Subparagraph 6103.2.1.5, “Demonstration Uses,” of Paragraph 6103.2.1, “Portable Containers,” of Subsection 6103.2, “Use of LP-Gas Containers in Buildings,” of Section 6103, “Installation of Equipment,” of Chapter 61, “Liquefied Petroleum Gases,” of the 2015 International Fire Code is amended to read as follows:

“6103.2.1.5 Demonstration uses. Portable LP-gas containers are allowed to be used temporarily for demonstrations and public exhibitions. Such containers shall not exceed a water capacity of 12 pounds (5 kg). Where more than one such container is present in the same room, each container shall be separated from other containers by a distance of not less than 20 feet (6096 mm). Portable LP-gas containers inside exhibition halls shall also comply with Section 3105.”

279. Paragraph 6103.2.1, “Portable Containers,” of Subsection 6103.2, “Use of LP-Gas Containers in Buildings,” of Section 6103, “Installation of Equipment,” of Chapter 61, “Liquefied Petroleum Gases,” of the 2015 International Fire Code is amended by adding a new Subparagraph 6103.2.1.8, “Jewelry Repair, Dental Labs and Similar Occupancies,” to read as follows:

“6103.2.1.8 Jewelry repair, dental labs and similar occupancies. Where natural gas service is not available, portable LP-gas containers are allowed to be used to supply *approved* torch assemblies or similar appliances. Such containers shall not exceed 20-pound (9.0 kg) water capacity. Aggregate capacity shall not exceed 60-pound (27.2 kg) water capacity. Each device shall be separated from other containers by a distance of not less than 20 feet (6096 mm). A hot work permit is required.”

280. Subsection 6104.2, “Maximum Capacity Within Established Limits,” of Section 6104, “Location of LP-Gas Containers,” of Chapter 61, “Liquefied Petroleum Gases,” of the 2015 International Fire Code is amended to read as follows:

“6104.2 Maximum capacity within established limits. Within the limits established by law

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restricting the storage of liquefied petroleum gas for the protection of heavily populated or congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L) [~~see Section 3 of the Sample Legislation for Adoption of the International Fire Code on page xxi~~].

Exceptions:

1. In particular installations, this capacity limit shall be determined by the *fire code official*, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-Gas containers, degree of fire protection to be provided and capabilities of the local fire department.
2. Except as permitted in Sections 308 and 6104.3.3, LP-gas containers are not permitted in residential areas.

281. Subsection 6104.3, “Container Location,” of Section 6104, “Location of LP-Gas Containers,” of Chapter 61, “Liquefied Petroleum Gases,” of the 2015 International Fire Code is amended by adding a new Paragraph 6104.3.3, “Spas, Pool Heaters and Other Listed Devices,” to read as follows:

“6104.3.3 Spas, pool heaters and other listed devices. Where natural gas service is not available, LP-gas containers are allowed to be used to supply spa and pool heaters or other listed devices. Such containers shall not exceed 250-gallon (946 L) water capacity per lot. See Table 6104.3 for location of containers.

Exception: Lots where LP-gas can be off-loaded wholly on the property where the tank is located; may install 500 gallon above ground or 1,000 gallon underground containers.”

282. Subsection 6107.4, “Protecting Containers from Vehicles,” of Section 6107, “Safety Precautions and Devices,” of Chapter 61, “Liquefied Petroleum Gases,” of the 2015 International Fire Code is amended to read as follows:

“6107.4 Protecting Containers from Vehicles. Where exposed to vehicular damage due to proximity to alleys, driveways or parking areas, LP-gas containers, regulators and piping shall be protected in accordance with Section 312 [NFPA-58].”

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283. Subsection 6109.13, "Protection of Containers," of Section 6109, "Storage of Portable LP-Gas Containers Awaiting Use or Resale," of Chapter 61, "Liquefied Petroleum Gases," of the 2015 International Fire Code is amended to read as follows:

“6109.13 Protection of Containers. LP-gas containers shall be stored within a suitable enclosure or otherwise protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4.

~~[Exception: Vehicle impact protection shall not be required for protection of LP-gas containers where the containers are kept in lockable, ventilated cabinets of metal construction.]”~~

284. Subsection 6304.2, "Outdoor Storage," of Section 6304, "Storage," of Chapter 63, "Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids" of the 2015 International Fire Code is amended by adding a new Paragraph 6304.2.4, "Access," to read as follows:

“6304.2.4 Access. Outdoor storage for oxidizers shall be provided with fire department access and fire hydrant availability in accordance with Chapter 5.”

285. The CGR Standard of Chapter 80, "Referenced Standards," of the 2015 International Fire Code is amended to read as follows:

“CGR Coast Guard Regulations
c/o Superintendent of Documents
U.S. Government Printing Office
Washington, DC 20402-9325

Standard reference number	Title	Referenced in code section number
46 CFR Parts 30, 32, 35 & 39—2001 [4999]	Shipping	5706.8

286. Appendix A and Appendix M of the 2015 International Fire Code are not adopted.

287. Appendices C, E, F, G, H, I, and J of the 2015 International Fire Code are adopted.

288. Appendix B, "Fire-Flow Requirements for Buildings," of the 2015 International Fire Code is adopted with the following amendment:

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A. Footnote a of Table B105.2, “Required Fire-Flow for Buildings Other Than One- and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses,” of Subsection B105.2, “Buildings Other Than One- and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses” is amended to read as follows:

“a. The reduced fire-flow shall be not less than 1,500 [~~1,000~~] gallons per minute.”

289. Appendix D, “Fire Apparatus Access Roads,” of the 2015 International Fire Code is adopted with the following amendments:

A. Subsection D102.1, “Access and Loading,” of Section D102, “Required Access,” is amended to read as follows:

“**D102.1 Access and loading.** Facilities, buildings or portions of buildings hereafter constructed shall be accessible to fire department apparatus by way of an *approved* fire apparatus access road with asphalt, concrete or other *approved* driving surface capable of supporting the imposed load of fire department apparatus weighing at least 81,500 [~~75,000~~] pounds (36 968 [~~34 050~~] kg).

B. Subsection D103.2, “Grade,” of Section D103, “Minimum Specifications,” is amended to read as follows:

“**D103.2 Grade.** See Section 503.2.7. [~~Fire apparatus access roads shall not exceed 10 percent in grade.~~

Exception: Grades steeper than 10 percent as *approved* by the fire chief.]”

C. Subsection D103.5, “Fire Apparatus Access Road Gates,” of Section D103, “Minimum Specifications,” is amended to read as follows:

“**D103.5 Fire apparatus access road gates.** Gates securing the fire apparatus access roads shall comply with Section N104, “Limited Access Gates,” of Appendix N. [~~all of the following criteria:~~

- ~~1. The minimum gate width shall be 20 feet (6096 mm).~~
- ~~2. Gates shall be of the swinging or sliding type.~~
- ~~3. Construction of gates shall be of materials that allow manual operation by one person.~~

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4. ~~Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.~~
5. ~~Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be *approved* by the *fire code official*.~~
6. ~~Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.~~
7. ~~Locking device specifications shall be submitted for approval by the *fire code official*.~~
8. ~~Electric gate operators, where provided, shall be *listed* in accordance with UL 325.~~
9. ~~Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.]”~~

D. Subsection D103.6, “Signs,” of Section D103, “Minimum Specifications,” is amended to read as follows:

~~“**D103.6 Signs.** See Section 503.3. [Where required by the *fire code official*, fire apparatus access roads shall be marked with permanent NO PARKING FIRE LANE signs complying with Figure D103.6. Signs shall have a minimum dimension of 12 inches (305 mm) wide by 18 inches (457 mm) high and have red letters on a white reflective background. Signs shall be posted on one or both sides of the fire apparatus road as required by Section D103.6.1 or D103.6.2.~~

~~**D103.6.1 Roads 20 to 26 feet in width.** Fire apparatus access roads 20 to 26 feet wide (6096 to 7925 mm) shall be posted on both sides as a fire lane.~~

~~**D103.6.2 Roads more than 26 feet in width.** Fire apparatus access roads more than 26 feet wide (7925 mm) to 32 feet wide (9754 mm) shall be posted on one side of the road as a fire lane.]”~~

290. Appendix K, “Construction Requirements for Existing Ambulatory Care Facilities,” of the 2015 International Fire Code is not adopted.

291. Appendix L, “Requirements for Fire Fighter Air Replenishment Systems,” of the 2015 International Fire Code is not adopted.

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292. The 2015 International Fire Code is amended by adding a new Appendix L, “Miscellaneous Dallas Fire-Rescue Department Standards,” to read as follows:

“APPENDIX N MISCELLANEOUS DALLAS FIRE-RESCUE DEPARTMENT STANDARDS

SECTION N101 GENERAL

N101.1 General. The following standards of the Dallas Fire-Rescue Department are codified as a supplement to the *Dallas Fire Code*.

SECTION N102 SPECIFICATIONS FOR SECURING UNSECURED VACANT STRUCTURES

N102.1 General. The diagrams and/or specifications in this standard delineate the *approved* methods for properly securing windows, doors and oversized openings of an unsecured vacant structure. All first floor openings shall be secured. Openings above the first floor shall be secured if they are subject to unauthorized entry or vandalism. All open vacant structures shall comply with these standards. Enforcement is accomplished pursuant to the *Dallas Fire Code*.

N102.2 First notification to secure a structure. Upon receipt of a first notification to secure an unsecured vacant structure, the operator shall secure the structure within 48 hours. Doors and windows which are not in disrepair can be locked and shall be considered secured. All other openings shall be adequately secured to prevent unauthorized entry.

N102.3 Second notification to secure a structure. Should a second notification to secure a structure be necessary within one year of the initial notification, all openings shall be secured as specified in Section L102.4.

N102.4 Specifications and materials. Specifications and materials are outlined in this section (see attached diagrams and specifications).

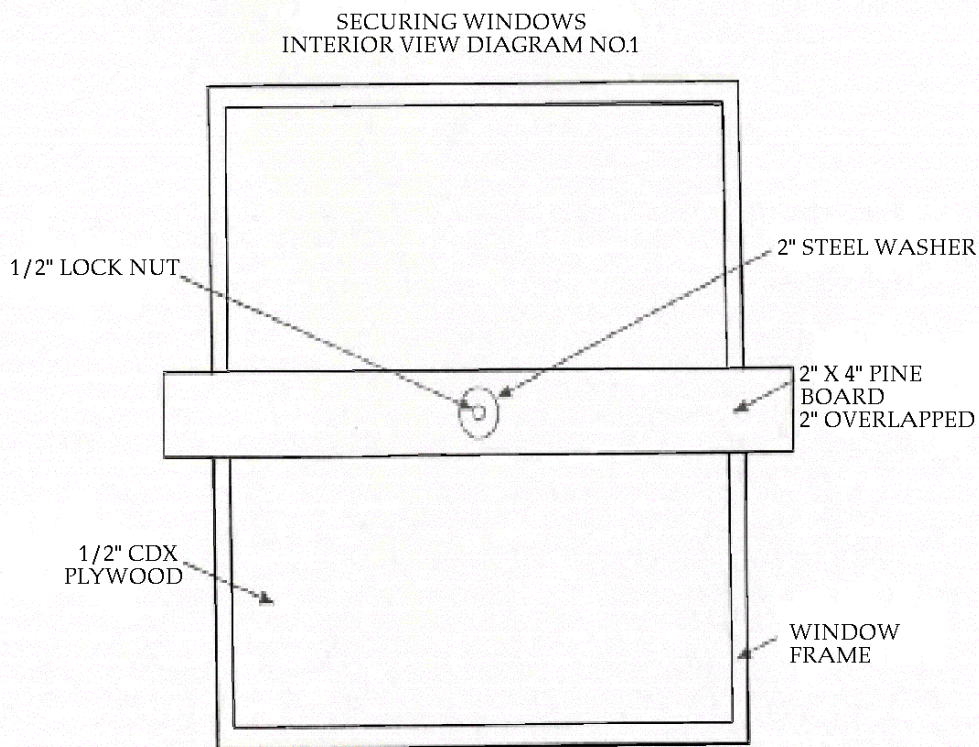
N102.4.1 Specifications and materials for securing windows. The following specifications and materials are to be used in securing windows:

1. ½-inch (12.7-mm) CDX plywood cut to provide an overlap of 2 inches (50.8 mm) on all sides secured on exterior side.
2. 8 penny cement coated, hot dipped zinc or galvanized nails.^a
3. 2 inch (50.8 mm) steel washer.
4. ¼-inch (6.4 mm) steel plate 6 inch square (0.00387 m²) for use as a washer.

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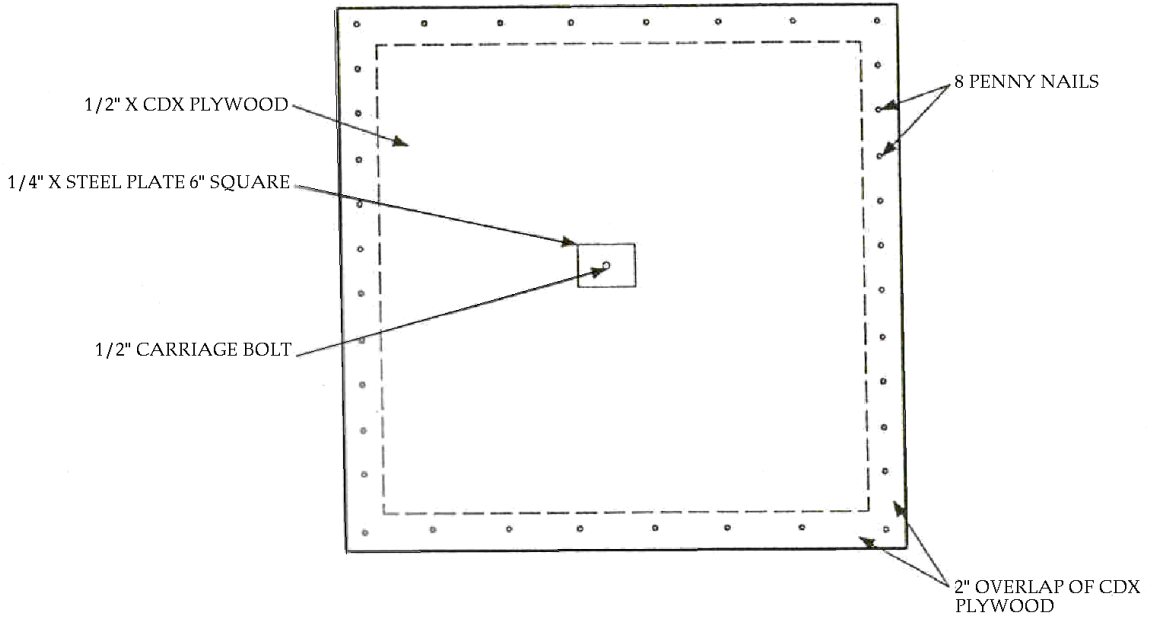
5. 2-inch X 4-inch (50 mm by 101.6 mm) pine board cut to provide an overlap of 2 inches (50.8 mm) on both sides.^b
6. ½-inch (12.7 mm) carriage bolt and ½-inch (12.7 mm) lock nut.
 - a. If applicable, 1½-inch (38.1 mm) masonry nails or # 8 1¼-inch (31.8 mm) sheet metal screws shall be used. All nails and screws on all installations may not exceed a maximum spacing of 12 inches (304.8 mm).
 - b. 2-inch X 4-inch (50.8 mm by 101.6 mm) pine board assembly should be centered if possible. Window shall have to be raised if not broken.

Casement, other window types which open outward, and picture windows with glass intact are exempt from the 2-inch X 4-inch (50 mm by 101.6 mm) pine board assembly requirement. However, they shall still be boarded from the exterior. Nails or screws may not exceed a maximum spacing of 6 inches (152.4 mm)

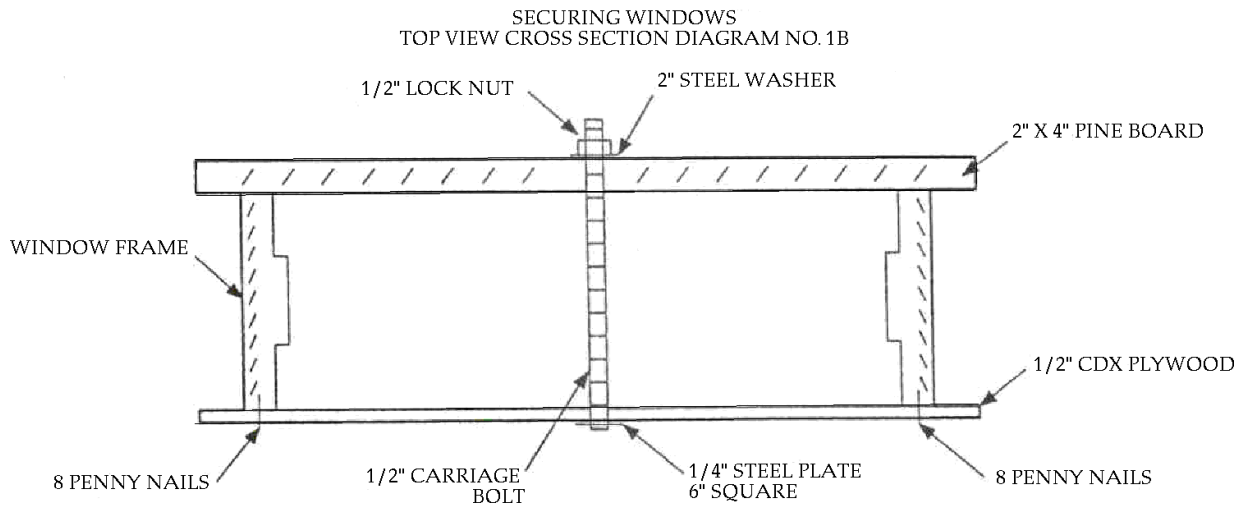


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EXTERIOR VIEW DIAGRAM NO. 1A



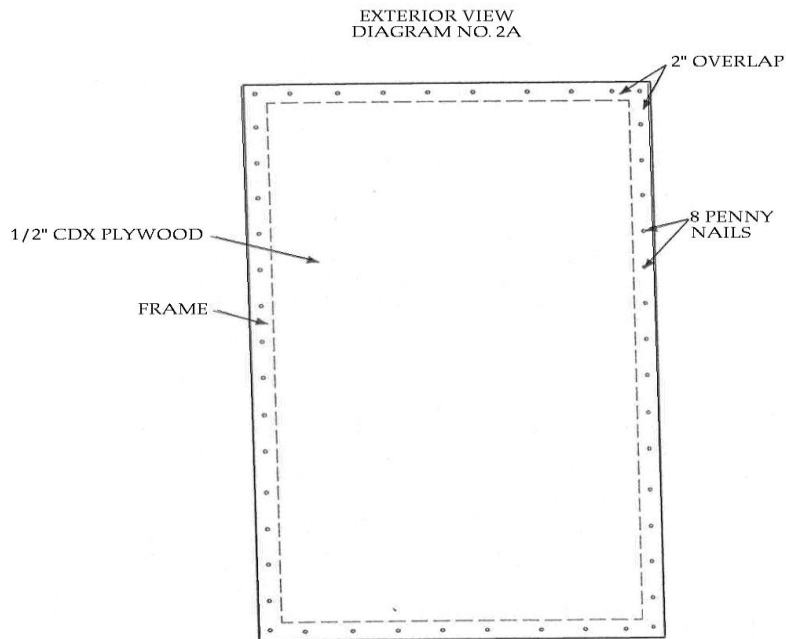
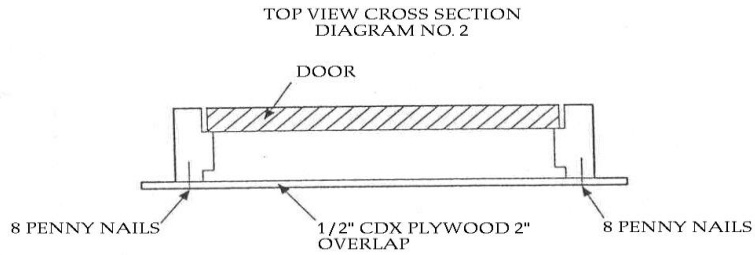
Dotted line denotes hidden view



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N102.4.2 Specifications and materials for securing doors. The following specifications and materials are to be used in securing doors:

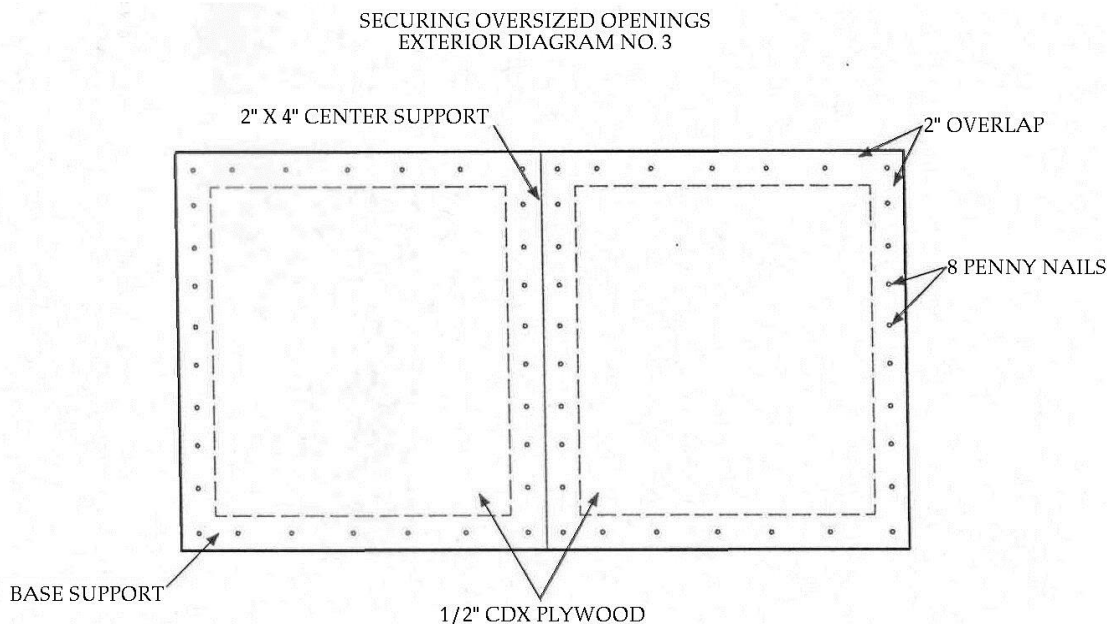
1. 1/2-inch (12.7 mm) CDX plywood cut to provide an overlap of 2 inches (50.8 mm) on all sides.
2. 8 penny cement coated, hot dipped zinc or galvanized nails.^a
3. All doors are to be secured on the exterior side.
 - a. If applicable 1 1/2-inch (38.1 mm) masonry nails or # 8 1/4-inch (31.75 mm) sheet metal screws shall be used. All nails and screws on installations may not exceed a maximum spacing of 6 inches (152.4 mm).



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N102.4.3 Specifications and materials for securing oversized openings. The following specifications and materials are to be used for securing oversized openings:

1. ½-inch (12.7 mm) CDX plywood cut to provide an overlap of 2 inches (50.8 mm) on all sides.
2. 2-inch X 4-inch (50.8 mm by 101.6 mm) pine board center support.^a
3. 8 penny cement coated, hot dipped zinc or galvanized nails.^b
 - a. 2-inch X 4-inch (50.8 mm by 101.6 mm) center support shall be substantially anchored to prevent the separation of the adjoining sections of plywood [plywood clip couplers may not be used in lieu of 2-inch X 4-inch (50.8 mm by 101.6 mm) pine board].
 - b. If applicable, 1½-inch (38.1 mm) masonry nails or #8 1¼-inch (31.75 mm) sheet metal screws shall be used. All nails and screws on all installations may not exceed a maximum spacing of 6 inches (152.4 mm).



Dotted line denotes hidden view

N102.4.4 Specifications for securing a structure using fencing materials. In instances where a structure cannot be secured in accordance with the standards previously provided in this section, a fence may be used. Structures of this nature include, but are not limited to, buildings burned or dilapidated to the point that the windows and/or doors cannot be used to secure the building. The use of fencing shall require prior approval by the fire chief, and meet these specifications:

1. 6-foot (1828.8 mm) chain link fence posts are to be anchored in concrete or a comparable *approved* material.

DRAFT

2. Gates of like materials.
3. Padlocks.
4. Three strands of barb wire or razor wire along top of fence and gate.
5. One strand of 7-gauge spring wire tightly woven and secured along the base of the fence.
6. Fence shall secure the perimeter of the structure(s) to prevent unauthorized entry.

SECTION N103 GENERAL FIRE SAFETY REQUIREMENTS FOR HIGH-RISE BUILDINGS

N 03.1 Fire safety plan. The operator of a high-rise building is required to submit a fire safety plan to the fire chief for review and approval. Copies of the fire safety plan shall be distributed to all tenants and employees of the building.

N103.2 Fire safety personnel assignments. The following fire safety personnel are required in high-rise buildings:

N103.2.1 Fire safety director. The fire safety director shall:

1. Be responsible for the fire safety plan and its implementation.
2. Select qualified building service employees for a fire brigade and ensure proper training.
3. Appoint fire wardens and ensure proper training.
4. In the event of fire, ensure the fire department is immediately notified and that evacuation procedures are initiated.
5. Ensure that all life safety systems are maintained, including:
 - 5.1. Fire alarm system.
 - 5.2. Automatic fire extinguishing systems.
 - 5.3. Elevator recall system.
 - 5.4. Fire pump, emergency generator and lighting.
6. Ensure fire drills are conducted quarterly and keep written records.

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N103.2.2 Fire warden. A fire warden shall be designated for each floor.

N103.2.2.1 Knowledge of fire warden. The fire wardens shall be familiar with:

1. The fire safety plan.
2. Location of *exits*.
3. The fire alarm system.
4. Portable fire extinguishing equipment.

N103.2.2.2 Duties of fire warden in the event of fire. In the event of a fire, fire wardens shall:

1. Execute the fire safety plan.
2. Close all doors while notifying floor occupants.
3. Direct the evacuation of the fire floor, as appropriate, to three floors below the fire or outside the building.
4. Assign a responsible person to any person who is physically challenged and in need of assistance.
5. Prevent the use of elevators.
6. Notify the fire safety director of any persons who require assistance or persons not accounted for.

N103.2.3 Fire brigade. Key building personnel shall be organized into a trained fire brigade that may include engineering, security and management personnel who shall carry out the following tasks in the event of fire.

1. When safe to do so, respond to the fire location, report on the situation and sound alarm if necessary, assist in evacuation and extinguish the fire if possible.
2. Check fire pump and emergency generator for proper operation.
3. Adjust the HVAC so that smoke is not spread throughout the building.
4. Ensure all elevators are brought to the ground floor.

N103.3 Fire safety plan. The following items shall be included in a high-rise building's fire safety plan:

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N103.3.1 Emergency phone numbers. The following phone numbers are required:

1. Fire/ambulance/police: 9-1-1.
2. Management and fire safety director.
3. Security.

N103.3.2 Procedures.^a The following procedures shall be included in a high-rise building's fire safety plan:

1. RESCUE: Remove anyone from the immediate danger area.
2. CONFINE: Close the door to the room of origin to help contain the smoke and fire in that area.
3. ALERT:
 - 3.1. Activate the alarm.
 - 3.2. Call building management and give your name, the nature of the emergency and the floor number and suite.
 - 3.3. Call the Dallas Fire-Rescue Department 9-1-1 and give your name; the nature of the emergency; and the building name, street address, floor and suite number.
4. FIGHT: If the fire is small and confined to one object (such as a trash can), attempt to fight the fire if the proper type of extinguisher is available, the person is familiar with extinguisher operation, and there are two ways out.

a. NOTE: Alternate wording may be used when *approved* by the fire chief.

N103.3.3 Fire alarm system. A high-rise building safety plan shall:

1. Explain how the alarm system is activated:
 - 1.1. Manual pull stations;
 - 1.2. Smoke detectors/heat detectors; or
 - 1.3. Water flow/tamper alarms on the sprinkler system.
2. Explain what is activated in an alarm condition and give examples:
 - 2.1. Horns or bells, either throughout the building, on the fire floor, two floors above, one floor below, or on the fire floor only;

DRAFT

- 2.2. Elevators recalled to the ground floor;
- 2.3. Heating, ventilating, and air-conditioning systems (HVAC) on the fire floor turned off. Exhaust fans are activated to remove smoke in the building.
- 2.4. Pressurized stairwells, if applicable.
- 2.5. Automatically unlocks stairwell doors from the stairwell side to permit re-entry onto other floors if smoke is encountered in the stairwell.

If stairwell re-entry is only available on every fifth floor, signs shall be posted indicating reentry points.

N103.3.4 Evacuation procedures. When the fire alarm is activated, use the closest stairwell to evacuate:

1. To three floors below the fire floor or to the ground floor and *exit* the building if so instructed.
2. If the closest stairwell is blocked by fire or smoke, evacuate by an alternate stairwell.
3. If all stairwells are blocked by fire or smoke, return to an office or room and close the doors. Call the fire department (number for outside line) 9-1-1, and building management (management office number) and notify them of your location. Seal doorway openings and air-conditioning vents with towels, clothing, etc. Stay low, below the smoke, and use a wet towel to cover your mouth and nose. Break windows only as a last resort.

N103.4 Emergency plan. An emergency plan shall be provided for fire-fighter use in the control room and shall include an emergency plan layout showing:

1. Means of egress from each floor.
2. Doors through which entry to safe floor areas may be made from the stairwell.
3. Where present, the location of:
 - 3.1. Emergency power for the fire alarm system.
 - 3.2. Fire-extinguishing systems.
 - 3.3. Smoke removal system.
 - 3.4. Public address system.

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- 3.5. Two-way communication system.
- 3.6. Fire control station.
- 3.7. Heat, smoke and flame detectors.
- 3.8. Elevators having manual override controls.

N103.5 General requirements for high-rise buildings. High-rise buildings shall meet the following requirements.

N103.5.1 Elevator warning signs. The operator of the premises shall post and maintain in each elevator lobby, on all floors, a sign which has the words IN FIRE EMERGENCY, DO NOT USE ELEVATOR. USE *EXIT* STAIRS. Existing *approved* signs that read ELEVATORS MAY NOT BE USED IN CASE OF FIRE – USE STAIRWELLS WHICH ARE MARKED AS *EXITS* installed prior to the adoption of this code shall be permitted. Sign shall be marked:

1. In letters at least ½ inch (12.7 mm) high and on a contrasting background.
2. With a floor evacuation diagram oriented from each posted location showing the location of at least two of the nearest stairs.

N103.5.2 Information sign. The operator of the premises shall post and maintain at the main elevator lobby a sign, which has the words, ‘Fire Emergency Plan Available for Review from the Management Office’ of letters at least ½ inch (12.7 mm) high and on a contrasting background.

SECTION N104 LIMITED ACCESS GATES

N104.1 General. Limited access gates which obstruct fire department access roads (fire lanes) shall be installed and maintained in accordance with the provisions of this section.

N104.1.1 Submit building plans prior to installation. Submit two sets of plans drawn to scale for plan review and approval prior to installation. See the ‘Limited Access Gate Requirements’ handout for information required for plan designs.

N104.1.2 Building permit required. A building permit is required to install fencing over 6 feet (1828.8 mm) high.

N104.1.3 Electrical permit required. An electrical permit is required for all electrical work.

N104.1.4 Limited access gates. An annual permit is required for the operation and maintenance of limited access gates which obstruct fire apparatus access roads and which

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open electro-mechanically, using an *approved* Dallas Fire-Rescue Department radio receiver and transmitter.

N104.2 Design. Limited access gates which obstruct fire department access roads shall:

1. Be set back a minimum of 20 feet (6096 mm) from public access roadways.
2. Open electro-mechanically using an *approved* Dallas Fire-Rescue Department radio receiver and transmitter when installed at residential occupancies (to include apartments, hotels/motels, gated residential communities, etc.), institutional occupancies, and other locations when, in the opinion of the fire chief, life safety needs must be addressed. When *approved* by the fire chief, general business occupancies may utilize manual Knox entry equipment, such as a Knox padlock and chain.
 - 2.1. Each Dallas Fire-Rescue Department radio receiver shall comply with the following design criteria:
 - 2.1.1. Consist of a six channel modular receiver having 400+ MHz frequency. Each digital channel module shall be preset to a specified digital code designated by the fire chief;
 - 2.1.2. Be equipped with one external, weather-tight, antenna assembly;
 - 2.1.3. Be equipped with a flasher unit and external lamp assembly with a red globe and guard to be mounted separate from the enclosure. This shall be wired to 115 volts and clearly visible from the entry side of the gate;
 - 2.1.4. Be located so that it can receive a clear signal from the transmitter when activated from inside responding emergency vehicles from a distance of 100 feet (30 480 mm);
 - 2.1.5. Shall override all other opening systems;
 - 2.1.6. Be protected from weather and physical damage; and
 - 2.1.7. When activated, the gate shall open at a minimum speed of 1 foot per second and remain open until closed by the fire department.
3. Gate designs that involve installing gates within close proximity of each other shall be relayed so that both gates will open when activated. One Dallas Fire-Rescue Department transmitter and compatible radio receiver may be used to achieve this requirement.
4. A manual back-up system shall be provided for all electro-mechanical gates. It shall be accessible on the entry side of the gate, using the Knox padlock that conforms to the Dallas Fire-Rescue Department Knox security key that is used at all other locations.

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- 4.1. A fail-safe manual back-up system shall be installed to allow access through the gate in the event of operational failure.
- 4.2. On swing gates and barrier arms, this manual system shall be designed:
 - 4.2.1. To be clearly visible and easily accessible from the entry side of the gate.
 - 4.2.2. To open manually by one person removing the Knox padlock and/or pin that is secured in the arm.
- 4.3. On slide gates this manual system shall be designed:
 - 4.3.1. To be clearly visible and easily accessible from the entry side of the gate.
 - 4.3.2. To be mounted within 10 feet (3048 mm) of the gate and open manually by one person utilizing an *approved* single manual release device.
5. Commercial locations not required to install radio receivers shall utilize *approved* manual Knox entry equipment, such as a Knox padlock and chain.

N104.3 Weatherproof box required. The manual release device as required in Item 4 of Section L104.2 shall be protected from weather and physical damage in a weatherproof box which is:

1. Red in color.
2. At least 5 inches high, 5 inches wide and 1½ inches deep (127 mm high, 127 mm wide and 38.1 mm deep).
3. Clearly labeled 'Fire Dept.' in white block letters 1 inch (25.4 mm) tall with a ¼-inch (6.35 mm) stroke.
4. Located within 10 feet (3048 mm) of the gate.
5. Clearly visible and easily accessible.
6. Designed to accept the Knox padlock that conforms to the Dallas Fire-Rescue Department Knox security key when used with the manual release device.

N104.4 Pedestrian walkway gates. Limited access gates may be installed across pedestrian walkways provided they swing in the direction of egress travel. Gates serving as part of a required means of egress shall also comply with Chapter 10. Gates obstructing fire department access required in Section 503 shall comply with the following designs:

1. Electronic locking devices installed on pedestrian walkway gates shall have a manually operated weatherproof Knox key switch and be compatible with the Dallas Fire-Rescue

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Department Knox security key. In the event of a power failure or other failure of the electro-mechanical system, a fail-safe system shall automatically unlock the gate to allow free entry and *exit*.

2. Pedestrian walkway gates using Simplex-style door knob locks shall conform with the attached fire department access window diagrams. Fire department access windows shall have a required minimum dimension of 9 inches by 12 inches (228.6 mm by 304.8 mm) and include a hasp for the Dallas Fire Department Knox padlock that is compatible with the Dallas Fire-Rescue Department Knox security key.

N104.5 Maintenance. The gate opening systems shall be serviced on a regular basis and maintained in an *approved* operating condition.

1. The mechanical and electrical components shall be serviced on a regular basis and maintained in an *approved* operating condition.
2. A power supply shall be maintained to electronic components at all times.

N104.6 Performance test required.

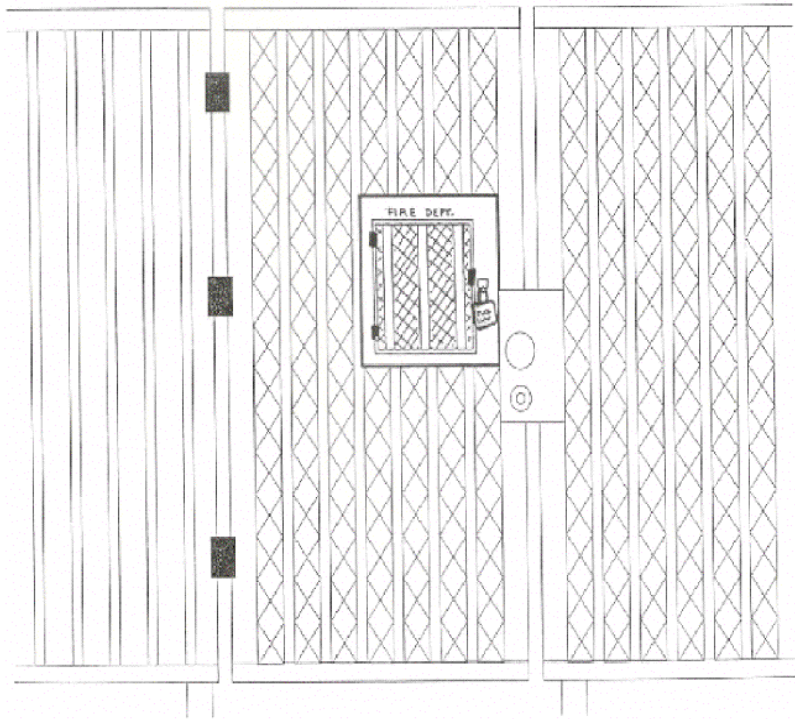
1. A performance test shall be conducted annually to verify proper operation of equipment.
2. Upon failure of the performance test, the security gate system shall be disabled and maintained in the open position until repaired and tested by the *fire code official*.

N104.7 Illegal secondary obstructions to limited access gates.

1. Barrier arms in front of access gates are not allowed.
3. Magnetic locking devices interconnected to Dallas Fire-Rescue Department radio receivers on limited access gates are prohibited.

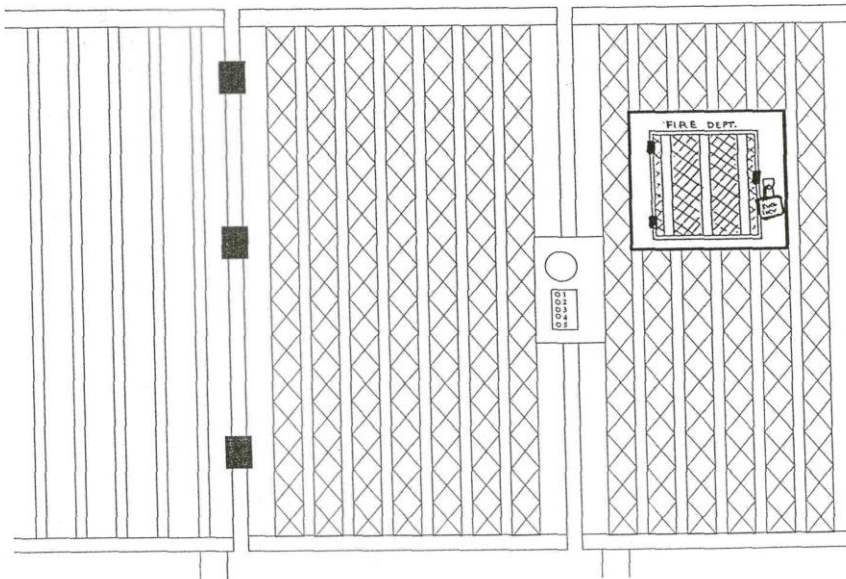
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PEDESTRIAN WALKWAY SECURITY GATES



KEY ACCESS GATE
FREE EXIT

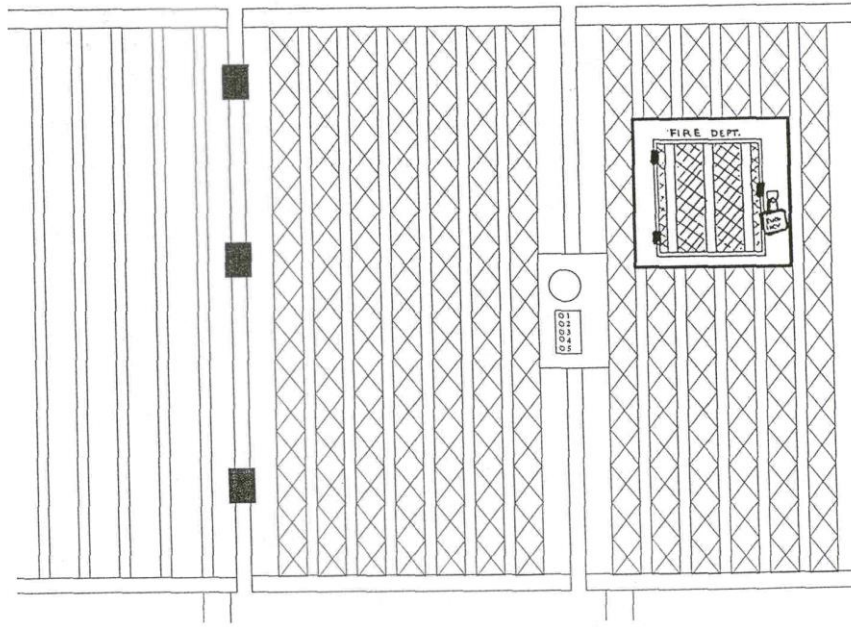
PEDESTRIAN WALKWAY SECURITY GATES



CODE ACCESS GATE
FREE EXIT

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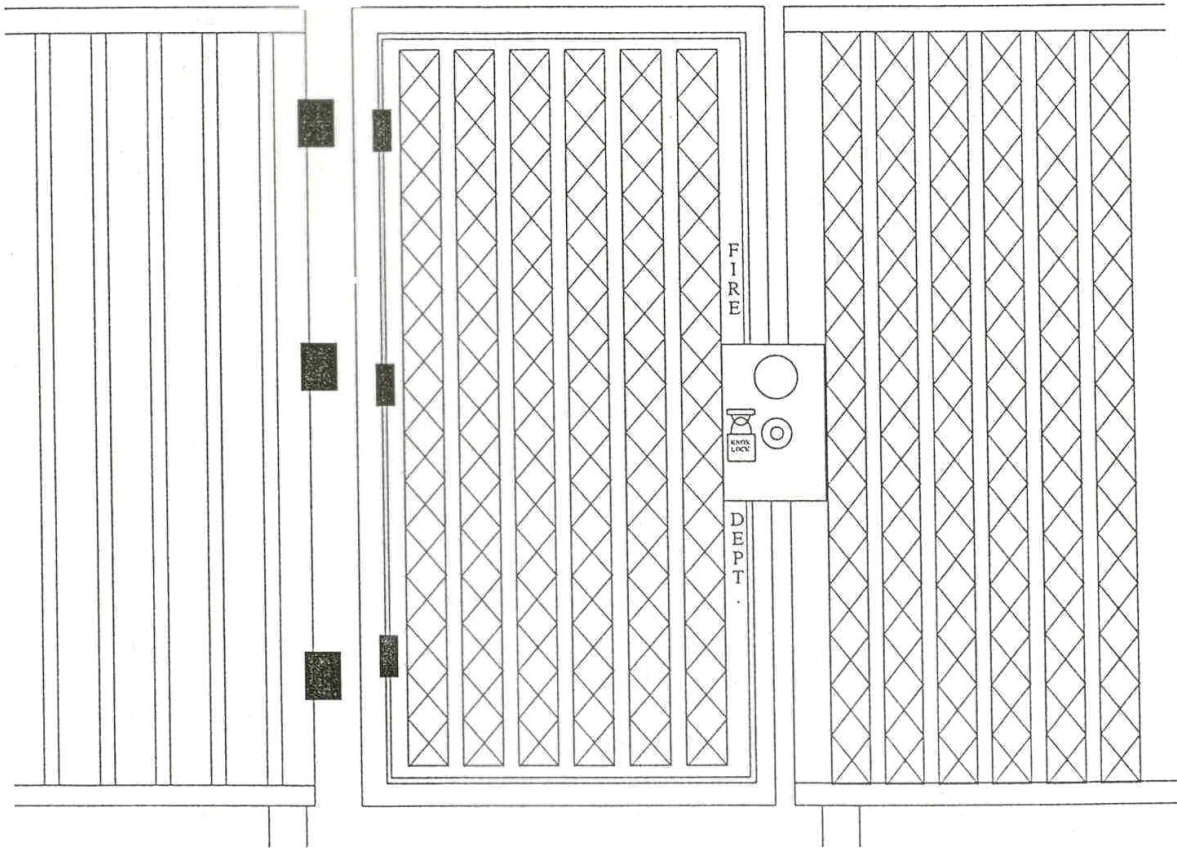
PEDESTRIAN WALKWAY SECURITY GATES



CODE ACCESS GATE
FREE EXIT

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PEDESTRIAN WALKWAY SECURITY GATES



GATE WITHIN A GATE
A SECONDARY ACCESS GATE BIG ENOUGH TO WALK THROUGH

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293. All chapters of the 2015 International Fire Code adopted by this ordinance are subchapters of Chapter 16 of the Dallas City Code, as amended.

294. All references in the 2015 International Fire Code to the building code, plumbing code, mechanical code, electrical code, residential code, existing building code, energy conservation code, and the fuel gas code refer, respectively to Chapters 53, 54, 55, 56, 57, 58, 59, and 60 of the Dallas City Code.

SECTION 2. Any errata corrections of the 2015 International Fire Code published by the International Fire Code Institute are considered as part of this code.

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the effective date of this ordinance will be discharged or affected by this ordinance. Prosecutions and suits for such offenses, liabilities, penalties, and forfeitures may be instituted, and causes of action pending on the effective date of this ordinance may proceed, as if the former laws applicable at the time the offense, liability, penalty, or forfeiture was committed or incurred had not been amended, repealed, reenacted, or superseded, and all former laws will continue in effect for these purposes.

SECTION 4. That Chapter 16 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance. Any existing structure, system, development project, or registration that is not required to come into compliance with a requirement of this ordinance will be governed by the requirement as it existed in the former law last applicable to the structure, system, development project, or registration, and all former laws will continue in effect for this purpose.

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SECTION 5. 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 6. That this ordinance shall take effect on July 22, 2016, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER D. BOWERS, Interim City Attorney

By _____
Assistant City Attorney

Passed _____

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): 3
DEPARTMENT: Housing/Community Services
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: 65G

SUBJECT

Authorize an amendment to Resolution No. 15-0822, previously approved on April 22, 2015, for a conditional grant agreement in the amount of \$450,000 with NP Community Development Corporation dba Heroes House to extend the loan agreement from June 30, 2016 to October 31, 2016 – Financing: No cost consideration to the City

BACKGROUND

This item is on the addendum to move forward due to legal deadlines before the next available agenda.

In June 2016, Gary Hasty, CEO of Heroes House, requested to extend the completion date to October 31, 2016 for the conditional grant agreement in the amount of \$450,000 for rehabilitation costs for the 64-unit apartment complex located at 2120 52nd Street offering mixed-income units.

Construction began in January 2016 with several conditions contributing to the delay in timely completion of the project including: weather delays which held up supply deliveries, precautions and inspections associated with asbestos abatement, design and permitting delays for the burned units, additional underground utilities replaced, and collapsed plumbing throughout the entire property.

To date, the developer has completed and received green tags and clearance for asbestos abatement, roofs, windows, plumbing, electrical, and heating/air conditioning in four of the five buildings. Framing, overhangs, and walkways have been replaced in three of the five buildings. Sheetrock and flooring will be completed in three of the five buildings in June with new appliances in July. Rehabilitation for the remaining two buildings will be completed by August. The developer is utilizing \$2,650,000 in private funds for this project.

BACKGROUND (continued)

It is anticipated that preleases for occupancy of the 33 affordable units to satisfy the City's investment will begin in July for occupancy of all 64 units completed by October. Mr. Hasty is working with the Housing Crisis Center and Veterans Affairs to identify clients to occupy the units. Currently, ten veteran households have been identified for these units.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 22, 2015, City Council approved the conditional loan agreement with NP Community Development Corporation dba Heroes House, by Resolution No. 15-0822.

Information about this item will be provided to the Housing Committee on June 20, 2016.

FISCAL INFORMATION

No cost consideration to the City

OWNER

NP Community Development Corporation dba Heroes House

Gary Hasty, Founder and Chairman

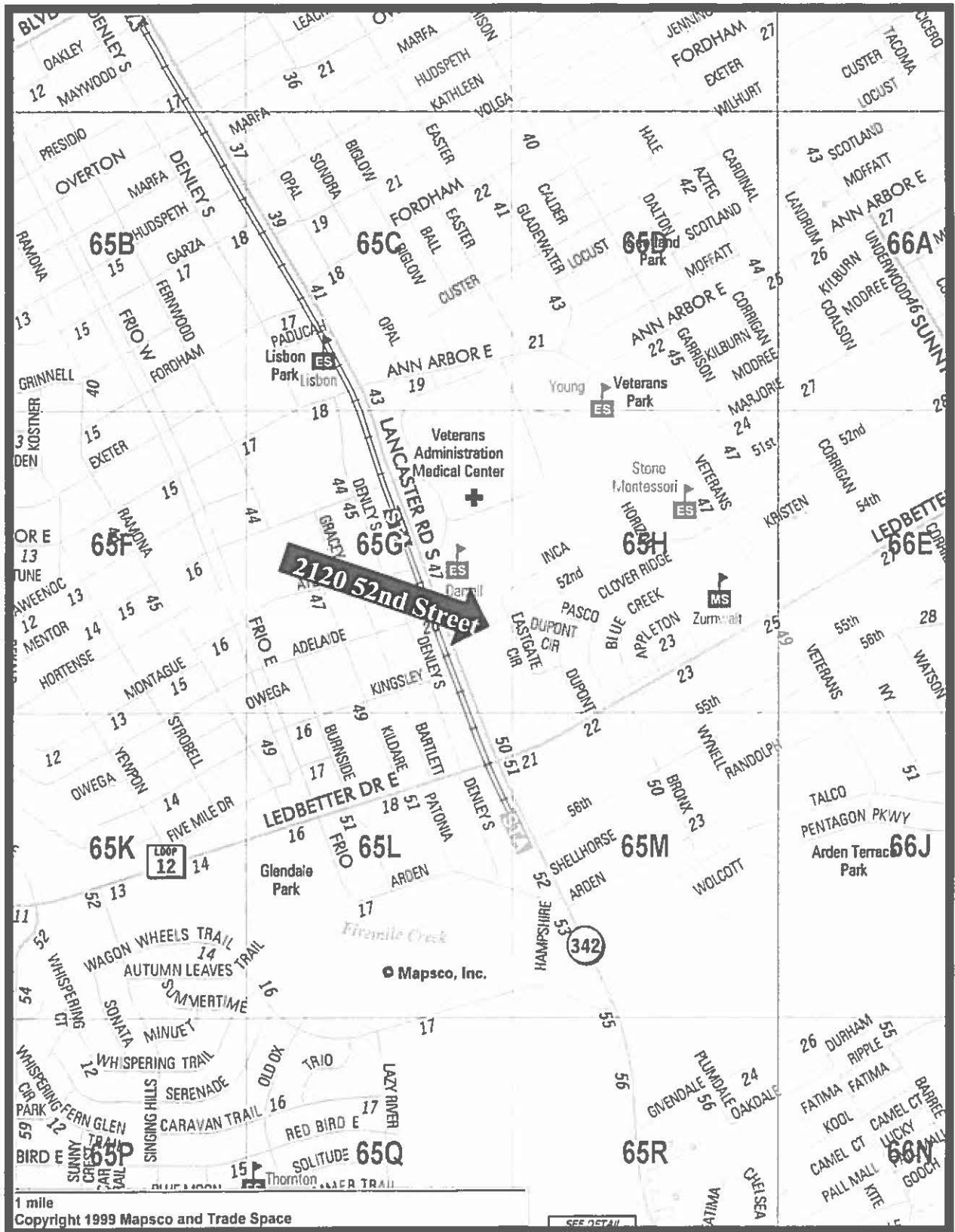
DEVELOPER

NP Community Development Corporation dba Heroes House

Gary Hasty, Founder and Chairman

MAP

Attached



MAPSCO 65G

June 22, 2016

WHEREAS, the development of owner occupied housing units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on April 22, 2015, City Council approved the conditional loan agreement with NP Community Development Corporation dba Heroes House, by Resolution No. 15-0822; and

WHEREAS, the City desires for NP Community Development Corporation dba Heroes House to complete the rehabilitate and occupancy of the 64 units for veterans.

NOW, THEREFORE,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute an amendment to Resolution No. 15-0822, previously approved on April 22, 2015, for a conditional grant agreement in the amount of \$450,000 with NP Community Development Corporation dba Heroes House to extend the loan agreement from June 30, 2016 to October 31, 2016.

Section 2. That the terms of the conditional grant agreement include:

- (a) NP Community Development Corporation dba Heroes House will execute a performance Deed of Trust and Deed Restrictions on the property which will carry a 5 year term for the affordable units.
- (b) The lien will be released for forgiveness of debt after acquisition, completion of rehabilitation and 51% occupancy of the units to households at or below 80% AMFI.
- (c) NP Community Development Corporation dba Heroes House will have until October 31, 2016 to fully complete the rehabilitation and occupancy of the units.
- (d) The City will subordinate first lien position to the interim construction lender.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute the loan agreement and associated documents, subordinations to the senior construction lender and permanent lender, and releases of liens and terminate deed restrictions on the property upon compliance with the loan terms and deed restrictions.

Section 4. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loan, until such time as the loan documents are duly approved by all parties and executed.

June 22, 2016

Section 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): 2
DEPARTMENT: Housing/Community Services
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: 45Q

SUBJECT

Authorize an amendment to Resolution No. 15-2214, previously approved on December 9, 2015, for the Loan Agreement between TEOF Hotel LP, a Texas limited partnership, and the City of Dallas to provide for refinancing of the developer's first lien loan for development of the Lorenzo Hotel project located at 1011 South Akard Street from \$12,912,615 to \$17,850,000 – Financing: No cost consideration to the City

BACKGROUND

This item is on the addendum to move forward due to legal deadlines before the next available agenda.

The City seeks to fund projects that increase the level of business activity by expanding economic activities and increase the level of affordable housing in the project area. It is also important to the City that Section 108 loan repayments from borrowers match the City's required repayments to HUD on the Section 108 Guarantee Loan. Annual repayments of Section 108 Guarantee loans should be credit enhanced to eliminate risk of City making payments from annual CDBG allocations, to the extent reasonably possible.

In October 2012 the City received a proposal from Texas Educational Opportunity Fund (TEOF) for a loan in the amount of \$11,000,000 in CDBG Section 108 Guarantee Loan Program funds for eligible activities to assist with rehabilitation of a vacant hotel building located at 1011 South Akard Street to reuse as a new hotel. The City submitted the application to HUD in February 2013. During HUD's review and consideration of the application the project ownership structure was changed to TEOF Hotel LP who would undertake the development.

BACKGROUND (continued)

In December 2014 HUD approved Section 108 funds of \$11,000,000 for the project to provide exterior rehabilitation and interior rehabilitation of approximately 165,006 square feet for a 12-floor, 237-room hotel and a structured parking garage, and to fund sitework, loan interest reserve, and financing costs related to the Section 108 public offering.

The hotel would be developed as a four-star hotel under a franchise agreement with Choice Hotels International, Inc., Ascend Collection of boutique hotels, currently branded as the Lorenzo Hotel that will create an estimated 220 permanent full-time equivalent jobs.

The City received notice of award from HUD in December 2014 approving the Section 108 application for the Hotel project, and on January 14, 2015, the City Council, by Resolution No. 15-0147, authorized the City Manager to accept \$11,000,000 in Section 108 Loan Funds from HUD for the Hotel Project for assistance with rehabilitation of a vacant commercial building including economic development, loan interest reserve, and financing costs related to the Section 108 public offering for the Hotel Project located at 1011 South Akard Street and enter into a loan agreement with TEOF Hotel LP for a Section 108 funded loan of \$11,000,000 and execute any necessary documents in connection with development of the Hotel Project. On May 4, 2015, the City entered into a loan agreement with TEOF Hotel LP to provide a loan in the amount of \$11,000,000 secured by a second lien interest. TEOF secured a first lien construction loan of \$12,912,615 with Prosperity Bank and the third lien mezzanine loan of \$2,324,813 with 1011 Mezz Funder LLC. The hotel is under construction and is scheduled for completion in December 2017.

TEOF Hotel now wishes to refinance the first lien construction loan of \$12,912,615 with BancorpSouth Bank in the amount of \$17,850,000. This \$17,850,000 loan will include funding for an increase in total project costs resulting from a delay in start-up of project construction pending HUD's approval of the Section 108 loan and closing of the loan for the project. TEOF's request for replacement financing is required by the Subordination and Intercreditor Agreement, among TEOF Hotel LP, 1011 Mezz Funder LLC, Prosperity Bank, and the City of Dallas, which requires that the City consent to any increase in the first lien amount.

After completion of the refinance, the debt service coverage ratio will be greater than 1.15 and the loan to value ratio will be 80.97%, both in conformance with the requirements of the Subordination and Intercreditor Agreement.

Final approval of this refinance is subject to approval by the U.S. Department of Housing and Urban Development, and the City's resolution is contingent upon such approval.

BACKGROUND (continued)

The economic development activity will meet the CDBG National Objective of benefiting low- and moderate-income persons and the public benefit standard set forth in HUD Regulations. The CDBG National Objective requires that at least 51% of the 220 jobs created (113 jobs) will be held by or made available to low- and moderate-income persons with incomes at 80% or less of Area Median Family Income as established by HUD. The public benefit standard requires the activity undertaken to create at least one permanent full-time equivalent job per \$50,000 of CDBG funds used, for a total of 220 permanent full-time equivalent jobs.

Based on the most recent decennial census, which has been replaced by the American Community Survey 5-year estimates for 2006-2010, the project is located in census tract 204.00 where at least 20% of the population in all of the block groups in that census tract is below the poverty level. On this basis, all of the jobs created by the project can be presumed to be low- and moderate-income jobs pursuant to HUD regulations.

Additionally, the commercial development of the project will meet the statements of community development objectives in the City's Consolidated Plan dealing with creation of employment opportunities by creating an estimated 220 permanent full-time equivalent jobs for low- and moderate-income persons.

The Section 108 Loan funds are being used to fund exterior rehabilitation and interior rehabilitation of approximately 165,006 square feet for a 12-floor, 237-room hotel and a structured parking garage, and to fund sitework, loan interest reserve, and financing costs related to the Section 108 public offering. The total project cost to develop the Hotel Project including rehabilitation of the exterior and approximately 165,006 square feet of interior space has increased from is \$32.6M to \$37.9M with the City contributing 29%. Funding for the project comes from the \$11M Section 108 Loan Funds and from a first lien note of \$17,850,000, owner equity of \$5.4M, TIF grant of \$1M, and owner holding costs of \$.5M. A bank loan of \$17,850,000 for construction will be in first lien position followed by the Section 108 loan of \$11,000,000 in second lien position.

The amount of \$2,324,813 for the mezzanine loan will remain as third lien.

City Council approval of this item will authorize the City Manager to execute all necessary documents with TEOF Hotel LP, and BancorpSouth Bank to provide for refinancing of the developer's first lien loan, including a revised Subordination and Intercreditor Agreement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 12, 2012, City Council authorized a public hearing to be held on January 23, 2013, to receive comments on adoption of Substantial Amendment No. 17 to the 2008-09 through 2012-2013 Consolidated Plan and the FY 2012-13 Action Plan for HUD Funds to identify the Hotel Project and on the proposed City of Dallas submission of an application to HUD for a Section 108 Guaranteed Loan Program loan not to exceed \$11,000,000 for the Hotel Project located at 1011 South Akard Street by Resolution No. 12-3018.

On January 23, 2013, City Council held a public hearing and adopted Substantial Amendment No. 17 to the 2008-09 through 2012-2013 Consolidated Plan and the FY 2012-13 Action Plan for HUD funds, approved modification of the CDBG Section 108 Loan Program Statement, and authorized submission of a Section 108 Guaranteed Loan Program loan application to HUD for a CDBG Section 108 Program loan in the amount of \$11,000,000 to fund a loan for Texas Educational Opportunity Fund, a Texas non-profit, to assist with rehabilitation of a blighted, vacant commercial building, formerly Plaza Hotel, including property acquisition, environmental remediation, elimination of adverse health and safety hazards, loan interest reserve and financial costs for the Section 108 public offering for the Hotel Project located at 1011 South Akard Street that would create an estimated 90 permanent full-time equivalent jobs to be held by individuals with incomes at 80% or less of Area Median Family Income as established by HUD by Resolution No. 13-0237.

On January 14, 2015, City Council authorized the acceptance of \$11,000,000 of Community Development Block Grant Section 108 Guaranteed Loan Program Funds (Section 108 Loan Funds) from the U.S. Department of Housing and Urban Development for the Plaza Hotel commercial development project (Hotel Project); execution of a loan agreement with TEOF Hotel, LP (the Section 108 Borrower) in the amount of \$11,000,000 of Section 108 Loan Funds (the Section 108 Borrower Loan) for development of the Hotel Project to assist with rehabilitation of a vacant commercial building located at 1011 South Akard Street including economic development, loan interest reserve and financial costs for the Section 108 public offering that will create an estimated 220 permanent full-time equivalent jobs with 51% to be held by or made available to low- and moderate-income persons with incomes at 80% or less of Area Median Family Income as established by HUD; the City Manager to enter into all necessary agreements with HUD including a Funding Approval/Agreement, a Fiscal Agency Agreement, a Promissory Note, up to two letters of agreement, for establishment of a custodial account, documents relating to additional security if required by HUD, and a letter requesting advance funds for interim financing; the City Manager to establish appropriations for Section 108 Loan Funds and all necessary loan documents related to the \$11,000,000 Section 108 loan Funds for the Hotel Project involving rehabilitation of a blighted, vacant commercial building into a new 237-room four-star hotel under Choice Hotels International, Inc., Ascend Collection; and the City Controller to deposit and disburse funds from an identified account with total disbursements not to exceed \$11,000,000 in Section 108 Loan Funds, by Resolution No. 15-0147.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On December 9, 2015, City Council approved (1) amendment of the Loan Agreement between TEOF Hotel LP, a Texas limited partnership, and the City of Dallas to provide for refinancing of the developer's first lien loan and third lien (mezzanine) loan for development of the Lorenzo Hotel project located at 1011 South Akard Street; (2) incorporation of the mezzanine loan into first lien place together with the Construction Loan and increasing the total senior loan from \$12,912,615 to \$18,000,000 including an increase of \$1,997,572 in total project cost in return for which Lawrence E. Hamilton, Lawrence E. Hamilton III, and Texas Educational Opportunity Fund will convert \$415,000 of mezzanine debt into additional equity, Lawrence E. Hamilton, Lawrence E. Hamilton III, and TEOF Hotel LP will forego \$350,000 of mezzanine loan payments, and Lawrence E. Hamilton will provide the City with a personal payment and completion guaranty; and (3) the City Manager or his designee to execute any necessary documents related to amending the Loan Agreement with TEOF Hotel LP, by Resolution No. 15-2214.

Information about will be provided to the Housing Committee on June 20, 2016.

FISCAL INFORMATION

No cost consideration to the City.

OWNER

TEOF Hotel, LP

John P. Greenan, Chairman of the Board
Texas Educational Opportunity Fund

Lawrence E. Hamilton, Chief Executive
Officer
Hamilton Properties Corporation

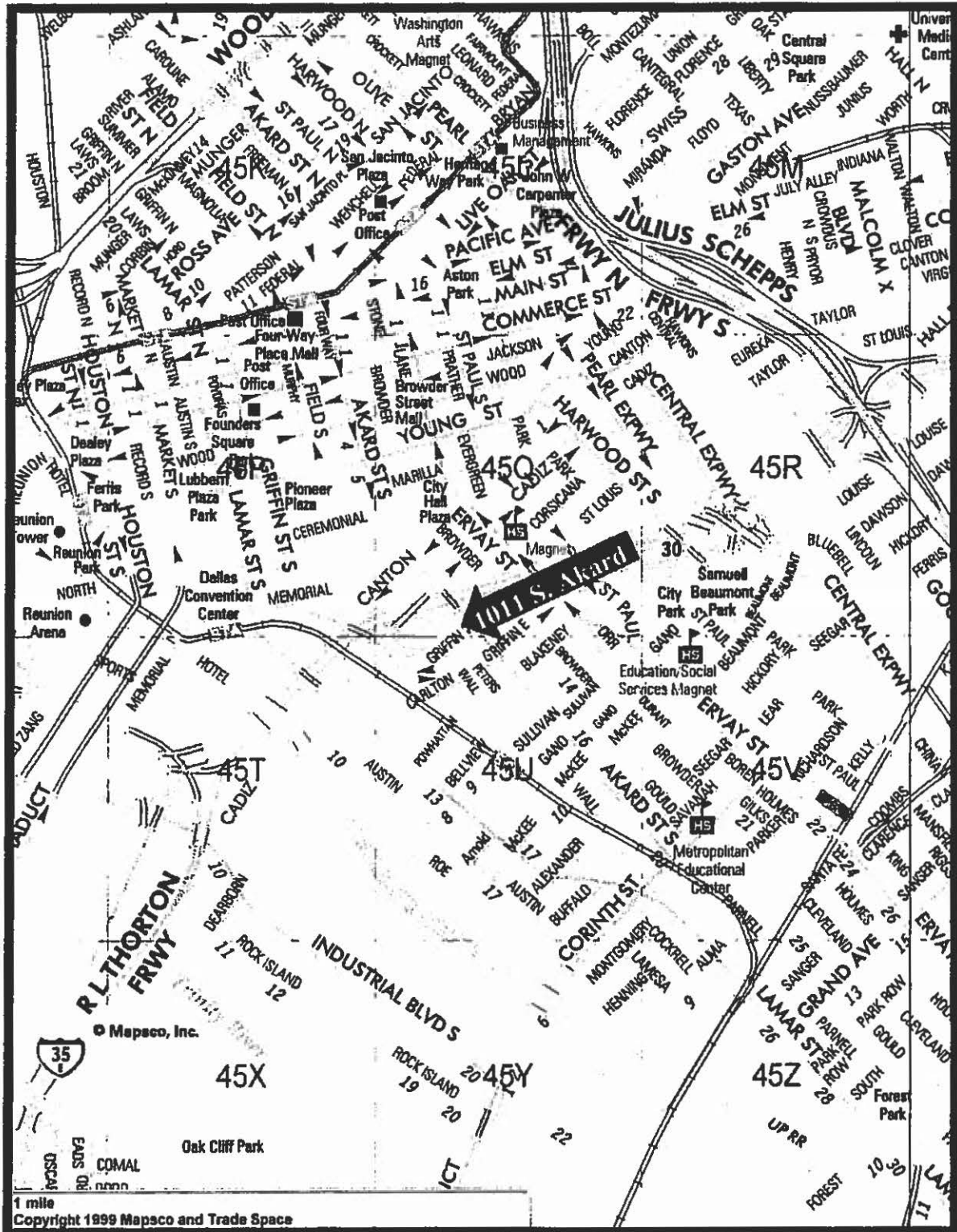
DEVELOPER

Hamilton Properties Corporation

Lawrence E. Hamilton, Chief Executive
Officer

MAP

Attached



MAPSCO 45Q

June 22, 2016

WHEREAS, the City of Dallas seeks to increase the amount of funding available for economic development through making loans that promote activities which contribute to the development of viable communities by providing decent housing and a suitable living environment, by promoting local economic development to stimulate business and commercial activity in the City of Dallas leading to creation of permanent jobs and provision of goods and services to project areas, and by providing for elimination of specific conditions of blight, physical decay, or environmental contamination to protect the health and safety of the public; and

WHEREAS, in October 2012 the developer submitted a proposal to the City for CDBG Section 108 Guaranteed Loan Program funds for eligible economic development activities related to the development of the Hotel Project; and

WHEREAS, on December 12, 2012, the City Council authorized a public hearing to be held on January 23, 2013, to receive comments on adoption of Substantial Amendment No. 17 to the 2008-09 through 2012-2013 Consolidated Plan and the FY 2012-13 Action Plan for HUD Funds to identify the Hotel Project and on the proposed City of Dallas submission of an application to HUD for a Section 108 Guaranteed Loan Program loan not to exceed \$11,000,000 for the Hotel Project located at 1011 South Akard Street by Resolution No. 12-3018; and

WHEREAS, on January 23, 2013, the City Council held a public hearing and adopted Substantial Amendment No. 17 to the 2008-09 through 2012-2013 Consolidated Plan and the FY 2012-13 Action Plan for HUD funds, approved modification of the CDBG Section 108 Loan Program Statement, and authorized submission of a Section 108 Guaranteed Loan Program loan application to HUD for a CDBG Section 108 Program loan in the amount of \$11,000,000 to fund a loan for Texas Educational Opportunity Fund, a Texas non-profit, for assistance with rehabilitation of a vacant commercial building, formerly Plaza Hotel, including property acquisition, environmental remediation, elimination of adverse health and safety hazards, loan interest reserve, and financial costs for the Section 108 public offering for the Hotel Project located at 1011 South Akard Street that would create an estimated 90 permanent full-time equivalent jobs to be held by individuals with incomes at 80% or less of Area Median Family Income as established by HUD by Resolution 13-0237; and

WHEREAS, on February 11, 2013, the City of Dallas applied to HUD for CDBG Section 108 Guaranteed Loan funds in the amount of \$11,000,000 for a Section 108 loan for Texas Educational Opportunity Fund, a Texas non-profit, for assistance with rehabilitation of a vacant commercial building, formerly Plaza Hotel, including property acquisition, environmental remediation, elimination of adverse health and safety hazards, loan interest reserve, and financial costs for the Section 108 public offering for the Hotel Project located at 1011 South Akard Street that would create an estimated 90 permanent full-time equivalent jobs to be held by individuals with incomes at 80% or less of Area Median Family Income as established by HUD; and

June 22, 2016

WHEREAS, during HUD's review of the Hotel Project application, the project structure changed such that the Section 108 loan would be made from the City to TEOF Hotel, LP, and the developer entered into a franchise agreement with Choice Hotels International, Inc. to operate a four-star hotel with 237 rooms under its Ascend Collection, and the proposed number of jobs increased to an estimated 220 permanent full-time equivalent jobs with 51% to be held by or made available to low- and moderate-income persons with incomes at 80% or less of Area Median Family Income as established by HUD; and

WHEREAS, on January 14, 2015, the City Council, authorized the City Manager to accept \$11,000,000 in Section 108 Loan Funds from HUD for the Hotel Project for assistance with rehabilitation of a vacant commercial building including economic development, loan interest reserve, and financing costs related to the Section 108 public offering for the Hotel Project located at 1011 South Akard Street and further authorized the City Manager to enter into a loan agreement with TEOF Hotel LP for a CDBG Section 108 funded loan of \$11,000,000 and execute any necessary documents in connection with development of the Hotel Project by Resolution No. 15-0147; and

WHEREAS, on May 4, 2015, the City entered into a loan agreement with TEOF Hotel LP to provide a Section 108 loan in the amount of \$11,000,000 secured by a second lien interest; and

WHEREAS, the developer has requested the City's approval to refinance the first lien bank loan of \$12,912,615 with Prosperity Bank into a \$17,850,000 loan with BancorpSouth Bank; and

WHEREAS, the developer's request to secure replacement financing is made in accordance with the Subordination and Intercreditor Agreement, Section 2(b) Subordination, Replacement Indebtedness, Funding of Retainage, among TEOF Hotel LP, 1011 Mezz Funder LLC, Prosperity Bank, and the City of Dallas; and

WHEREAS, the City desires to amend the Loan Agreement between TEOF Hotel LP and the City to provide for senior loan refinancing in the amount of \$17,850,000; **NOW, THEREFORE,**

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

SECTION 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized amend the Loan Agreement between TEOF Hotel LP and the City to provide for loan refinancing from \$12,912,615 to \$17,850,000 with BancorpSouth Bank, and to execute any and all documents necessary to accomplish the refinance.

June 22, 2016

Section 2. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation with respect to the loans, until such time as the refinance documents are duly approved by all parties and executed.

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): 9
DEPARTMENT: Housing/Community Services
CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611
MAPSCO: 47C

SUBJECT

Authorize an amendment to Resolution No. 16-0844, previously approved on May 25, 2016, for **(1)** a housing development loan in an amount not to exceed \$250,000; and **(2)** a conditional grant agreement in an amount not to exceed \$200,000 with KAH Holdings, Inc. dba Karrington & Company for construction of ten single family homes for the Ferguson Road Townhomes Project to be located in 7839 Ferguson Road to change the funding from 2012 Bond Funds to 2015-16 HOME Investment Partnerships Program Grant Funds – Financing: No cost consideration to the City

BACKGROUND

This item is on the addendum to move forward on contracting for construction and committing HOME funds before the next available agenda.

On May 25, 2016, the City Council awarded a contract with KAH Holdings, Inc. dba Karrington & Company for a development loan with HOME Investment Partnership Program Grant Funds from the U.S. Department of Housing and Urban Development (HUD) in the amount of \$250,000 and a conditional grant agreement with 2012 Bond Funds in the amount of \$200,000 for the development of ten housing units to be located at 7839 Ferguson Road. Estimated private leverage will be \$1,325,000.

Pursuant to 2012 Bond Proposition 3, bond funds can only be used for economic development and housing projects in the Southern area of the city or in conjunction with transit oriented developments. This project does not meet either requirement, and is therefore is not eligible for bond funding. In lieu of bond funding, the project will receive a total of \$450,000.00 in HOME funds, instead of a mix of HOME and 2012 Bond Funds, as originally awarded. The funds will be used for gap financing for construction of the units to be built and sold to households up to 80% Area Median Family Income (AMFI).

BACKGROUND (continued)

The homes will be three-story, 2 bedroom, with approximately 1600-1700 sq. ft. and have open dining and living areas. The construction work and occupancy will be completed within two years. Upon sale, liens will be released but deed restrictions will remain on the property for 15 years.

City Council approval of this item will authorize the City Manager to execute the loan documents with KAH Holdings, Inc. dba Karrington & Company for these funds, subject to environmental clearance by the City of Dallas and HUD.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 25, 2014, City Council approved the City of Dallas FY 2014-15 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds, CHDO Development Loans by Resolution No. 14-1001.

On June 10, 2015, City Council approved the City of Dallas FY 2015-16 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds CHDO Development Loans by Resolution No. 15-1055.

On January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079.

On May 25, 2016, City Council approved (1) a housing development loan in an amount not to exceed \$250,000; and (2) a conditional grant agreement in an amount not to exceed \$200,000 with KAH Holdings, Inc. dba Karrington & Company, by Resolution No. 16-0844.

Information about this item will be provided to the Housing Committee on June 20, 2016.

FISCAL INFORMATION

No cost consideration to the City.

OWNER

KAH Holdings, Inc. dba Karrington & Company

Gary Hasty, President

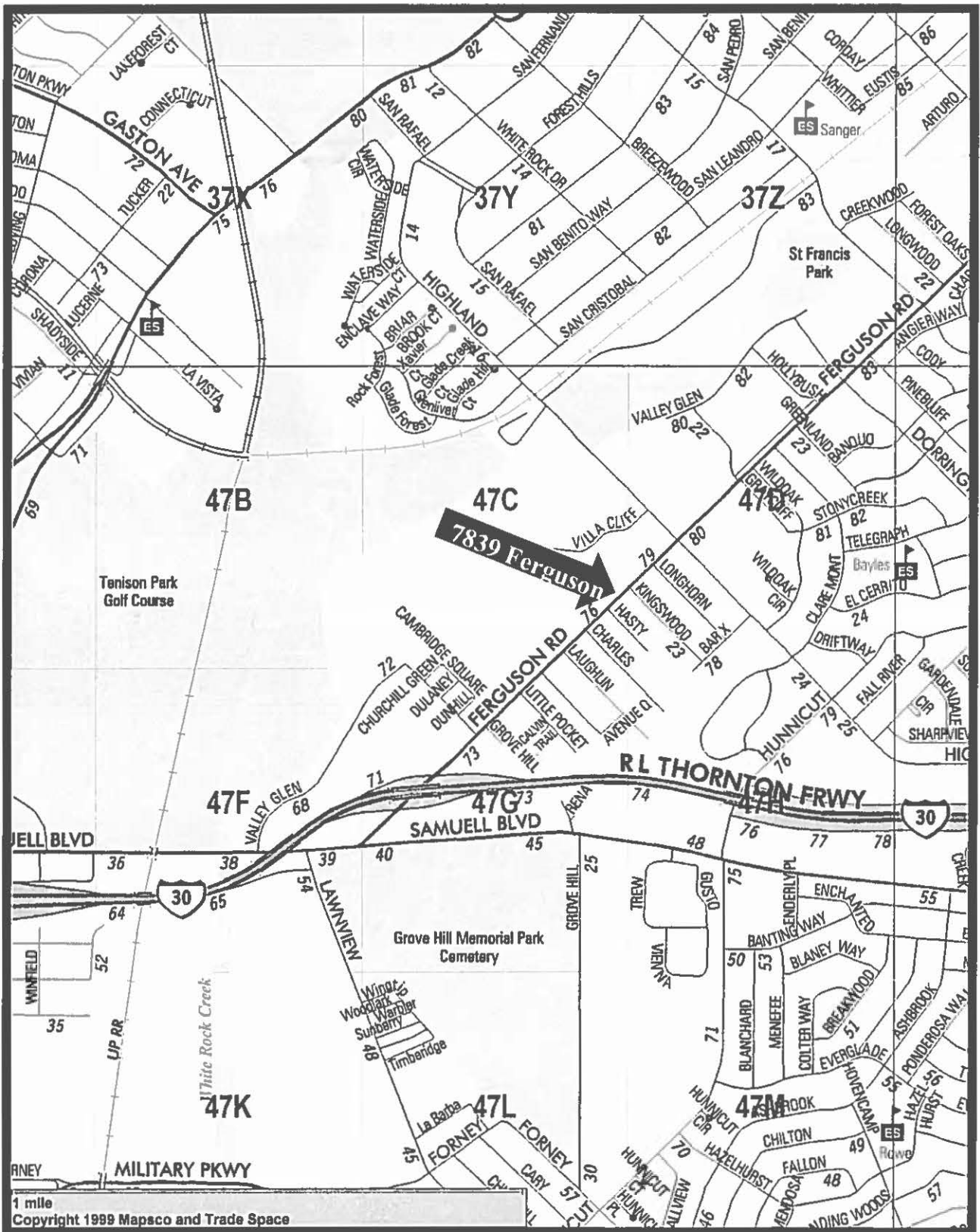
DEVELOPER

KAH Holdings, Inc. dba Karrington & Company

Gary Hasty, President

MAP

Attached



MAPSCO 47C

June 22, 2016

WHEREAS, the development of owner occupied units for households with varied income levels is a high priority of the City of Dallas to create more housing choices; and

WHEREAS, on June 25, 2014, City Council approved the City of Dallas FY 2014-15 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds by Resolution No. 14-1001; and

WHEREAS, on June 10, 2015, City Council approved the City of Dallas FY 2015-16 Consolidated Plan Budget for federal funds which included the HOME Investment Partnership Funds CHDO Development Loans by Resolution No. 15-1055; and

WHEREAS, on January 13, 2016, City Council approved the Owner Occupied Housing Development Program Statement by Resolution No. 16-0079; and

WHEREAS, on May 25, 2016, City Council approved (1) a housing development loan in an amount not to exceed \$250,000; and (2) a conditional grant agreement in an amount not to exceed \$200,000 with KAH Holdings, Inc. dba Karrington & Company, by Resolution No. 16-0844; and

WHEREAS, KAH Holdings, Inc. dba Karrington & Company proposes to work with the City of Dallas to undertake the development of ten single family townhomes for the Ferguson Rd. Project at 7839 Ferguson Road; and

WHEREAS, the City desires for KAH Holdings, Inc. dba Karrington & Company to develop single family units for households with incomes at or below 80% Area Median Family Income; **NOW, THEREFORE**,

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

Section 1. That following approval as to form by the City Attorney, the City Manager is authorized to execute a housing development loan in an amount not to exceed \$450,000 with KAH Holdings, Inc. dba Karrington & Company for construction of ten single family homes for the Ferguson Road Townhomes Project to be located in 7839 Ferguson Road to change the funding from 2012 Bond Funds to HOME Investment Partnership Grant Funds.

Section 2. That the terms of the loan include:

- (a) KAH Holdings, Inc. dba Karrington & Company must execute a note payable for \$450,000 with 0% interest and deferred payments until completion with the City of Dallas.
- (b) KAH Holdings, Inc. dba Karrington & Company will execute a Deed of Trust securing repayment of the loan note, and deed restriction for a 15-year term for the units.

June 22, 2016

- (c) KAH Holdings, Inc. dba Karrington & Company will use the funds to gap the construction costs for the units and will retain the proceeds from the sale of the units. Upon sale of each unit to an eligible homebuyer, the debt will be partially forgiven and the liens partially released. Upon sale of all units the loan will be fully forgiven.
- (d) KAH Holdings, Inc. dba Karrington & Company will have two years to fully complete the project and sell each home to a household earning at or below 80% AMFI.
- (e) The City will subordinate first lien position to the interim construction lender.

Section 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute the loan agreement and associated documents, subordinations to the senior construction lender, and releases of liens and terminations of deed restrictions on the property upon compliance with the loan terms and deed restrictions.

Section 4. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with this resolution as follows:

KAH Holdings, Inc. dba Karrington & Company # VS0000073392

<u>Fund</u>	<u>Dept</u>	<u>Unit</u>	<u>Object Code</u>	<u>Program #</u>	<u>Program Name</u>	<u>Encumbrance</u>	<u>Amount</u>
3U53	HOU	W086	3016	3U53HOW086	7839FERGSM-TH	HOU3U53G207	\$200,000
HM15	HOU	640H	3015	3U53HO640H	7839FERGSM-TH	HOU3U53G207	\$260,678
14M1	HOU	489G	3015	3U53HO489G	7839FERGSM-TH	HOU3U53G207	\$72,326
HM13	HOU	233F	3015	3U53HO233F	7839FERGSM-TH	HOU3U53G207	\$42,053
HM12	HOU	890E	3015	3U53HO890E	7839FERGSM-TH	HOU3U53G207	\$17,683
HM11	HOU	745D	3015	3U53HO745D	7839FERGSM-TH	HOU3U53G207	\$57,260

Section 5. That the City Controller is hereby authorized to record notes receivable - developers loan in balance sheet account (033F) and an allowance for uncollectible debt (022D) in fund HM11, HM12, HM13, 14M1 and HM15 for the amount of the \$450,000 loan.

Section 6. That this resolution does not constitute a binding agreement upon the City or subject the City to any liability or obligation until such time as the loan and conditional grant documents are duly approved by all parties and executed.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 1, 3, 4, 8

DEPARTMENT: Planning and Urban Design

CMO: Alan Sims, Chief of Neighborhood Plus, 670-1611

MAPSCO: Various

SUBJECT

Authorize **(1)** a resolution endorsing a preferred location for a deck in the Southern Gateway Project Corridor; and **(2)** a commitment to explore funding options for construction of a deck park - Financing: This action has no cost consideration to the City (see Fiscal Information for future potential costs)

BACKGROUND

The City of Dallas traffic has been ranked among the worst and most congested in the nation. The existing I-35E highway facility was constructed in the late 1950's and is currently one of the busiest, most congested highways in North Texas. The Southern Gateway Project will address this growing concern by increasing capacity, reducing congestion, and improving mobility. The Southern Gateway Project is a 10-mile roadway project that entails full reconstruction of I-35E from Colorado Boulevard to the US 67 split, widening the freeway from four to five general purpose lanes in each direction and will include two reversible, non-tolled, managed express lanes. US 67, from I-35E to I-20, will be widened from two to three general purpose lanes in each direction and will include a reversible, non-tolled, managed express lane.

The Texas Department of Transportation (TxDOT) has been working with the City of Dallas elected local, state and federal officials, the North Central Texas Council of Governments (NCTCOG), local policy makers and corridor stakeholders for many years on project development for the Southern Gateway Project. Community and corridor stakeholders formed a Southern Gateway Task Force and recommended that TxDOT build the project to allow for a deck. TxDOT analyzed the feasibility of four location options for a deck: (1) Option A – Marsalis Avenue to Ewing Avenue; (2) Option B – Beckley Avenue to 12th Street; (3) Option C – Ewing Avenue to Upton Avenue; and (4) Option D – Overton Road. The Transportation and Trinity River Project Committee (TTRPC) was briefed on the pros and cons and the cost of each option and endorsed Option A – Marsalis Avenue to Ewing Avenue as the preferred location (see attached Southern Gateway Public Green Location Options and Analysis).

BACKGROUND (Continued)

This item was placed on the addendum at the direction of the City Manager.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was briefed to the Transportation and Trinity River Project Committee on May 23, 2016.

FISCAL INFORMATION

This action has no cost consideration to the City.

Anticipated cost estimates for four deck location options:

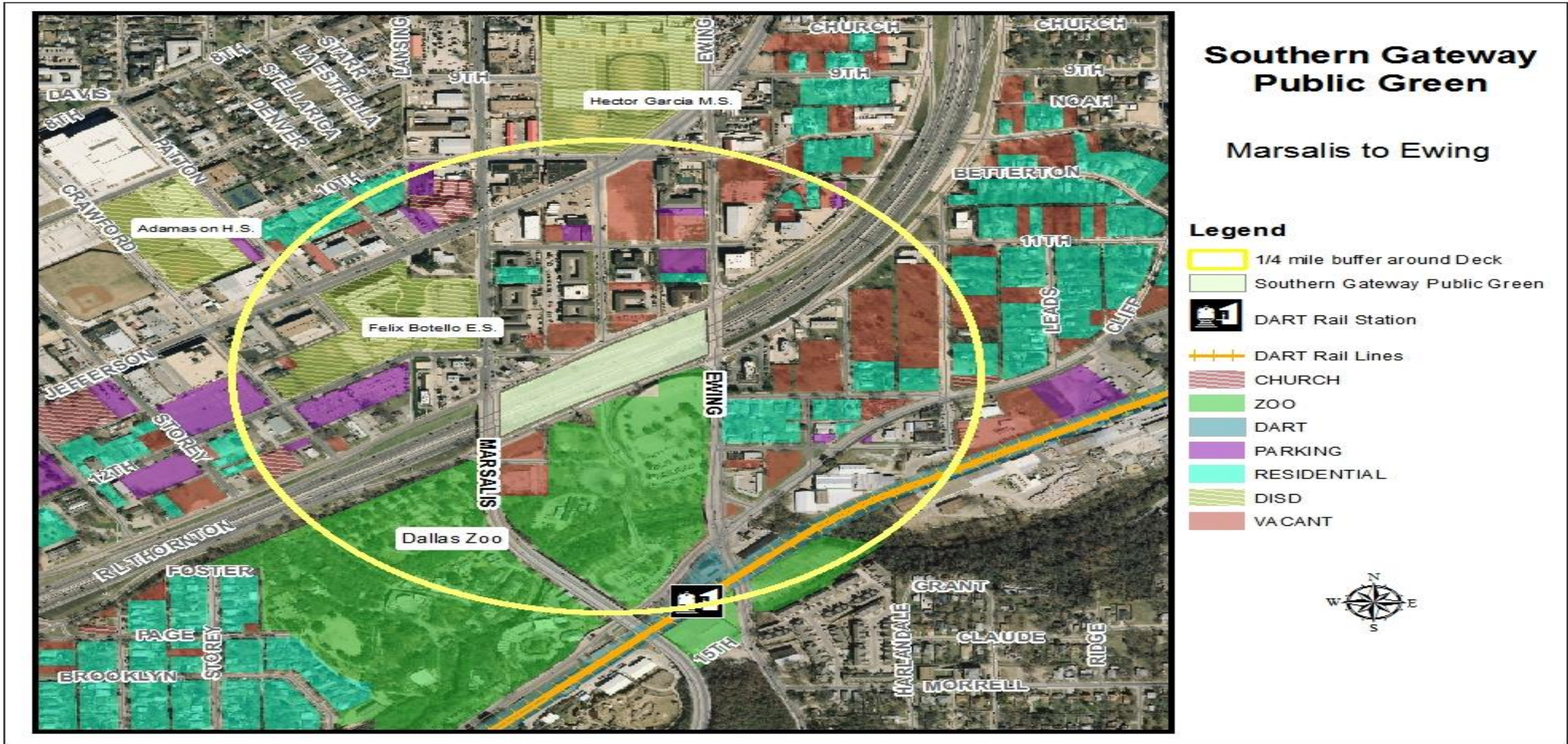
	Option A	Option B	Option C	Option D
Foundation & Deck Cost	\$95,745,480	\$55,268,340	\$57,613,500	\$ 27,952,800
Amenities Programming	\$17,968,500	\$10,127,700	\$ 7,187,400	\$ 5,553,900
Tunnel Maintenance(annual)	\$ 1,200,000	\$ 0	\$ 0	\$ 0
Operations & Maintenance(annual)	<u>\$ 3,300,000</u>	<u>\$ 1,860,000</u>	<u>\$ 1,320,000</u>	<u>\$ 1,020,000</u>
Total Cost	\$118,213,980	\$67,256,040	\$66,120,900	\$ 34,526,700

MAP

Attached

Southern Gateway Public Green Location Options and Analysis

Option A – Marsalis to Ewing, 5.5 acres



Option A – Marsalis to Ewing, 5.5 acres

PROS

- Creates a deck that is accessible on all sides and provides connectivity to neighborhoods and destinations;
- Provides enhanced pedestrian linkages to the Dallas Zoo;
- Larger size will accommodate more amenities;
- Provides economic development opportunities with vacant land adjacent to location;
- No freeway ramps, provides opportunity to create parallel parking along the frontage roads to calm traffic;
- Creates opportunities for pedestrian, vehicular and bicycle connectivity to existing development on Jefferson Boulevard, nearby schools and DART Transit Station.

CONS

- Recommends relocating Zoo entrance from frontage road to Ewing Boulevard;
- Most expensive option;
- Size of deck triggers a tunnel and increases capital, operational, and maintenance costs.

Option B – Beckley to 12th, 3.1 acres



Option B – Beckley to 12th, 3.1 acres

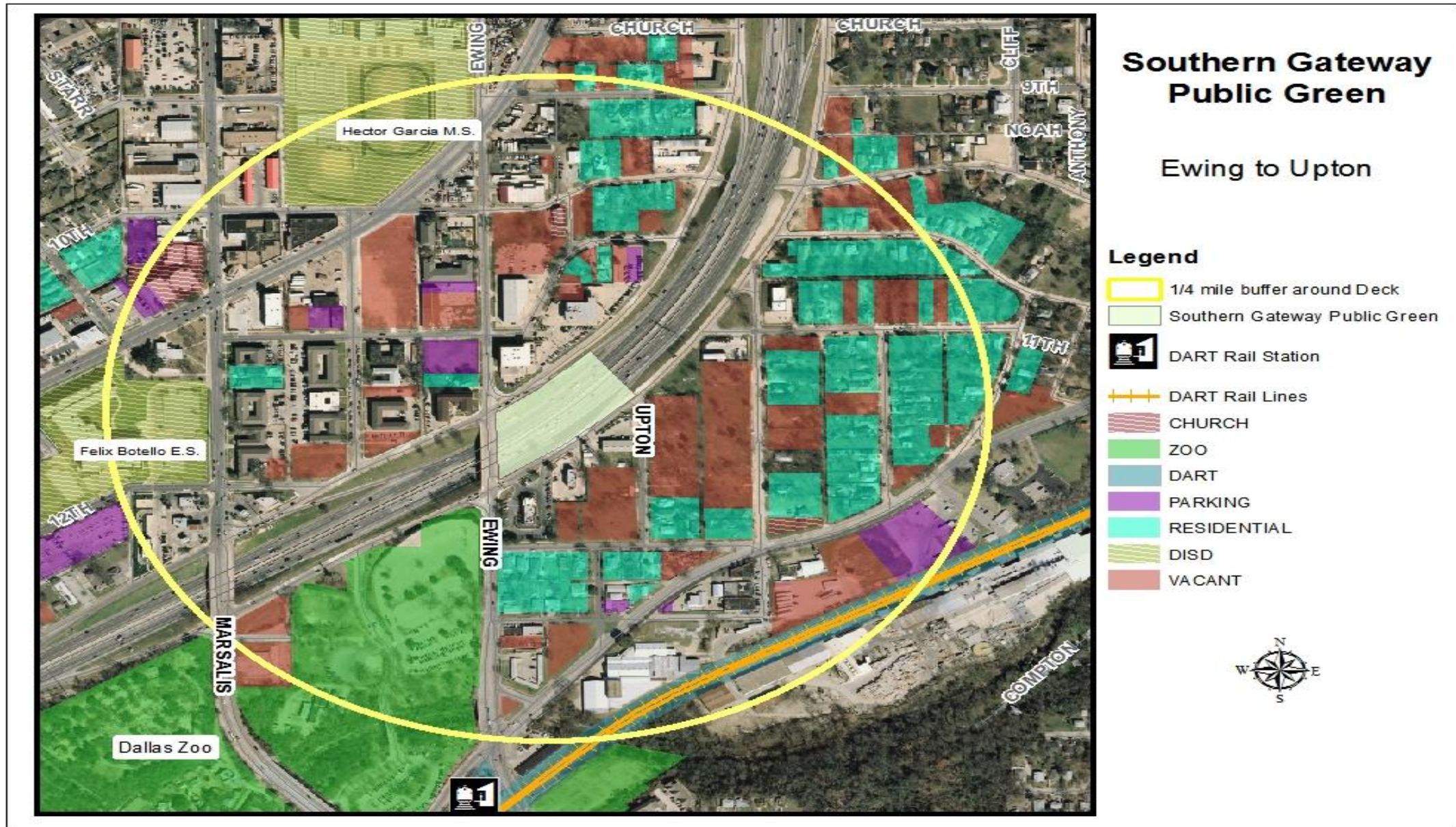
PROS

- Creates opportunities for pedestrian, vehicular and bicycle connectivity to existing development on Jefferson Boulevard and Bank of America;
- Provides economic development opportunities with vacant land adjacent;
- Size of deck does not trigger a tunnel, reduces capital, operational and maintenance costs;
- Less expensive than Option A.

CONS

- Limits pedestrian access on two sides;
- More than one mile from DART Transit Station;
- Access ramps create conflicts for pedestrians.

Option C – Ewing to Upton, 2.2 acres



Option C – Ewing to Upton, 2.2 acres

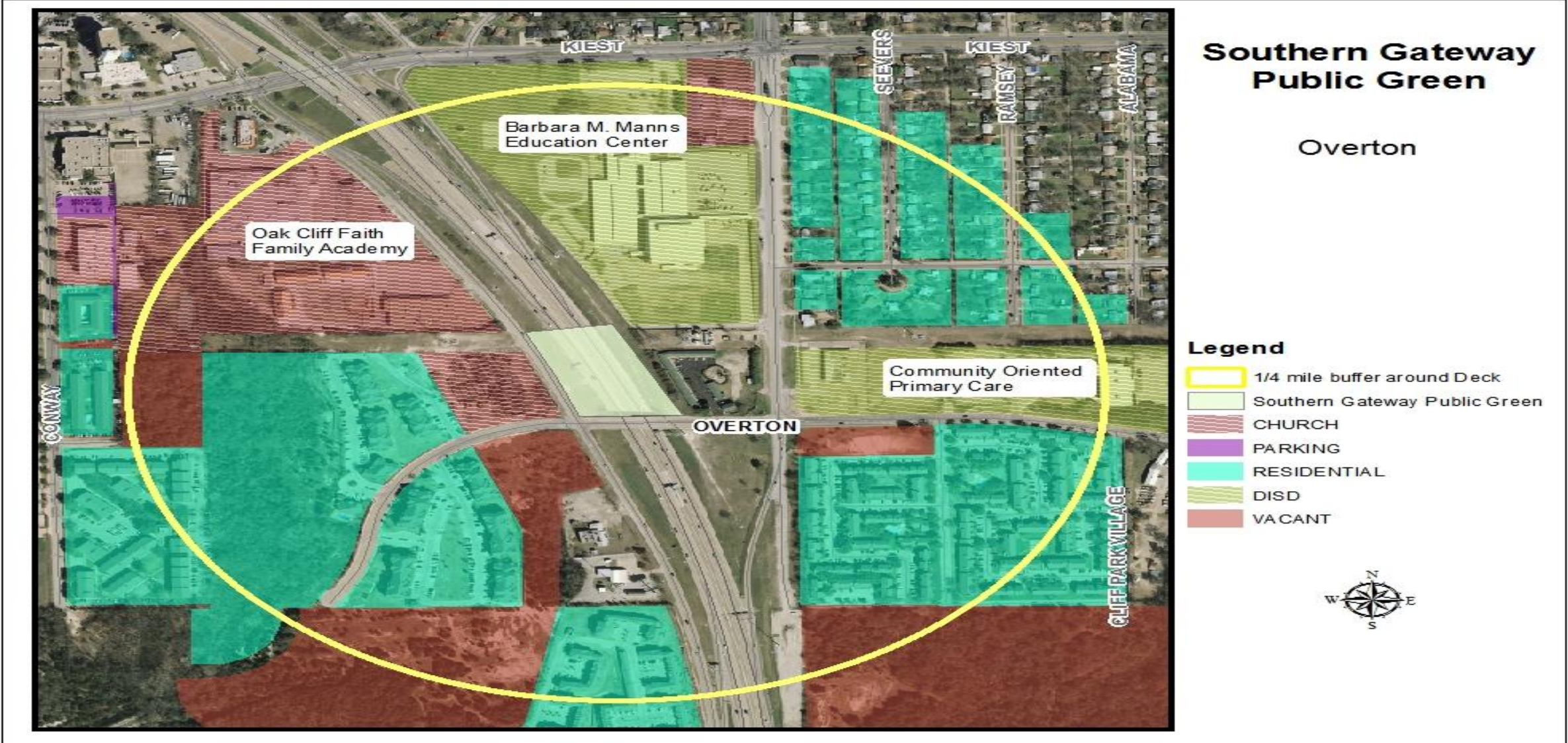
PROS

- Provides enhanced pedestrian linkages to the Dallas Zoo;
- Provides economic development opportunities with vacant land adjacent to location;
- Size of deck does not trigger a tunnel, reduces capital, operational and maintenance costs;
- Creates opportunities for pedestrian, vehicular and bicycle connectivity to existing development on Jefferson Boulevard, nearby schools and DART Transit Station.

CONS

- Limits pedestrian access to one side;
- Access ramps create conflicts for pedestrians.

Option D – Overton, 1.7 acres



Option D – Overton, 1.7 acres

PROS

- Provides enhanced pedestrian linkages to the DISD Educational Complex;
- Provides economic development opportunities with vacant land adjacent;
- Least expensive option;
- Size of deck does not trigger a tunnel, reduces capital, operational and maintenance costs.

CONS

- Outside of the project scope;
- Limits pedestrian access to one side;
- Utility right-of-way adjacent to the location.

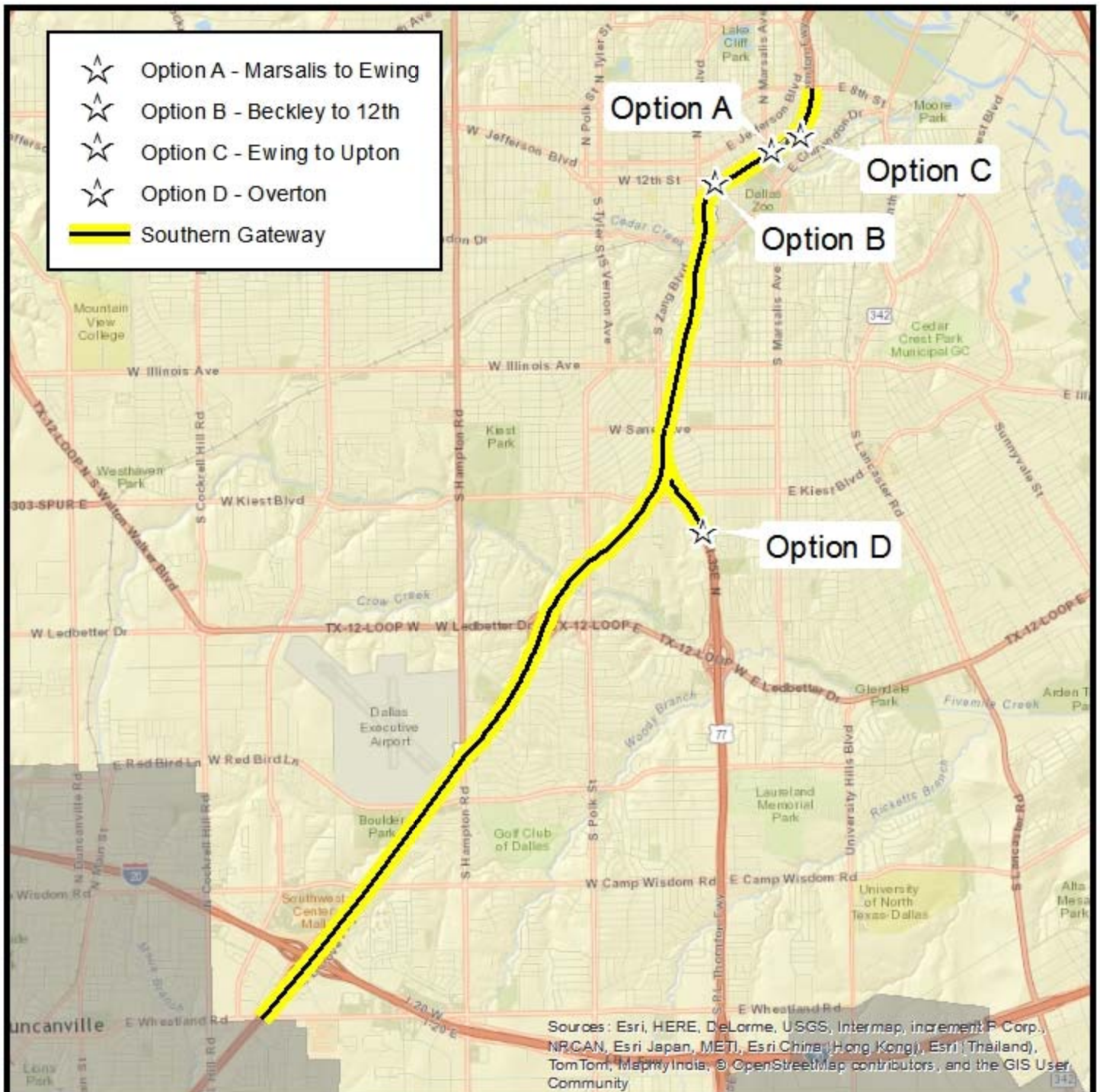
CONSIDERATIONS	OPTION A MARSALIS to EWING	OPTION B BECKLEY to 12TH	OPTION C EWING to UPTON	OPTION D OVERTON
Access on Multi-Sides	Marsalis; Ewing; NB Service Road; and SB Service Road	12 th Street; and Beckley	Ewing	Overton
Size of Deck	5.5 acres	3.1 acres	2.2 acres	1.7 acres
Adjacency to existing attraction	Dallas Zoo	Bank of America Tower	Dallas Zoo	Education Complex
Availability of Parking Adjacent to Deck (within 2 blocks)	Yes	No	Yes	No
Existing Density - Population within 1/4 mile, (local resident activity - walking dogs, etc.) (2010 Census Block population)	1,839	1,601	1,807	3,992
Proposed Density/Catalyst Opportunity - Vacant land and developable lots within 1/4 mile	Yes	Yes	Yes	Yes
Proximity to Public Transit/DART Station	0.3 miles	0	0.3 miles	0
	* Deck sizes above are estimates and could change once a site plan has been finalized.			

COSTS	OPTION A MARSALIS to EWING	OPITON B BECKLEY to 12TH	OPTION C EWING to UPTON	OPTION D OVERTON
Cost for Foundation and Deck Only	\$95,745,480.00	\$55,268,340.00	\$57,613,500.00	\$27,952,800.00
Cost for Amenities and Programming (\$75/square foot)	\$17,968,500.00	\$10,127,700.00	\$7,187,400.00	\$5,553,900.00
Tunnel Maintenance (Annual)	\$1,200,000.00	\$0.00	\$0.00	\$0.00
Cost for Operations & Maintenance (Annual estimate)	\$3,300,000.00	\$1,860,000.00	\$1,320,000.00	\$1,020,000.00
TOTAL COST	\$118,213,980.00	\$67,256,040.00	\$66,120,900.00	\$34,526,700.00
SOURCE OF FUNDING				
RTC Contribution	\$ 40,000,000.00	\$ 40,000,000.00	\$ 40,000,000.00	\$ 40,000,000.00
City/Private Cost Balance	\$78,213,980.00	\$27,256,040.00	\$26,120,900.00	(-\$5,473,300.00)

* Costs above are estimates and are subject to change.

Southern Gateway Project and Public Green

Council District: 1, 3, 4, and 8



June 22, 2016

WHEREAS, Dallas traffic has consistently been ranked among the most congested in the nation; and

WHEREAS, the Texas Department of Transportation (TxDOT) has received Congestion Relief Funding and has been directed to accelerate projects in the state that will improve mobility and safety on the most congested interstates; and

WHEREAS, the Southern Gateway Project is a proposed freeway improvement project that will provide congestion relief and widen I-35E from the Horseshoe Project terminus (at Colorado) to US 67 to ten main lanes and two reversible, non-tolled, managed express lanes, and to widen US 67 from the I-35E split to I-20 to six main lanes and one reversible non-tolled managed express lane; and

WHEREAS, the Regional Transportation Council (RTC) included the Southern Gateway Project in the region's Metropolitan Transportation Plan, called the Mobility 2040 Plan, and has consistently identified the Southern Gateway Project as the highest priority project in the eastern side of the Dallas-Fort Worth region; and

WHEREAS, on March 10, 2016, the RTC approved a \$656 million package of state and regional funding to construct the Southern Gateway Project; and

WHEREAS, I-35E was designed and built in the late 1950's and early 1960's with a horizontal curvature at Zang Boulevard that does not meet current design standards; and

WHEREAS, the existing highway ramp configurations do not provide direct access to the Southwest Center Mall area; and

WHEREAS, the Southern Gateway Project runs through and provides access to vital parts of the Southern Dallas community and offers an opportunity to include design elements that improve mobility and safety, enhance quality of life for the surrounding community, and encourage economic development; and

WHEREAS, the Green Ribbon Fund is a TxDOT program intended to provide a higher level of visual appeal to freeway projects through landscaping and other aesthetic enhancements; and

WHEREAS, The Southern Gateway Public Green has been identified in the CityMAP document as a transformational economic catalyst for Southern Dallas and furthermore that the optimal location is between Ewing and Marsalis.

Now, Therefore,

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

June 22, 2016

SECTION 1. That the City Council supports the Southern Gateway Project subject to the following conditions:

- a. Improved access will be provided to the Southwest Center Mall via a new northbound US 67 exit ramp to Camp Wisdom Road;
- b. The I-35E mainlane alignment from Colorado Boulevard to the US 67 split will be designed and constructed to meet a 60 mile per hour design speed;
- c. A deck will be constructed between Marsalis Avenue and Ewing Avenue, to support a future public open space (Southern Gateway Public Green) that connects the communities on both sides of the freeway;
- d. Noise walls will be built, preferably during the Phase I, where required as a result of the finalized noise analysis and per Federal Highway Administration (FHWA) guidelines to protect residential areas;
- e. New frontage roads will be included in the project to provide access to adjacent properties;
- f. Bridges crossing the freeway will be enhanced to accommodate multi-modal connectivity and designed to be consistent with the City's Complete Streets Design Manual;
- g. Opportunities to apply for Green Ribbon Funding for enhancements along the corridor can be pursued by the City of Dallas; TxDOT will give consideration to use of Green Ribbon Funds to address areas for landscaping enhancements along the corridor;
- h. TxDOT will explore pavement options to further reduce noise;
- i. TxDOT will minimize the acquisition of property associated with this project; and
- j. TxDOT will encourage participation of Disadvantaged Business Enterprises (DBEs), historically underutilized businesses, women owned business enterprises and minority business enterprises in all facets of the business activities of TxDOT consistent with applicable laws and regulations.

SECTION 2. That the City Council supports the Southern Gateway Public Green Option A between Marsalis Avenue and Ewing Avenue over the freeway lanes with the Regional Transportation Council \$40 million toward the construction and the City of Dallas commits to explore funding for the remaining cost of construction, amenities and programming, and the ongoing operation and maintenance of the Southern Gateway Public Green through public/private partnerships. Funding options may include public and private partnerships and shall not include a reduction in the Council District specific allocation from the General Fund and Bond Program proceeds as it pertains to this project unless authorized by District Councilmembers. Furthermore, the Council intends that the Southern Gateway Project and Public Green minimize the impact to the adjacent single family neighborhoods and the Council recognizes and intends to preserve the historic nature of these communities.

June 22, 2016

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Public Safety
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): All
DEPARTMENT: Police
CMO: Eric Campbell, 670-3255
MAPSCO: N/A

SUBJECT

Authorize an increase in the escrow account with Dallas County for payment of appropriate fees charged to recover costs as billed for scofflaw registration denial services as part of the multi-year Interlocal Agreement with Dallas County in accordance with the Texas Transportation Code to deny registration or re-registration of vehicles if the registered owner has **(1)** a warrant for delinquent Class C misdemeanor traffic offenses for failure to appear or resolve cases as provided in Chapter 702 - Refusal to Register Vehicle; or **(2)** vehicle registration denial for offenders who fail to pay delinquent civil violations as provided in the Transportation Code, Chapter 707 - Not to exceed \$10,000 - Financing: Current Funds

BACKGROUND

This item is on the addendum to continue contractual delinquent collection services without interruption.

The Interlocal agreement with Dallas County allows the City of Dallas to “flag” motor vehicles for denial of registration for delinquent cases and clear cases at final disposition. A fee of \$5.24 is paid to Dallas County to recover county costs for each scofflaw match. When the vehicle is flagged, a “scofflaw” remark will be displayed on county registration inquiry devices and point of sale workstations so the defendant may be notified of the scofflaw hold. Scofflaw was implemented by Municipal Courts in FY 2009-10 to improve court collections, compliance with the orders of the municipal court and delinquent case resolution.

The agreement with Dallas County requires the City of Dallas and other cities in the county to have an escrow account for the payment of fee to process registration holds. The required amount held in escrow is based on the estimated number of cases processed each month.

BACKGROUND (Continued)

The use of registration holds for photographic red light running citations will increase the City's estimated number of cases processed each month resulting in a required increase to the Escrow account in the amount of \$10,000 from \$10,000 to \$20,000 for registration hold service fees.

On November 9, 2009, City Council authorized an agreement to implement the use of a vehicle registration denial or "scofflaw" program as authorized in Chapter 702 and 707 of the Texas Transportation Code (Code). A "scofflaw" is defined by the American Heritage College Dictionary as "one who habitually violates the law or fails to answer court summonses".

On March 5, 2010, Administrative Action No. 10-0646 authorized a Memorandum of Understanding (MOU) for the Interlocal Agreement (ILA) for the Scofflaw with Dallas County to amend the terms of service.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 28, 2004, City Council authorized an Interlocal Agreement with Dallas County by Resolution No. 04-1486.

On November 2, 2009, the Public Safety Committee was briefed on this program.

On November 9, 2009, City Council authorized an Interlocal Agreement with Dallas County, the Texas Department of Transportation, and other counties as appropriate for scofflaw vehicle registration denial by Resolution No. 09-2760.

Information about this item was provided to the Public Safety Committee on June 13, 2016.

FISCAL INFORMATION

\$10,000 - Current Funds

June 22, 2016

WHEREAS, Texas Government Code, Chapter 791, authorizes local governments of the state to enter into contracts for governmental functions and services to increase their efficiency and effectiveness; and

WHEREAS, the County and the City are local governments as defined in Texas Government Code, Section 791.003(4), have the authority to enter into this agreement, and have each entered into this agreement by the action of its governing body in the appropriate manner prescribed by law; and

WHEREAS, Texas Transportation Code §702.003 allows a county tax assessor-collector, upon receipt of information from a municipality by and through the Texas Department of Transportation motor vehicle registration system, to assist a municipality in the enforcement of outstanding warrants of arrest for the failure to appear or failure to pay a fine on a complaint that involves the violation of traffic offenses by refusing to register or re-register a motor vehicle; and

WHEREAS, Texas Transportation Code §702.003 further allows a municipality to contract with the County to provide the necessary information to a county for the above determination by the county tax assessor-collector to deny motor vehicle registration or re-registration to certain persons; and

WHEREAS, Texas Transportation Code §707.017 allows a county assessor-collector to refuse to register a motor vehicle alleged to have been involved in a violation of Chapter 707 of the Texas Transportation Code where the owner of the motor vehicle is delinquent in the payment of a civil penalty imposed under Chapter 707; and

WHEREAS, such a consolidated effort in the effectuation of Texas Transportation Code, Chapters 702 and 707, are in each party's best interest and that of the public and that this agreement will increase the effective and efficient functioning of each party; and

WHEREAS, both the City and County represent to one another that each respective party has the authority to enter into this agreement and perform the obligations and duties stated herein; and

WHEREAS, the County and the City specify that each party paying for the performance of said functions of government shall make those payments from current funds available to the paying party; and

WHEREAS, on April 28, 2004, Resolution No. 04-1486 authorized an Interlocal Agreement with Dallas County and/or the Department of Transportation for a scofflaw program in accordance with the Transportation Code 702 – Refusal to Register Vehicle; and

June 22, 2016

WHEREAS, on November 9, 2009, Resolution No. 09-2760 authorized an Interlocal Agreement with Dallas County to pay Dallas County a fee of \$5.24 per case containing a matching license plate, from funds billed or escrowed in advance of billing, or otherwise specified in the contract as well as to receive and deposit funds from the agreement; and

WHEREAS, on March 5, 2010, Administrative Action No. 10-0646 authorized a Memorandum of Understanding (MOU) for the Interlocal Agreement (ILA) for the Scofflaw with Dallas County to amend the terms of service.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to increase the escrow account for the processing of registration holds as authorized by the Interlocal Agreement with Dallas County in an amount not to exceed \$10,000.

Section 2. That, following approval as to form by the City Attorney, the City Manager is hereby authorized to execute an amendment to the Interlocal Agreement with Dallas County.

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds to Dallas County in an amount not to exceed \$10,000.00 from Fund 0001, Department DPD, Unit 3037, Object Code 3099.

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Public Safety
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): N/A
DEPARTMENT: Police
CMO: Eric Campbell, 670-3255
MAPSCO: N/A

SUBJECT

Authorize Supplemental Agreement No. 9 to the contract with Xerox State and Local Solutions, Inc. (formerly ACS State and Local Solutions, Inc.) to extend the contract term from August 3, 2016 through September 14, 2016 for services related to meter operations and a parking management information system - Estimated Net Parking Revenue: \$937,500

BACKGROUND

This item is on the addendum to continue parking management services without interruption.

This action does not encumber funds; the purpose of this service contract is to establish a firm pricing for services requested, for a specific term, which are paid from gross revenues collected.

The approximately 45 day extension of the agreement with Xerox State and Local Solutions, Inc. will continue the existing services for operation of the parking system including: citations management and delinquent collections, meter and parking lot maintenance, meter collections, and customer service for an amount not to exceed \$401,069 from gross revenues collected to be paid from gross revenues collected.

The approximately 45 day extension will provide sufficient time for City Council to approve the award of new contracts and allow for transition to new service providers.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized contractual agreement with ACS State and Local Solutions, Inc. on April 27, 2005, by Resolution No. 05-1331.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Authorized Supplemental Agreement No. 1, on April 26, 2006, by Resolution No. 06-1220.

Authorized Supplemental Agreement No. 3, on May 12, 2010, by Resolution No. 10-1257.

Authorized Supplemental Agreement No. 4, on September 26, 2012, by Resolution No. 12-2426.

Authorized Supplemental Agreement No. 7, on March 25, 2015, by Resolution No. 15-0549.

Authorized Supplemental Agreement No. 8, on April 27, 2016, by Resolution No. 16-0689.

Information about this item was provided to the Public Safety Committee on February 22, 2016 and April 25, 2016.

Information about this item will be provided to the Budget, Finance & Audit Committee on June 20, 2016.

FISCAL INFORMATION

Estimated Net Parking Revenue: \$937,500

June 22, 2016

WHEREAS, on April 27, 2005, Resolution No. 05-1331 authorized two concurrent 5-year agreements and one 1-year renewal option with ACS State and Local Solutions, Inc., for the development and implementation of a turnkey Ticket Processing/Collections and Meter Operations program; and

WHEREAS, on April 26, 2006, as part of Supplemental Agreement No. 1, Resolution No. 06-1220 authorized the License Agreement with ACS State and Local Solutions, Inc., was amended to provide license recognition equipment and maintenance, staff and equipment for an auto pound payment station, and reimbursement to the City for two Boot Officers; and

WHEREAS, on April 12, 2007, as part of Supplemental Agreement No. 2, Administrative Action No. 07-1107 authorized the License Agreement with ACS State and Local Solutions, Inc., was amended to provide for the ability to adjust the revenue guarantee scale and alter the minimum guarantee; and

WHEREAS, on May 12, 2010, as part of Supplemental Agreement No. 3, Resolution No. 10-1257 authorized the License Agreement with ACS State and Local Solutions, Inc., was amended to provide for an additional five-year term for the Meter Operation and Parking Management Information System; and

WHEREAS, on September 26, 2012, as part of Supplemental Agreement No. 4, Resolution No. 12-2426 authorized the License Agreement with Xerox State and Local Solutions, Inc., was amended to provide for pay-by-phone or wireless application services for all metered parking spaces in the City; and

WHEREAS, on December 3, 2012, as part of Supplemental Agreement No. 5, Administrative Action No. 12-2862 authorized the License Agreement with Xerox State and Local Solutions, Inc., was amended to provide for the purchase of 10 multi-space meters and related items; and

WHEREAS, on June 10, 2014, as part of Supplemental Agreement No. 6, Administrative Action No. 14-6037 authorized the License Agreement with Xerox State and Local Solutions, Inc., was amended to provide for meter operations and parking system management of the Dallas Parking Technology Pilot; and

WHEREAS, on March 25, 2015, as part of Supplemental Agreement No. 7, Resolution No. 15-0549 authorized a one (1) year renewal option with Xerox State and Local Solutions, Inc., to provide for meter operations and parking management system; and

WHEREAS, on April 27, 2016, as part of Supplemental Agreement No. 8, Resolution No. 16-0689 authorized a three (3) month extension with Xerox State and Local Solutions, Inc., to provide for meter operations and parking management system; and

June 22, 2016

WHEREAS, in the City's best interest to extend the contract with Xerox State and Local Solutions, Inc. for a period of (3) three months from August 3, 2016 through September 14, 2016.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to extend the contract with Xerox State and Local Solutions, Inc. (Xerox) from August 3, 2016 through September 14, 2016 for services related to meter operations and a parking management information system.

Section 2. That the City Manager is hereby authorized to execute the agreement after it has been approved as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to pay Xerox an amount not to exceed \$401,069 from gross revenues collected for services related to meter operations and parking management information system for the period August 3, 2016 through September 14, 2016.

Section 4. That the Chief Financial Officer is hereby authorized to pay Xerox an amount not to exceed \$50,000 from gross revenues collected for program expenses related to warranty services, pilot expenses, and other general expenses for the period August 3, 2016 through September 14, 2016.

Section 5. That the Chief Financial Officer is hereby authorized to deposit revenues into Fund 0001, Dept DPD, Unit 2109, Revenue Source 8007, 8041, 8042, 8043, 7840, 6325.

Section 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): 7
DEPARTMENT: Public Works Department
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 46P

SUBJECT

Authorize an increase in the construction contract with Texas Standard Construction, Ltd. for construction of tinted, stamped concrete pedestrian crosswalks and barrier-free ramp improvements at the intersections of Martin Luther King, Jr. Boulevard at South Trunk Avenue, J. B. Jackson, Jr. Boulevard and Robert B. Cullum Boulevard for Street Reconstruction Project Group 12-637- Not to exceed \$747,377, from \$19,989,714 to \$20,737,091 - Financing: Current Funds

BACKGROUND

This item is submitted as an addendum item because it was determined that the construction of the crosswalks and barrier-free ramps on Martin Luther King, Jr. Boulevard at South Trunk Avenue, J. B. Jackson, Jr. Boulevard and Robert B. Cullum Boulevard need to be expedited in order to finish the construction before the start of the 2016 Texas State Fair.

On May 27, 2015, Resolution No. 15-0958 authorized a construction contract with Texas Standard Construction, Ltd. for Street Reconstruction Group 12-637. The improvements in this construction package entail paving, drainage, landscaping, streetscape, and water and wastewater main improvements for the following street reconstruction and complete street 2012 Bond Program projects: South Lamar Street from IH-45 to Emery Street; Al Lipscomb Way (formally Grand Avenue) from South Good Latimer to Robert B. Cullum Boulevard; and J. B. Jackson, Jr. Boulevard from Martin Luther King, Jr. Boulevard to Al Lipscomb Way. This action will authorize Change Order No. 1 to the construction contract with Texas Standard Construction, Ltd. for the construction of tinted, stamped concrete pedestrian crosswalks and barrier free ramp improvements along Martin Luther King, Jr. Boulevard at South Trunk Avenue, J. B. Jackson, Jr. Boulevard and Robert B. Cullum Boulevard.

ESTIMATED SCHEDULE OF PROJECT

Began Design	August 2007
Completed Design	March 2015
Began Construction	September 2015
Complete Construction	September 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering design services with Halff Associates, Inc. on June 13, 2007, by Resolution No. 07-1833.

Authorized Supplemental Agreement No. 1 with Halff Associates, Inc. for engineering design services on March 25, 2009, by Resolution No. 09-0835.

Authorized Supplemental Agreement No. 2 with Halff Associates, Inc. for engineering design services on January 11, 2012, by Resolution No. 12-0136.

Authorized a professional services contract for engineering design services with Freese and Nichols, Inc. on June 12, 2013, by Resolution No. 13-0966.

Authorized a professional services contract for engineering design services with Freese and Nichols, Inc. on December 11, 2013, by Resolution No. 13-2069.

Authorized Supplemental Agreement No. 4 with Halff Associates, Inc. for engineering design services on January 14, 2015, by Resolution No. 15-0123.

Authorized a construction contract with Texas Standard Construction, Ltd. for Street reconstruction group 12-637 on May 27, 2015, by Resolution No. 15-0958.

Information about this item will be provided to the Economic Development Committee on June 20, 2016.

FISCAL INFORMATION

Current Funds - \$747,377.00

Design - PBW	\$ 1,083,837.40
Design - TWM	\$ 350,000.00
Design - DWU	\$ 211,514.00

FISCAL INFORMATION (Continued)

Construction	
Paving & Drainage - PBW	\$11,789,791.25
Paving & Drainage - TWM	\$ 4,056,908.00
Water and Wastewater - DWU	\$ 4,143,014.60
Change Order No. 1 (this action)	<u>\$ 747,377.00</u>
Total Project Cost	\$22,382,442.25

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Texas Standard Construction, Ltd.

Hispanic Female	3	Hispanic Male	87
African-American Female	0	African-American Male	3
Other Female	0	Other Male	0
White Female	4	White Male	8

OWNER

Texas Standard Construction, Ltd.

Ronald H. Dalton, President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction contract with Texas Standard Construction, Ltd. for construction of tinted, stamped concrete pedestrian crosswalks and barrier-free ramp improvements at the intersections of Martin Luther King, Jr. Boulevard at South Trunk Avenue, J. B. Jackson, Jr. Boulevard and Robert B. Cullum Boulevard for Street Reconstruction Project Group 12-637- Not to exceed \$747,377, from \$19,989,714 to \$20,737,091 - Financing: Current Funds

Texas Standard Construction, Ltd. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$747,377.00	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$747,377.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Kenyatta Sand and Gravel	BMDB62563Y0517	\$194,321.87	26.00%
Total Minority - Local		\$194,321.87	26.00%

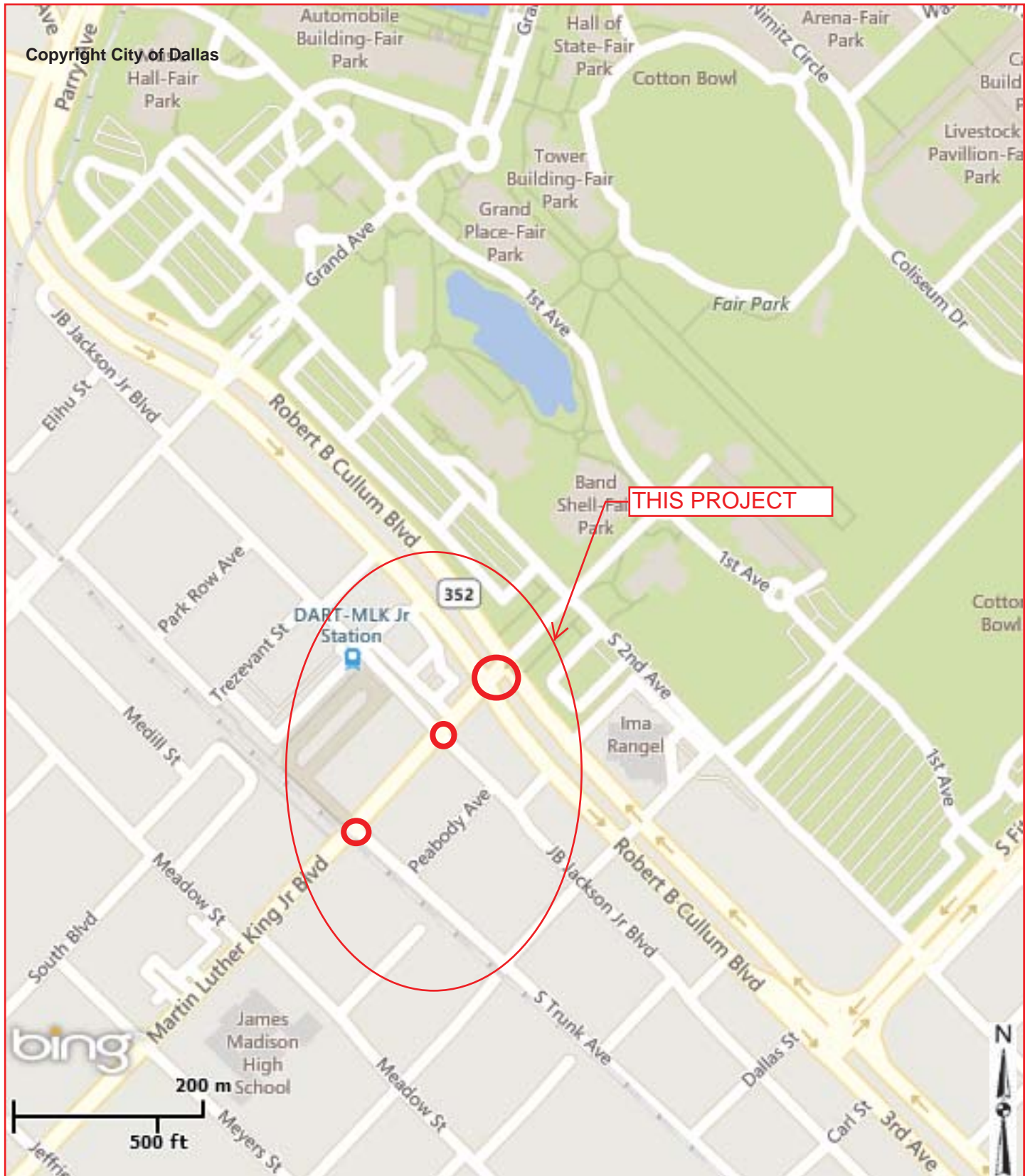
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$194,321.87	26.00%	\$5,391,750.42	26.00%
Hispanic American	\$0.00	0.00%	\$116,160.00	0.56%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$6,267.00	0.03%
Total	\$194,321.87	26.00%	\$5,514,177.42	26.59%

MARTIN LUTHER KING JR BOULEVARD INTERSECTION IMPROVEMENTS
S. TRUNK AVENUE, JB JACKSON JR BOULEVARD AND
ROBERT B. CULLUM BOULEVARD



June 22, 2016

WHEREAS, on June 13, 2007, Resolution No. 07-1833 authorized professional services contracts with four engineering firms, including Halff Associates, Inc., to provide program management and engineering design of major flood management and storm drainage projects, in the amount of \$8,571,100.00; and,

WHEREAS, on March 25, 2009, Resolution No. 09-0835 authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis for drainage relief for Mill Creek Phase I, and Middle Peaks Branch, Phases I and II, for additional scope of work to develop and update master drainage plans for Mill Creek and Middle Peaks Branch, including design of the Mill Creek, Phase II system, in the amount of \$3,225,500.00, increasing the contract from \$8,571,100.00 to \$11,796,600.00; and,

WHEREAS, on January 11, 2012, Resolution No. 12-0136 authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc. to provide additional scope of work for design and analysis for drainage relief for the State-Thomas area, and for additional survey and right-of-way services for required property acquisition, in the amount of \$2,602,200.00, increasing the contract from \$11,796,600.00 to \$14,398,800.00; and,

WHEREAS, on June 12, 2013, Resolution No. 13-0966 authorized a professional services contract with Freese and Nichols, Inc. for the engineering design services for South Lamar Street from Interstate 45 to Emery Street, in the amount of \$747,840.00; and,

WHEREAS, on November 15, 2013, Administrative Action No. 13-1628 authorized Supplemental Agreement No. 1 to the professional services contract with Freese and Nichols, Inc. for additional engineering services for control survey work, streetscape concept plans and additional public relations, in the amount of \$42,402.50, increasing the contract from \$747,840.00 to \$790,242.50; and,

WHEREAS, on December 11, 2013, Resolution No. 13-2069 authorized a professional services contract with Freese and Nichols, Inc. for the engineering design services of two complete street projects and one street reconstruction project, in the amount of \$484,949.90; and,

WHEREAS, on July 25, 2014, Administrative Action No. 14-6555 authorized Supplemental Agreement No. 3 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis of water and wastewater main replacements in Carroll Avenue from Junius Street to Victor Street, in the amount of \$45,088.00, increasing the amount from \$14,398,800.00 to \$14,443,888.00; and,

June 22, 2016

WHEREAS, on January 14, 2015, Resolution No. 15-0123 authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc. to provide for additional scope of work for design of water and wastewater facilities and right-of-way acquisition support during design of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel, in the amount of \$1,549,600.00, increasing the contract from \$14,433,888.00 to \$15,993,448.00; and,

WHEREAS, bids were received on March 26, 2015, for the reconstruction of street paving, drainage, water and wastewater main improvements for Street Reconstruction Group 12-637; and,

WHEREAS, on May 27, 2015, Resolution No. 15-0958 authorized a contract with Texas Standard Construction, Ltd. for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Street Reconstruction Group 12-637, in the amount of \$19,989,713.85; and,

WHEREAS, it is now necessary to authorize Change Order No. 1 to the construction contract with Texas Standard Construction, Ltd. for construction of tinted, stamped concrete pedestrian crosswalks and barrier-free ramp improvements at the intersections of Martin Luther King, Jr. Boulevard at South Trunk Avenue, J. B. Jackson, Jr. Boulevard and Robert B. Cullum Boulevard for Street Reconstruction Project Group 12-637 in the amount of \$747,377.00, increasing the contract amount from \$19,989,713.85 to \$20,737,090.85.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Change Order No. 1 to the construction contract with Texas Standard Construction, Ltd. for construction of tinted, stamped concrete pedestrian crosswalks and barrier-free ramp improvements at the intersections of Martin Luther King, Jr. Boulevard at South Trunk Avenue, J. B. Jackson, Jr. Boulevard and Robert B. Cullum Boulevard for Street Reconstruction Project Group 12-637 in the amount of \$747,377.00, increasing the contract amount from \$19,989,713.85 to \$20,737,090.85, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Current Funds
Fund 0001, Department BMS, Unit 1971, Act. OF01
Obj. 4510, Program #PB12S437, CT PBW12S396K1
Vendor #508379, in an amount not to exceed \$ 747,377.00

June 22, 2016

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Street Services
Code Compliance
Police

CMO: Jill A. Jordan, P.E., 670-5299
Joey Zapata, 670-3009
Eric Campbell, 670-3255

MAPSCO: N/A

SUBJECT

An ordinance amending Chapter 7A of the Dallas City Code by adding a shopping cart definition; adding a new Section 7A-3.1, "City Removal of Shopping Cart from a Public Place"; providing that a shopping cart found by the City in a public place is declared a public nuisance; providing that a shopping cart found by the City in a public place shall be treated as litter; providing that, upon collection from a public place, the City may immediately dispose of the shopping cart; amending Chapter 31, "Offenses - Miscellaneous," of the Dallas City Code by amending Section 40 to clarify the definition of shopping cart; deleting the labelling requirements; deleting the provision that the City of Dallas will return the shopping cart to its owner upon payment of a recovery fee - Financing: No cost consideration to the City

BACKGROUND

On November 12, 2003, City Council adopted Ordinance No. 25439, requiring merchants to place decals on shopping carts that include owner contact information, as well as information regarding the possession of a shopping cart at a location other than on the premises of the retail establishment that owns it being an offense punishable by a fine of up to \$500. Ordinance No. 25439 also states that a shopping cart recovered by the City of Dallas will be returned to the owner, upon payment to the City of a \$25 recovery fee. Currently, Code Compliance enforces the requirement for ownership and removal of warning decals on carts, Dallas Police Department enforces violations by persons that possess carts off merchant property, and Street Services responds to 3-1-1 complaints for carts abandoned in the rights-of-way, including streets and sidewalks.

BACKGROUND (Continued)

The Quality of Life & Environment Committee was briefed on this amendment on November 9, 2015. In December 2015, the Quality of Life & Environment Committee reviewed the ordinance and directed staff to explore potential modifications to the ordinance and meet with stakeholder groups. Two meetings were held with stakeholders on December 18, 2015, and February 5, 2016. Retailers discussed current strategies to prevent abandoned carts in neighborhoods and community representatives expressed frustration with the ongoing issue of carts in their communities and suggested ways to improve. Community stakeholders expressed concerns such as carts causing problems in alleyways, yards, and sidewalks; the current ordinance putting pressure on citizens to report violations; carts sitting too long before they are retrieved which creates a danger for kids playing with carts in the streets; carts creating an obstacle for cars on dimly lit streets; the current solution for cart retrieval not working; attempts to reach decision makers of retail establishments to address concerns being a hassle; 3-1-1 mobile app not having a service request for carts; the City's estimated response time of 10 days being too long; and removal of carts without permission being considered theft of property and violators should be charged. There have been some corrective actions taken by community stakeholders, as well as suggestions made by stakeholders and merchants to help alleviate the problem.

This amendment to Chapter 7A of the Dallas City Code provides that **(1)** a shopping cart found by the City in a public place is declared a public nuisance; **(2)** a shopping cart found by the City in a public place shall be treated as litter; **(3)** upon collection from a public place, the City may immediately dispose of the shopping cart; and **(4)** the labelling requirements are deleted.

The Quality of Life & Environment Committee was briefed on April 11, 2016, at which time the Committee gave direction to proceed with the proposed amendments.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Ordinance No. 25439 was approved by City Council on November 12, 2003.

Information about this item was briefed to the Quality of Life & Environment Committee on April 11, 2016.

FISCAL INFORMATION

No cost consideration to the City.

6/15/16

ORDINANCE NO. _____

An ordinance amending Chapter 7A, “Anti-Litter Regulations,” of the Dallas City Code, as amended, by amending Section 7A-2; adding a shopping cart definition; by adding a new Section 7A-3.1, “City Removal of Shopping Cart from a Public Place” and providing that a shopping cart found in a public place shall be treated as litter; providing that, upon collection from a public place, the city may immediately dispose of the shopping cart; amending Chapter 31, “Offenses – Miscellaneous,” of the Dallas City Code, as amended, by amending Section 40, “Possession and Identification of Shopping Carts”; clarifying the definition of shopping cart; deleting the labelling requirements; deleting the provision that the city of Dallas will return the shopping cart to its owner upon payment of a recovery fee; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, shopping carts discarded in public places, including on streets, alleys, and medians, create traffic hazards, including causing collisions, that endanger persons and property within the city of Dallas;

WHEREAS, shopping carts discarded on sidewalks and other public places, obstruct pedestrian pathways and create trip hazards that endanger persons and property within the city of Dallas;

WHEREAS, shopping carts discarded in public places obstruct drainage systems that endanger persons and property within the city of Dallas;

WHEREAS, shopping carts on public places create nuisance conditions, including attracting youth to use them as transportation vehicles, for which they are not intended, and for which purpose they have not been proven safe;

WHEREAS, shopping carts on public places create nuisance conditions by attracting solid waste accumulation, which constitutes a hazard to the health, safety, and welfare of the residents of the city of Dallas;

WHEREAS, shopping carts discarded in public places create visual blight that the city of Dallas seeks to eliminate; Now, Therefore,

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

SECTION 1. That Chapter 7A, “Anti-Litter Regulations,” of Section 7A-2, “Definitions,” of the Dallas City Code, as amended, is amended by adding a new Subsection (14.1) to read as follows:

“(14.1) SHOPPING CART. An object that has the same meaning as in Chapter 17 of the Texas Business and Commerce Code, as amended.”

SECTION 2. That Chapter 7A, “Anti-Litter Regulations,” of the Dallas City Code, as amended, is amended by adding a new Section 7A-3.1, “City Removal of Shopping Cart from a Public Place,” to read as follows:

“SEC. 7A-3.1. CITY REMOVAL OF SHOPPING CART FROM A PUBLIC PLACE

(a) A shopping cart found by the city in a public place shall be presumed lost or abandoned, unless the shopping car has:

- (1) been reported as stolen to the Dallas Police Department within the last 30 days;
- (2) a legible name, address, and telephone number of the owner of the shopping cart; and
- (3) a legible unique identifier, such as a serial number.

(b) A shopping cart found by the city in a public place is hereby declared a public nuisance.

(c) A shopping cart found by the city in a public place shall be considered litter.

(d) Upon collection, the city may immediately dispose of the shopping cart, including by recycling it, or the city may temporarily store the shopping cart before disposing of it, whichever method the director, in the director’s discretion, deems appropriate. For purposes of this section, DIRECTOR is the director of the department of street services of the city of Dallas.”

SECTION 3. That Section 31-40, "Possession and Identification of Shopping Carts" of Chapter 31, "Offenses – Miscellaneous," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 31-40. POSSESSION [AND IDENTIFICATION] OF SHOPPING CARTS.

(a) In this section, SHOPPING CART is an object that has the same meaning as in Chapter 17 of the Texas Business and Commerce Code, as amended ~~[means any device or conveyance provided by a retail establishment for use by its customers for the transport of merchandise from the retail establishment. The term does not include a motor vehicle as defined in the Texas Transportation Code].~~

(b) A person commits an offense if he possesses a shopping cart at a location other than the premises of the retail establishment that owns the shopping cart.

(c) It is a defense to prosecution under Subsection (b) that the person was an owner, employee, or agent of the retail establishment that owns the shopping cart and was delivering, retrieving, or returning the shopping cart to the retail establishment.

(d) A retail establishment that owns a shopping cart shall affix to the shopping cart a durable, all-weather ~~[, and legible]~~ decal ~~[identifying the name, address, and telephone number of the retail establishment. The decal must also state]~~ stating the following in legible letters:

IT IS AN OFFENSE PUNISHABLE BY A FINE OF UP TO \$500 TO POSSESS THIS SHOPPING CART AT A LOCATION OTHER THAN ON THE PREMISES OF THE RETAIL ESTABLISHMENT THAT OWNS THIS SHOPPING CART.

~~[(e) A shopping cart recovered by the city of Dallas will be returned to the owner, as determined by the decal affixed to the shopping cart, upon payment to the city of a recovery fee of \$25.]"~~

SECTION 4. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$500.

SECTION 5. That Chapters 7A and 31 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. 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 7. 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 D. BOWERS, Interim City Attorney

By _____
Assistant City Attorney

Passed _____

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 14

DEPARTMENT: Trinity Watershed Management
City Attorney's Office

CMO: Mark McDaniel, 670-3256
Christopher D. Bowers, 670-3491

MAPSCO: 45 G

SUBJECT

Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Post Apartment Homes, L.P., a Georgia limited partnership, et al., Cause No. CC-15-06484-C, pending in Dallas County Court at Law No. 3, to acquire a subsurface easement under approximately 3,811 square feet of land, located on Woodall Rodgers Freeway at its intersection with Maple-Routh Connection for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$99,275 (\$95,275 being the amount of the award, plus closing costs and title expenses not to exceed \$4,000); an increase of \$26,677 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

BACKGROUND

This item is being placed on the addendum requesting Council approval prior to the deadline to file objections to the Award of the Special Commissioners.

On September 9, 2015, the City Council authorized the acquisition of this property, by Resolution No. 15-1668. The property owner was offered \$68,598, which was based on a written appraisal from an independent certified appraiser. The property owner did not accept the offer and the City filed an eminent domain proceeding to acquire the property. The appraisal was updated February 23, 2016, and the appraised amount was revised to \$95,275. After a hearing before the Special Commissioners on June 7, 2016, the property owner was awarded \$95,275. This item authorizes deposit of the amount awarded by the Special Commissioners for the property, which is \$26,677 more than the City Council originally authorized for this acquisition, plus closing costs and title expenses not to exceed \$4,000, and settlement of the condemnation proceeding for the amount of the award.

BACKGROUND (Continued)

The City has no control over the Special Commissioners appointed by the judge or any award that is subsequently rendered by the Special Commissioners. The City, in order to acquire possession of the property and proceed with its improvements, must deposit the amount awarded by the Special Commissioners in the registry of the Court.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition on September 9, 2015, by Resolution No. 15-1668.

Council was briefed by memorandum regarding this item.

Information about this item was provided to the Transportation and Trinity River Project Committee on June 13, 2016.

FISCAL INFORMATION

2006 Bond Funds - \$99,275 (\$95,275 plus closing costs and title expenses not to exceed \$4,000)

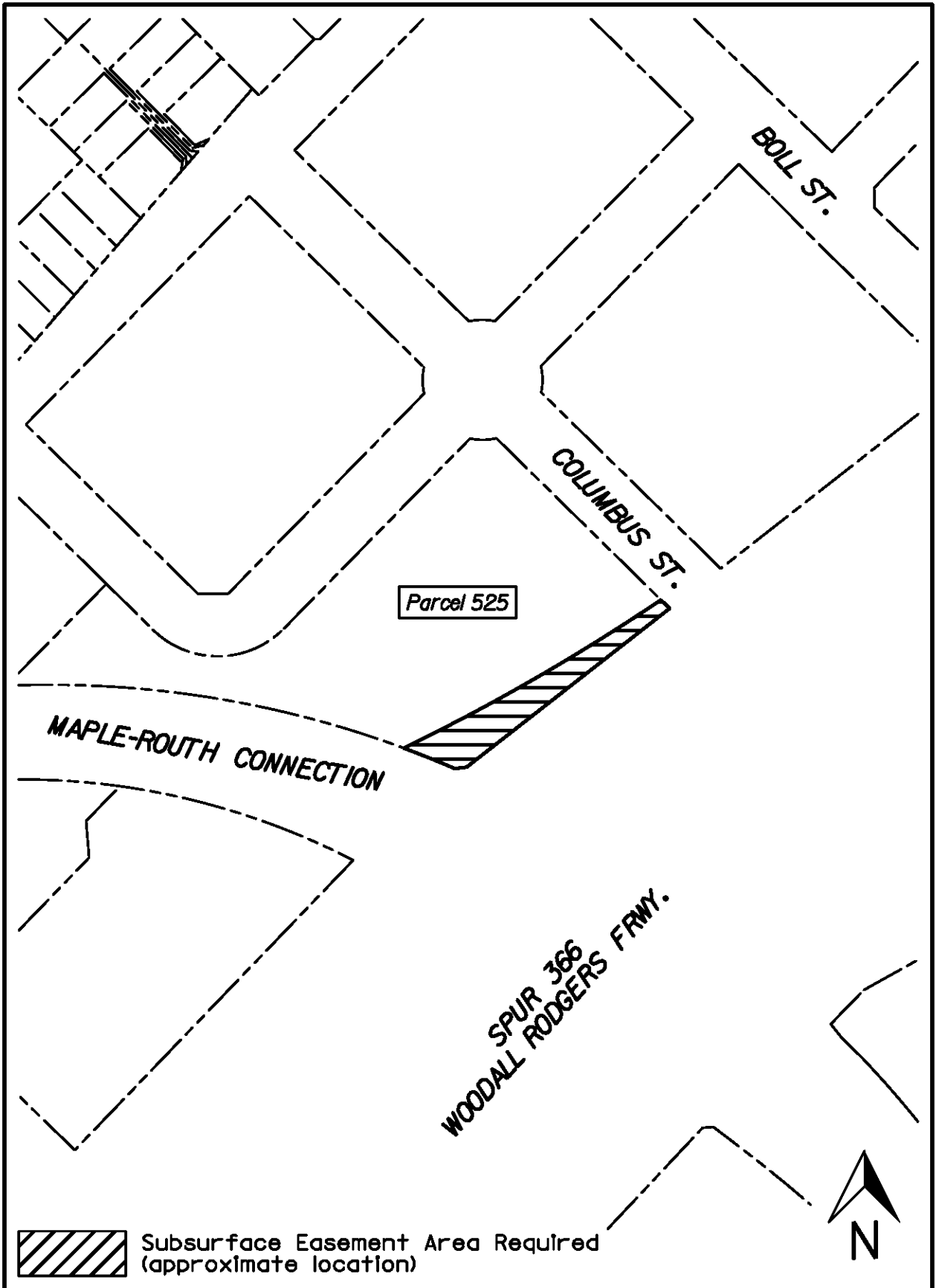
OWNER

**Post Apartment Homes, L.P.
Post GP Holdings, Inc., Sole General Partner**

David P. Stockert, President

MAP

Attached



Subsurface Easement Area Required
(approximate location)



June 22, 2016

A RESOLUTION AUTHORIZING THE DEPOSIT OF A SPECIAL COMMISSIONERS AWARD AND SETTLEMENT OF THE CONDEMNATION PROCEEDING AND IF OBJECTIONS ARE FILED, SETTLEMENT OF THE CONDEMNATION LAWSUIT FOR AN AMOUNT NOT TO EXCEED THE AWARD.

IN THIS RESOLUTION THE FOLLOWING DEFINITIONS SHALL APPLY:

AUTHORIZED AMOUNT: Not to exceed: \$99,275.00

AWARD: \$95,275.00

CLOSING COSTS AND TITLE EXPENSES: Not to exceed \$4,000.00

CONDEMNATION PROCEEDING: Cause No. CC-15-06484-C, in Dallas County Court at Law No. 3, and styled City of Dallas v. Post Apartment Homes, L.P., a Georgia limited partnership, et al., filed pursuant to City Council Resolution No. 15-1668.

DESIGNATED FUNDS: AWARD payable out of the 2006 Bond Funds, Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-PBW06T525G58, CLOSING COSTS AND TITLE EXPENSES payable out of the 2006 Bond Funds, Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-PBW06T525G59.

OFFICIAL OFFER: \$68,598.00

PROJECT: Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project

PROPERTY: Subsurface easement located under approximately 3,811 square feet of land in Dallas County, as described in the CONDEMNATION PROCEEDING.

WHEREAS, the OFFICIAL OFFER having been made and refused, the City Attorney filed the CONDEMNATION PROCEEDING for the acquisition of the PROPERTY for the PROJECT; and,

WHEREAS, the Special Commissioners appointed by the Court in the CONDEMNATION PROCEEDING made the AWARD, which the City Council wishes to deposit with the County Clerk of Dallas County, Texas, so that the City may take possession of the PROPERTY; and,

June 22, 2016

WHEREAS, the City Council desires to authorize the City Attorney to settle the CONDEMNATION PROCEEDING and, if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING for an amount not to exceed the AWARD;

Now, Therefore,

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

SECTION 1. That the Chief Financial Officer is hereby authorized and directed to issue a check, payable out of and charged to the DESIGNATED FUNDS, in the amount of the AWARD payable to the County Clerk of Dallas County, Texas, to be deposited by the City Attorney with the County Clerk and in the amount of the CLOSING COSTS AND TITLE EXPENSES payable to the title company closing the transaction described herein. The AWARD, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 2. That the City Attorney is authorized to settle the CONDEMNATION PROCEEDING, and if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING, for an amount not to exceed the AWARD.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM

**Christopher D. Bowers,
Interim City Attorney**

By: _____

Assistant City Attorney

KEY FOCUS AREA: Clean, Healthy Environment
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): All
DEPARTMENT: Mayor and City Council
CMO: A. C. Gonzalez, 670-3297
MAPSCO: N/A

SUBJECT

Authorize the City Manager to initiate a public safety initiative to address animal neglect, abuse and exploitation to support public health, welfare, peace and safety of the residents of Dallas, their pets and property – Financing: No cost consideration to the City (via Councilmembers Arnold, Medrano, Young, Clayton and McGough)

BACKGROUND

Recent concerns with loose dogs and incidents of animal attacks and dumping have demonstrated that the city must give priority to finding ways to work with animal owners, advocates, rescue partners and all residents to improve conditions that have led to these incidents.

In spite of efforts to address loose dogs, neglected and abused dogs, irresponsible animal owners, and educate the general public, animal-related issues remain serious problems in Dallas.

The City Council is committed to implementing policies, procedures and other improvements that ensure that protect the public health, welfare, peace, and safety of Dallas residents and their pets and property.

FISCAL INFORMATION

No cost consideration to the City

Memorandum

RECEIVED

2016 JUN 15 PM 3:56

CITY SECRETARY
DALLAS, TEXAS



DATE June 10, 2016

TO The Mayor and Dallas City Council

SUBJECT **A Resolution of the City of Dallas Regarding the Promotion of Safe Communities.**

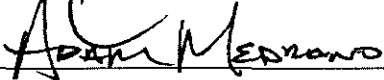
The Dallas City Council recognizes the importance of Public Safety in Dallas communities, and continues to underscore its commitment to implementing policies and procedures to provide safe neighborhoods and communities against animal abuse, neglect, and attacks.

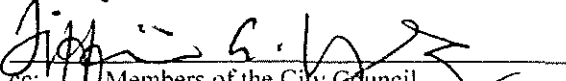
The undersigned members of the Dallas City Council request that the City Manager brief the Council on possible changes to policies and procedures for Dallas Animal Services and Dallas Police Department to ensure that animals receive proper care and that dangerous animals are properly controlled, including:

- A. Support the Dallas Police Department Public Safety initiative for reporting aggressive animals, abused animals and animal attacks using the 911 reporting system.
- B. Promote policies to encourage additional recruitment, hiring, and training of officers for Dallas Animal Services.
- C. Establish partnership with organizations that combat animal neglect and abuse and utilize available resources to promote the education and training of all citizens on animal ownership and care.
- D. Supporting the research and implementation of "best practices" to strengthen the Dallas Animal Services.

Thank you for your time and consideration.

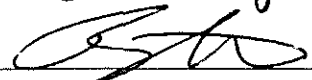






cc: Members of the City Council
Chris Bowers, City Attorney
A.C. Gonzalez, City Manager





June 22, 2016

WHEREAS, the City Council finds that loose animals are often menaces to the public health, welfare, peace, and safety of Dallas residents and their pets and property; and

WHEREAS, animal neglect, abuse, and exploitation remain a serious problem in Dallas; and

WHEREAS, all animal owners are responsible for properly caring for their animals and properly restraining potentially dangerous animals and are accountable to the public and the victims for the conduct of their animals; and

WHEREAS, recent incidents involving loose animals have demonstrated that the City needs to do more to protect the public health, welfare, peace, and safety; and

WHEREAS, the City Council continues to be committed to implementing policies and procedures that ensure that neighborhoods and communities are safe from animal attacks; **Now, Therefore,**

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

SECTION 1. That the Council supports the Dallas Police Department's public safety initiative for reporting aggressive animals, abused animals, and animal attacks to the City's 911 reporting system.

SECTION 2. That the City Manager shall strive to recruit, hire, and train additional officers for Dallas Animal Services.

SECTION 3. That the City Manager shall seek to establish partnerships with organizations that combat animal neglect, abuse, and exploitation, and shall use available resources to promote the education and training of all residents on animal ownership and care.

SECTION 4. That Dallas Animal Services is authorized and instructed to continue an intensive wild dog control program, using any lawful means it deems necessary.

SECTION 5. That the City Manager shall research best practices in animal care and control and shall implement those practices in Dallas Animal Services.

SECTION 6. That the City Manager and City Attorney shall examine existing local and state laws designed to protect public health, welfare, peace, and safety from loose animals and shall make recommendations to the City Council on amendments to those laws to better protect the public health, welfare, peace, and safety.

June 22, 2016

SECTION 7. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

ADDENDUM ITEM # 22

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): 9
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 37 Z

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-10(A) Single Family District and public school other than open enrollment charter school uses on property zoned an R-10(A) Single Family District, on the east corner of San Leandro Drive and Saint Francis Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan, and conditions
Z145-285(SM)

FILE NUMBER: Z145-285(SM)

DATE FILED: December 2, 2015

LOCATION: East corner of San Leandro Drive and Saint Francis Avenue

COUNCIL DISTRICT: 9

MAPSCO: 37 Z

SIZE OF REQUEST: Approx. 6.94 Acres

CENSUS TRACT: 81.00

OWNER /APPLICANT: Dallas ISD

REPRESENTATIVE: Karl Crawley, Masterplan

REQUEST: An application for a Planned Development District for R-10(A) Single Family District and public school other than open enrollment charter school uses on property zoned an R-10(A) Single Family District.

SUMMARY: The applicant proposes to construct up to a three-story, 46,000 square foot addition to the existing Alex Sanger Elementary School and to increase the grade levels to include Pre-K through 8th grades. The proposal also requests to establish setbacks, landscaping, and parking requirements.

CPC RECOMMENDATION: Approval, subject to a development plan, traffic management plan, and conditions.

STAFF RECOMMENDATION: Approval, subject to a development plan, traffic management plan, and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

Staff recommends to hold item under advisement based upon:

1. *Performance impacts upon surrounding property* – The current application has two proposed development plans, one where the swing space portables, or those buildings that will be used as interim classrooms while the proposed addition is constructed, are located adjacent to San Leandro Drive, and a second and alternate development plan that places the majority of the swing space portables adjacent to Saint Francis Avenue. The placement of the swing space portables in the rear is preferable to the applicant and staff as it will disrupt the landscape between the original school building and San Leandro the least however; the area adjacent to Saint Francis is also near or inside of a flood plain. Flood plain staff has noted that hydrology studies, fill permits, fill material, and the swing space portable buildings must have an elevated finished floor that is at least three feet above the flood plain are required under the current flood plain regulations. These requirements may prohibit siting the swing space portable buildings in the flood plain. Therefore, staff recommends that the development plan be revised to show both possible locations for the swing space portable building areas and placing a limit on the overall number of classrooms provided as swing space portable buildings.

Additionally, staff recommends approval of the three story addition, at approximately 51 feet in height. The development plans included in this report show contour lines and spot elevations for the proposed rough footprint of the addition which is reportedly closer to 51 feet not 55 feet, as noted on the development plans. A revised development plan is recommended to show the adjusted height of the proposed addition. If residential proximity slope (RPS) is used as a measuring tool to evaluate the compatibility of taller structures to single family, because the addition is approximately 165 or more feet away (150 feet to the property line plus a 15 foot alley) from adjacent private properties to the northeast, RPS would allow a 55-foot tall structure that is located at least 165 feet from the nearest private property line. Therefore, the proposed height of the addition will not exceed residential proximity slope. The applicant has also offered to restrict height within the development to comply with residential proximity slope restrictions, which is not normally a restriction within the R-10(A) Single Family District.

2. *Traffic impact* – The traffic management plan included in this report has been reviewed by engineering and Street Services staff and they have no objections to the TMP included in this report. However, Street Services staff notes that they recommend “St. Francis, in the area adjacent to the school, to be re-striped for two lanes in the northbound direction and one lane in the southbound direction. This would require a right-turn only lane on northbound Saint Frances at San Leandro.” Since their comments relate to the right-of-way where they are the regulators of signage and striping, no amendments to the traffic management plan are required.

3. *Comprehensive Plan or Area Plan Conformance* – Schools are compatible within the neighborhood residential building block.
4. *Justification for PD Planned Development District Zoning as opposed to a straight zoning district* – The request includes encroachments into and modifications to the setbacks; a provision for portables that facilitate construction of the proposed addition; limitations on floor area, height, lot coverage and stories; modifications to parking, screening, and fence standards, and modifications to landscaping requirements that require a planned development district.

BACKGROUND INFORMATION:

- DISD reports the following statistics:
 - The original school was constructed in 1956 and opened as an “elementary school” through the seventh grade.
 - It currently includes education through the sixth grade and has a dual language program.
 - DISD plans to add the seventh grade in the Fall of 2016 with providing a portion of the swing space portable buildings shown on the proposed development plan.
 - DISD plans to add eighth grade with the remainder of the swing space portable buildings shown on the proposed development plan.
 - All swing space portables are proposed to be removed once the proposed addition is complete. DISD’s goal for completion is August 2018.
- On April 21, 2015 preliminary plat number S156-144 was recommended for approval, subject to conditions.

Zoning History: There has been one recent zoning activity in the immediate area relevant to this request.

1. **Z123-377:** On January 14, 2013, City Council approved an application to amend Specific Use Permit No. 216 for a private club on property zoned an R-7.5(A) Single Family District located at the terminus of Arturo Drive, southwest of Lakeland Drive. The applicant proposes to construct approximately 750 square feet expansion to the existing private recreation center.

<u>Thoroughfare</u>	<u>Designation</u>	<u>ROW</u>
San Leandro Way	Local	60’ ROW
Saint Francis Avenue	Local	60’ ROW

STAFF ANALYSIS:

Comprehensive Plan: The comprehensive plan does not make a specific land use recommendation related to the request, however the *forwardDallas! Vision Illustration*, adopted June 2006, is comprised of a series of Building Blocks that depicts general land use patterns. Building Blocks are generalized patterns without well-defined boundaries that indicate where certain types and densities of development might logically occur. The Vision Illustration depicts the request site as within a *Residential Neighborhood*. While single family dwellings are the dominate land use in *Residential Neighborhood* areas, shops, restaurants, or institutional land uses that serve residents may be located at the edges or at key intersections. In general, the applicant's proposal at this location is consistent with the building blocks described in the Comprehensive Plan.

Land Use Compatibility:

The site is surrounded by single family uses on three sides, the southwest, northwest, and northeast. A railroad spur is located immediately to the southeast and beyond the railroad spur is an electric substation and a fraternal organization.

The PDD provides for other uses and development standards consistent with those found in an R-10(A) Single Family District with the exception that a public school is allowed by right as opposed to by specific use permit and allows encroachments into and modifications to the setbacks; a provision for portables that facilitate construction of the proposed addition; limitations on floor area, height, lot coverage and stories; modifications to parking, screening, and fence standards, and modifications to landscaping requirements that require a planned development district.

Structure Height of the Proposed Addition: The R-10(A) Single Family District has a maximum structure height of 30 feet and no residential proximity slope because it is not listed as a limitation to height within the district regulations. Additionally, the R-10(A) District allows institutional uses, such as a public school, any height approved by the Federal Aviation Administration but recreational uses are limited to the height of the district¹. Height is measured from the average grade of the highest and lowest corners of the structure to the midpoint of a gable or hip roof or to the highest point of other structures².

The site has an approximate 20-foot drop in elevation from the sidewalk on the northwest to the southeast property line, or from San Leandro Drive to the railroad spur, according to the contour lines on the development plans. The development plan also shows the bottom of the existing school's front facade is also located approximately eight feet below the adjacent sidewalk along San Leandro Drive. Because the San Leandro side of the building is currently two stories where the three-story addition is proposed, the appearance of the addition will be situated downhill and mitigated by

¹ See Section 51A-4.408(a)(1) of the Dallas Development Code.

² See Section 51A-4.112(f)(4)(E) of the Dallas Development Code.

being stepped back from the single family properties on the northwest side of San Leandro Drive. The addition is also obscured from view along Saint Francis because the addition will be constructed behind existing school building therefore it will be stepped back to properties to the southwest, across from Saint Francis.

Since the natural topography slopes to the southwestern line of the site, the single family neighbors who are most disadvantaged by these slopes are the homes that front on the southwest side of Whittier Avenue, or to the northeast of the site because they are situated along the school property's sloping grade. These neighbors are currently separated from the existing one story portable building in the approximate location of the proposed three-story addition by approximately 165 feet from the closest single family fence and the current structure that will be removed to make room for the addition. This separation also contains an alley and vegetation on the DISD side of the alley which provides additional buffering elements to the northeastern neighbors. If residential proximity slope is used as a measuring stick to compare the separation of the residential property lines with the proposed structure, a separation of 165 feet would allow a 55-foot-tall structure at the closest point of 165 feet separation and then would be allowed to increase in height at a ratio of one foot in height for every three feet in distance. Therefore, staff supports the height and placement of the proposed additions.

An institutional use that is allowed by right in the R-10(A) District could build as high as the FAA would allow at the 10 foot side yard setback of the R-10(A) District. However, in an effort to mitigate the larger appearance of the building, the applicant has proposed to set the building back as shown in the development plan, approximately 150 feet, from the northeastern property line and restrict the site to comply with residential proximity slope.

Staff recommends approval for the proposed height of 51 feet as shown in the proposed planned development conditions, however the notes on the development plan for the addition needs to be revised to concur with the conditions.

Traffic: Traffic engineering staff has reviewed attached version of the traffic management plan recommended approval because 1) the proposed signage and striping in the traffic management plan would encourage more orderly and efficient traffic patterns during morning drop off and afternoon pick up times and 2) because the utilization of three staggered dismissal times and adding a queue through an off-street parking lot should be able to accommodate the increase in traffic.

Parking: A slight modification to the minimum off-street parking requirements of the Dallas Development Code are requested with this application which equate to two spaces overall. The request is providing 106 of the minimum 108 off-street parking spaces required for an elementary and middle school per the Dallas Development Code. The analysis shown on the current development plan needs revision to show the breakdown of each classroom level and the proposed and to correct figures listed in the data table. Each elementary school classroom requires one and a half spaces per classroom and each middle school classroom requires three and a half spaces. The Building Inspection Office produced a memorandum on December 10, 2014 that

classified elementary as Pre-K through fifth grades, middle school as sixth through eighth grades, and high school from ninth to 12th grades. The school was constructed in 1956 when parking requirements were less than they are today and the division between elementary and middle school may have been different. At today's Dallas Development Code requirements and interpretations, the 56 proposed classrooms would be required to provide 108 parking spaces. The applicant proposes 106 spaces. Staff recommends the two space reduction requested because if the sixth grade was considered elementary school for parking purposes, the code parking requirement would be 100.

Staff recommends approval of the requested parking requirements that would reduce the overall parking requirement by two spaces and the additional parking lot screening requirements that are proposed.

Landscaping: The landscaping requirements of the site will generally comply with Article X of the Dallas Development Code. The applicant has proposed additional landscaping to beautify the current school to be installed with 18 months of Council approval and includes evergreen shrubs to screen garbage storage areas, equipment, and the four parking spaces located within 150 feet of San Leandro Drive. Five street trees adjacent to Saint Francis are also proposed to be installed within 18 months of Council approval.

The only landscaping that is proposed to be required for the swing space portable buildings, since they are interim classrooms, are 10 gallon evergreen shrubs to buffer the swing space portable buildings to San Leandro Drive.

Finally, two enhancements to Article X are proposed for the proposed additions. First, the quantity of street trees along San Leandro is proposed to be increased from one per every 50 feet of frontage to one per every 40 feet of frontage. Second, when protected trees are damaged or diseased and need to be replaced on a one-to-one basis, each replacement tree caliper is proposed to be increased from a two-inch caliper to a two-and-a-half-inch caliper tree.

Staff recommends approval of the proposed landscaping modifications.

PRIOR CPC ACTION – JUNE 2, 2016:

Z145-285(SM)

Planner: Sarah

May

Motion: It was moved to recommend **approval** of a Planned Development District for R-10(A) Single Family District and public school other than open enrollment charter school uses, subject to a revised development plan, revised traffic management plan, and conditions (as briefed) with the following revisions: 1.) *Revised Development Plan.* Revise the Proposed Alternate Development Plan to reflect a maximum height limit of 36' and two stories. Further revise the development plan by deleting the swing-space portable areas along San Leandro and at the northern corner of the property and expanding the swing space portable area on the southeastern portion of the property sufficiently to accommodate a total of six portable "quad" buildings, 2.) *Height Limit.* Amend condition 109(b)(3)(A) to reflect a maximum structure height of 36 feet, 3.) *Stories Limit.* Amend condition 109(b)(5) to reflect a maximum number of stories above grade of two, 4.) *Whittier Alley Landscape Buffer.* Add a paragraph to condition 113(b) to read as follows: "Groups of three large evergreen shrubs must be planted 35 feet on-center along a line within 25 feet of the east property line, beginning at a point 100 feet south of San Leandro Drive and continuing a distance of 400 feet. Large evergreen shrubs must have a minimum height of three feet at the time of planting and be spaced no greater 5 feet apart in the grouping, and must reach at least 6 feet at maturity.", 5.) *Traffic Study Submission:* Add the following as condition 115(b)(3) and renumber the next section accordingly: "The traffic study must be furnished to the Forest Hills Neighborhood Association, P.O. Box 180897, Dallas, TX 75218, prior to or at the time of submission to the director.", 6.) *Portable Removal Clarification.* Amend condition 116(c)(1) by substituting "Future 2-Story Addition" for "additions.", 7) *Classroom Cap.* Add an additional condition to read: "For a public school other than an open-enrollment charter school, a maximum of 56 classrooms (exclusive of swing-space portables) is allowed. A maximum of 24 classrooms contained in swing-space portables is allowed." Delete the second sentence of condition 110(b)(2), 8.) *Revised TMP.* Revise the Proposed Traffic Management Plan circulated this morning by striking from paragraph 1 on page 3 the phrase "and while student enrollment remains under 750 students" and by updating the base layer on Exhibits 1 and 2 to reflect the revised development plan, and 9) Add the following additional revision to the Revised Proposed TMP: Each school day during the first two weeks of school and once a month for the remainder of the school year, DISD (the property owner) have a certified peace officer present during the morning and afternoon peak times to assist, monitor, and enforce compliance with all requirements of the traffic management plan with student drop-off and pick-up beginning in the fall of 2016 through spring of 2020 or one school year after the addition shown on the development plan is completed, whichever is later, on property zoned an R-10(A) Single Family District, on the east corner of San Leandro Drive and Saint Francis Avenue.

Note: Chair Tarpley offered a friendly amendment to include the following additional revision to the revised proposed traffic management plan: Each school day during the first two weeks of school and once a month for the remainder of the school year, DISD (the property owner) have a certified peace officer present during the morning and afternoon peak times to assist, monitor, and enforce compliance with all requirements of the traffic management plan with student drop-off and pick-up beginning in the fall of 2016 through spring of 2020 or one school year after the addition shown on the development plan is completed, whichever is later. Commissioner Jung and Commissioner Peadon accepted the friendly amendment.

Maker: Jung
Second: Peadon
Result: Carried: 14 to 0

For: 14 - Anglin, Rieves, Houston, Davis, Shidid,
Anantasomboon, Abtahi, Haney, Jung,
Schultz, Peadon, Murphy, Ridley, Tarpley

Against: 0
Absent: 1 - Housewright
Vacancy: 0

Notices: Area: 500 Mailed: 82
Replies: For: 4 Against: 42

Speakers: For: Karl Crawley, 900 Jackson St., Dallas, TX, 75202
Dan Micciche, 1140 Bally Mote Dr., Dallas, TX, 75218
Bridget Stuart, 8249 Forest Hills Blvd., Dallas, TX, 75218
For (Did not speak): Teri DeLeon, 1424 San Saba Dr., Dallas, TX, 75218
Kam DeLeon, 1424 San Saba Dr., Dallas, TX, 75218
Rachel Triska, 6302 N. Jim Miller Rd., Dallas, TX, 75228
April Sellers, 8230 San Cristobal Dr., Dallas, TX, 75218
Elsy Serpas, 2524 Waterloo Ln., Mesquite, TX, 75181
Gale Dunleavy, 1714 Whittier Ave., Dallas, TX, 75218
Stuart Dunleavy, 1714 Whittier Ave., Dallas, TX, 75218
Libni Ponce, 1806 Oldfield Dr., Dallas, TX, 75217
Ricardo Ponce, 1806 Oldfield Dr., Dallas, TX, 75217
Yoselin Terrones Ponce, 7945 Villa Cliff Dr., Dallas, TX, 75228
Abi Hoffman, 1436 San Saba Dr., Dallas, TX, 75218
Ben Hoffman, 9325 Redondo Dr., Dallas, TX, 75218
Tanisha Bailey, 8180 San Cristobal Dr., Dallas, TX, 75218
Kathy Glenn, 8325 Forest Hills Blvd., Dallas, TX, 75218
Patty Bates-Ballard, 8235 Hunnicut Rd., Dallas, TX, 75228
Biff Bailey, 8180 San Cristobal Dr., Dallas, TX, 75218
Colleen Bryne-Stobie, 9015 Groveland Dr., Dallas, TX, 75218
Kelly Clayton, 1537 N. Buckner Blvd., Dallas, TX, 75218
Juris Laivins, 8363 San Leadndro Dr., Dallas, TX, 75218

Carolyn Laivins, 8363 San Leadndro Dr., Dallas, TX, 75218
David Salazar, 2140 Springhill Dr., Dallas, TX, 75228
David Salazar III, 2140 Springhill Dr., Dallas, TX, 75228
Denise Rodriquez, 11030 Watterson Dr., Dallas, TX, 75228
Marco Rodriquez, 11030 Watterson Dr., Dallas, TX, 75228
Amie Deregge, 10019 Newcombe Dr., Dallas, TX, 75228
David Lee, 8344 Hunnicutt Rd., Dallas, TX, 75228
Joseph Martinez, 8044 Woodhue Cir., Dallas, TX, 75228
Jonathan Wood, 8543 Eustis Ave., Dallas, TX, 75218
Valery Chavez, 923 Lawton Dr., Dallas, TX, 75217
Jarriza Velazquez, 8749 Southwestern Blvd., Dallas, TX, 75206
Dora Hornick, 8809 Grenore Dr., Dallas, TX, 75218
Scott Hornick, 8809 Grenore Dr., Dallas, TX, 75218
Sonia Cavazos, 9006 Westbriar Dr., Dallas, TX, 75228
Jennifer Klein, 8607 Vinewood Dr., Dallas, TX, 75228

Against: Anita Childress, 8366 Santa Clara Dr., Dallas, TX, 75218
Jason Pumpelly, 8423 San Leadndro Dr., Dallas, TX, 75218
Patrick Kirby, 8364 San Leandro Dr., Dallas, TX, 75218
Randolph Kalis, 8372 San Leandro Dr., Dallas, TX, 75218
Christopher Southan, 8431 San Leandro Dr., Dallas, TX, 75218

Against (Did not speak): Chris McCauley, 8163 Santa Clara Dr., Dallas, TX, 75218
Tamela Southan, 8431 San Leandro Dr., Dallas, TX, 75218
Adriana Comini, 1737 Whittier Ave., Dallas, TX, 75218
LaRon Higgins, 8327 San Leandro Dr., Dallas, TX, 75218

LIST OF OFFICERS

DALLAS INDEPENDENT SCHOOL DISTRICT

BOARD OF TRUSTEES

District 1	Edwin Flores
District 2	vacant
District 3	Dan Micciche
District 4	Nancy Bingham, Board Secretary
District 5	Lew Blackburn, Ph.D., 2nd Vice President
District 6	Joyce Foreman
District 7	Eric Cowan, President
District 8	Miguel Solis, 1 st Vice President
District 9	Bernadette Nutall

CPC RECOMMENDED PLANNED DEVELOPMENT DISTRICT CONDITIONS

“ARTICLE _____.

PD _____.

SEC. 51P-_____.101. LEGISLATIVE HISTORY.

PD _____ was established by Ordinance No._____, passed by the Dallas City Council on _____.

SEC. 51P- _____.102. PROPERTY LOCATION AND SIZE.

PD _____ is established on property located at the east corner of San Leandro Drive and Saint Francis Avenue. The size of PD _____ is approximately 6.94 acres.

SEC. 51P- _____.103. DEFINITIONS AND INTERPRETATIONS.

(a) Unless otherwise stated, the definitions and interpretations in Chapter 51A apply to this article.

(b) Unless otherwise stated, all references to articles, divisions, or sections in this article are to articles, divisions, or sections in Chapter 51A. In this article, SWING SPACE PORTABLE means a portable classroom for use during the renovation and construction of new classroom space on the Property as shown on the development plan.

(c) This district is considered to be a residential zoning district.

SEC. 51P- _____.104. EXHIBITS.

The following exhibits are incorporated into this article:

(a) Exhibit ___A: development plan.

(b) Exhibit ___B: traffic management plan.

SEC. 51P- _____.105. DEVELOPMENT PLAN.

(a) For public school other than an open-enrollment charter school, development and use of the Property must comply with the development plan (Exhibit ___A). If there is a conflict between the text of this article and the development plan, the text of this article controls.

(b) For all other uses, no development plan is required, and the provisions of Section 51A-4.702 regarding submission of or amendments to a development plan, site analysis plan, conceptual plan, development schedule, and landscape plan do not apply.

SEC. 51P-____.106. MAIN USES PERMITTED.

(a) Except as provided in this section, the only main uses permitted are those main uses permitted in the R-10(A) Single Family District, subject to the same conditions applicable in the R-10(A) Single Family District, as set out in Chapter 51A. For example, a use permitted in the R-10(A) Single Family District only by specific use permit (SUP) is permitted in this district only by SUP; a use subject to development impact review (DIR) in the R-10(A) Single Family District is subject to DIR in this district; etc.

(b) The following main use is permitted by right:

-- Public school other than an open-enrollment charter school.

SEC. 51P-____.107. ACCESSORY USES.

As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

SEC. 51P-____.109. YARD, LOT, AND SPACE REGULATIONS.

(Note: The yard, lot, and space regulations in this section must be read together with the yard, lot, and space regulations in Division 51A-4.400. If there is a conflict between this section and Division 51A-4.400, this section controls.)

(a) In general. Except as provided in this section, the yard, lot, and space regulations for the R-10(A) Single Family District apply.

(b) Public school other than an open-enrollment charter school.

(1) Front yard. Minimum front yard is five feet for swing space portables adjacent to San Leandro Drive. Garbage storage areas and equipment existing on (date of council passage) may encroach 10 feet into the front yard setback along Saint Francis Avenue in the locations shown on the development plan.

(2) Floor area. Maximum floor area is 98,540 square feet. Swing space portables are not included in maximum floor area.

(3) Height.

CPC recommended:

(A) Maximum height. Except as provided in this section, maximum structure height is 36 feet. The following structures may project a maximum 12 feet above the maximum structure height:

Staff recommended and applicant requested:

(A) Maximum height. Except as provided in this section, maximum structure height is 51 feet. The following structures may project a maximum 12 feet above the maximum structure height:

- (i) Elevator or penthouse bulkhead.
- (ii) Mechanical equipment room.
- (iii) Cooling tower.
- (iv) Tank designated to hold liquids.
- (v) Ornamental cupola or dome.
- (vi) Skylights.
- (vii) Clerestory.
- (viii) Visual screens which surround roof mounted mechanical equipment.
- (ix) Chimney and vent stacks.
- (x) Amateur communications tower.
- (xi) Parapet wall, limited to a height of four feet.

(B) Residential proximity slope. If any portion of a structure is over 26 feet in height, that portion may not be located above a residential proximity slope. Except for chimneys, structures listed in subparagraph (b)(3)(A) may project through the slope to a height not to exceed the maximum structure height, or 12 feet above the slope, whichever is less. Chimneys may project through the slope to a height 12 feet above the slope and 12 feet above the maximum structure height.

(C) Swing space portable. Maximum height of swing space portable buildings located within 100 feet of San Leandro Drive is nine feet above the adjacent sidewalk along San Leandro Drive.

(4) Lot coverage. Maximum lot coverage is 30 percent. Aboveground parking structures are included in lot coverage calculations; surface parking lots and underground parking structures are not.

CPC recommended:

(5) <u>Stories.</u> Maximum number of stories above grade is two.

Staff recommended and applicant requested:

(5) <u>Stories.</u> Maximum number of stories above grade is three.

SEC. 51P- ____ .110. OFF-STREET PARKING AND LOADING.

(a) In general. Except as provided in this section, consult the use regulations in Division 51A-4.200 for the specific off-street parking and loading requirements for each use.

(b) Public school other than an open-enrollment charter school.

(1) Location. Except as provided in this subsection, off-street parking is allowed in required yards and is not required to be screened.

(2) Required off-street parking. For a public school other than an open-enrollment charter school with up to 56 classrooms, 106 off-street parking spaces must be provided. Classrooms in excess of 56 added to the Property must comply with the off-street parking regulations in Division 51A-4.200. Swing space portables that are located in the area designated on the development plan are not included in the number of classrooms.

(3) Required off-street loading. None.

(4) Screening.

(A) Off-street parking screening. The owner of off-street parking must maintain the screening in compliance with the following standards.

(i) Materials. Screening for off-street parking must be constructed of one of or a combination the following materials:

(aa) brick, stone, or concrete masonry, stucco, concrete, wood, or metal wall or fence, or any combination of these materials with a maximum 10 square inches of openings in any given square foot of surface between two and three feet above the parking surface; or

(bb) evergreen plant materials recommended for local area use by the building official. The plant materials must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that the building official certifies as being capable of providing a solid appearance within three years.

(ii) Maintenance. Fencing must be maintained in a state of good repair at all times (and must be installed prior to the issuance of a certificate of occupancy) such that:

(aa) the screening is not out of vertical alignment more than six inches, measured at the top of the screening; and

(bb) any rotted, fire damaged, or broken slats or support posts are repaired or replaced.

(B) Rear or service side screening. None required.

**SEC. 51P-____.111.
STANDARDS.**

ENVIRONMENTAL

PERFORMANCE

See Article VI.

SEC. 51P-____.112.

FENCES.

For a public school other than an open-enrollment charter school and private recreation center, club, or area:

(1) A fence with a maximum height of six-feet may be located in any required yard.

(2) Any fence that exceeds four feet in height and is located within 30 feet of a street must be a minimum of 70-percent open.

SEC. 51P-____.113. LANDSCAPING.

(a) In general. Except as provided in this section, landscaping must be provided in accordance with Article X.

(b) Public school other than an open-enrollment charter school.

(1) The following landscaping materials must be installed by [18 months of the passage of this ordinance].

(A) Evergreen plant materials recommended for local area use by the building official are required for the following purposes:

(i) to provide screening for the following items to adjoining properties, except for driveways:

(aa) screening of garbage storage areas,

(bb) equipment located between the street and the school,

(cc) off-street parking located within 150 feet of San Leandro Drive, and

(ii) foundation planting a minimum of 65 linear feet along the existing school facade facing San Leandro Drive.

(B) Five street trees adjacent to Saint Francis Avenue.

(2) The evergreen plant materials required in Paragraph (1) must be located in a bed that is at least three feet wide with a minimum soil depth of 24 inches. Initial plantings must be capable of obtaining a solid appearance within three years at a minimum height of six feet above the adjacent surface. Plant materials must be placed a maximum of 24 inches on center over the entire length of the bed unless the building official approves an alternative planting density that the building official certifies as being capable of providing a solid appearance within three years.

(3) Except as provided in this subparagraph, no landscaping is required for the placement of swing space portable classrooms. A minimum 10 gallon evergreen shrub planted in the area between the swing space portable and

the right-of-way of San Leandro Drive planted at one shrub for every five feet of facade is required. Fences erected between a street and swing space portable buildings must be located between the evergreen shrubs and the swing space portable.

(4) A large canopy tree must be provided for each 40 feet of frontage along San Leandro Drive. These trees must be located within 30 feet of the projected street curb.

(5) The minimum size of each replacement tree must be a minimum caliper of two and a half inches.

CPC recommended:

(6) Groups of three large evergreen shrubs must be planted 35 feet on-center along a line within 25 feet of the east property line, beginning at a point 100 feet south of San Leandro Drive and continuing a distance of 400 feet. Large evergreen shrubs must have a minimum height of three feet at the time of planting and be spaced no greater 5 feet apart in the grouping, and must reach at least 6 feet at maturity.
--

Staff recommended and applicant requested:

Denial of subparagraph (b)(6).

(c) Maintenance. Plant materials must be maintained in a healthy, growing condition.

SEC. 51P- ____ .114. SIGNS.

Signs must comply with the provisions for non-business zoning districts in Article VII.

SEC.51P-__ .115. TRAFFIC MANAGEMENT PLAN.

(a) In general. Operation of a public school other than an open-enrollment charter school must comply with the traffic management plan (Exhibit ____B).

(b) Traffic study.

(1) The Property owner or operator shall prepare a traffic study evaluating the sufficiency of the traffic management plan. The initial traffic study must be submitted to the director and to Forest Hills Neighborhood Association, P.O. Box 180897, Dallas, TX 75218, prior to or at the time of submission to the director, by November 1, 2016. After the initial traffic study, the Property owner or

operator shall submit updates of the traffic study to the director and to Forest Hills Neighborhood Association, P.O. Box 180897, Dallas, TX 75218, prior to or at the time of submission to the director, by November 1st of each year through the year the swing space portable buildings are removed. An additional traffic study must be performed by November 1, 2020, or after removal of the swing space portable buildings, whichever is later. After the additional traffic study, the Property owner or operator shall submit updates of the traffic study to the director and to Forest Hills Neighborhood Association, P.O. Box 180897, Dallas, TX 75218, prior to or at the time of submission to the director, by November 1 of each even-numbered year.

(2) The traffic study must be in writing, performed by a licensed engineer, based on a minimum of four samples taken on different school days at different drop-off and pick-up times over a two-week period, and must contain an analysis of the following:

- (A) ingress and egress points;
- (B) queue lengths;
- (C) number and location of personnel assisting with loading and unloading of students;
- (D) drop-off and pick-up locations;
- (E) drop-off and pick-up hours for each grade level;
- (F) hours for each grade level; and
- (G) circulation.

(3) Within 30 days after submission of a traffic study, the director shall determine if the current traffic management plan is sufficient.

(A) If the director determines that the current traffic management plan is sufficient, the director shall notify the applicant in writing.

(B) If the director determines that the current traffic management plan results in traffic hazards or traffic congestion, the director shall require the Property owner to submit an amended traffic management plan. If the Property owner fails to submit an amended traffic management plan within 30 days, the director shall notify the city plan commission.

(c) Amendment process.

(1) A traffic management plan may be amended using minor plan amendment fee and public hearing process in Section 51A-1.105(k)(3).

(2) The city plan commission shall authorize changes in a traffic management plan if the proposed amendments improve queuing or traffic circulation; eliminate traffic hazards; or decrease traffic congestion.

SEC. 51P- ____ .116.

ADDITIONAL PROVISIONS.

(a) The Property must be properly maintained in a state of good repair and neat appearance.

(b) Development and use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the city.

(c) Additional provisions for a public school other than an open-enrollment charter school.

(1) Swing space portables are limited to the areas shown on the development plan and must be removed the sooner of [four and a half years] or the issuance of a certificate of occupancy or final inspection of the additions shown on the development plan.

(2) Roof mounted structures that are listed in Section 51P- ____ .109(b)(3)(A) that are installed after [date of this ordinance] that exceeds two feet must be screened with solid screening that equals or exceeds the height of the roof mounted structure.

(3) Security lighting is the only lighting allowed in the playground and ball field areas and is limited to 20 feet above the adjacent ground surface.

(4) Permanent athletic field seating, scoreboards, and outdoor amplified sound systems are not permitted

(5) At least 30 days prior to the filing with the city of any application for a zoning change; amendment to the approved development plan for the school pursuant to Sections 51A-4.702(h) or (i), as amended; any application to the Board of Adjustment for a variance or special exception with respect to the school; or minor amendment to the Traffic Management Plan, the applicant shall submit a copy of said application to the Forest Hills Neighborhood Association at the address PO Box 180897 Dallas, TX 75218.

(6) Prior to the issuance of a certificate of occupancy for new construction or addition, excluding swing space portable buildings, a maximum six-foot high fence constructed with wrought-iron, or similar material that runs parallel to San Leandro Drive and connects to the northeastern property line is required.

CPC recommended:

(7) The maximum number of classrooms is 56. Swing space portable buildings, labs, special education, early childhood, art and music rooms and other rooms not associated with the homeroom are allowed and do not count towards the classroom maximum.

(8) Each school day during the first two weeks and once a month for the remainder of the school year, the Property owner shall have a certified peace officer present during the morning and afternoon peak times to assist with student drop-off and pick-up beginning in the fall of 2016 through spring of 2020 or one school year after the addition shown on the development plan is completed, whichever is later.

Staff recommendation and Applicant requested:

Denial of subparagraphs (c)(7) and (c)(8).

SEC. 51P-____.117.

COMPLIANCE WITH CONDITIONS.

(a) All paved areas, permanent drives, streets, and drainage structures, if any, must be constructed in accordance with standard city specifications, and completed to the satisfaction of the city.

(b) The building official shall not issue a building permit to authorize work, or a certificate of occupancy to authorize the operation of a use, until there has been full compliance with this article, the Dallas Development Code, the construction codes, and all other ordinances, rules, and regulations of the city.”

CPC RECOMMENDED PROPOSED TRAFFIC MANAGEMENT PLAN

TRAFFIC MANAGEMENT PLAN FOR
DISD ALEX SANGER ELEMENTARY

DALLAS, TEXAS

DESHAZO PROJECT NO. 15234

Z145-285

Prepared for:

Masterplan

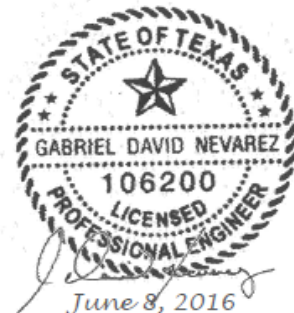
900 Jackson Street, Suite 640
Dallas, Texas 75202

Prepared by:



Texas Registered Engineering Firm F-3199
400 South Houston Street, Suite 330
Dallas, Texas 75202
214.748.6740

June 8, 2016



Traffic Management Plan for
DISD Alex Sanger Elementary

~ DeShazo Project No. 15234 ~

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LIST OF TABLES:

Table 1. Proposed School Operational Characteristics

LIST OF EXHIBITS:

- Exhibit 1. Traffic Management Plan
- Exhibit 2. Interim Traffic Management Plan
- Exhibit 3. Proposed Student Dismissal & Traffic Queue Summary



Technical Memorandum

To: Mr. Karl Crawley — *Masterplan*
From: David Nevarez, P.E. — *DeShazo Group, Inc.*
Date: June 8, 2016
Re: Traffic Management Plan for DISD Alex Sanger Elementary in Dallas, Texas
DeShazo Project Number 15234; Z145-285

INTRODUCTION

DeShazo Group, Inc. (DeShazo) is an engineering consulting firm providing licensed engineers skilled in the field of traffic/transportation engineering. The services of DeShazo were retained by Masterplan on behalf of the Dallas Independent School District (DISD) to prepare an update of the Traffic Management Plan (TMP) for the Alex Sanger Elementary School (the "School") located at 8410 San Leandro Drive in Dallas, Texas.

The School has a current enrollment of approximately 600 students in Kindergarten through 6th grade. The school administration is planning a revision of their existing site plan. The proposed changes are attributed to additional didactical floor area and student enrollment up to 8th grade with an anticipated increase of approximately 150 students. However, this study considers a theoretical scenario with a maximum capacity of up to 900 students. The attached site plan includes the proposed building modifications.

The school site is zoned R-10(A) (or Single Family) Residential District. The school administration is seeking approval for a change to a planned development district. In order to gain entitlements for the proposed improvements, the City of Dallas requires submittal of a TMP as a record of the preferred traffic control strategies and to ensure overall traffic safety and efficient operations.

This report contains DeShazo's review of the current traffic conditions on and around the school campus as well as an evaluation of the proposed conditions. The plan is intended to assess anticipated traffic conditions during the School peak activities. By consent of the TMP submittal, the school agrees to the strategies presented herein. The school is held self-accountable to enforce the plan until and unless the City of Dallas deems further mitigation measures are necessary.

[NOTE: In this report the term "parent" refers to any parent, family member, legal guardian, or other individual who is involved in the pick-up or drop-off of one or more students at the school.]

TRAFFIC MANAGEMENT PLAN

A school TMP is important to safely achieve an optimum level of traffic flow and circulation during peak traffic periods associated with student drop-off and pick-up operations. By properly managing the vehicular traffic generated during critical periods, the safety and efficiency of school carpool operations will also inherently improve. This TMP should not be considered a comprehensive set of instructions to ensure adequate safety; however, it is a tool that aims to facilitate a safer and more efficient environment.

DeShazo conducted field observations of the school on Thursday, December 10, 2015 and throughout the month of April. This analysis identifies the projected vehicle demand—including parking and queuing space (i.e. vehicle stacking)—needed on site to accommodate projected school traffic demands during peak periods. A concerted effort and full participation by the school administration, staff, students and parents are essential to maintain safe and efficient traffic operations. The use of designated parking and queuing areas is necessary to minimize the operational impact on adjacent properties and the public street system.

School Operational Characteristics

Table 1 summarizes the proposed operational characteristics for *DISD Alex Sanger Elementary*.

Table 1. Proposed School Operational Characteristics

Student Grade	Daily Start	Daily Dismissal	Student Enrollment	Bus Ridership
<i>Student Loading Zone A</i>				
Pre-K	7:55 AM	2:50 PM	105	0 (0%)
Kinder	7:55 AM	3:00 PM	145	36 (25%)
3 – 5 th	7:55 AM	3:15 PM	210	55 (25%)
<i>Student Loading Zone B</i>				
1 – 2 nd	7:55 AM	3:00 PM	220	55 (25%)
6 – 8 th	7:55 AM	3:15 PM	220	55 (25%)
Totals:			900	200 (22%)

SOURCE: School administration on March 28, 2016

Site Access

The School is located at the corner of St. Francis Avenue and San Leandro Drive. Both adjacent public streets are two-lane, undivided roadways and approximately 34-feet wide. San Leandro Drive currently operates as a one-way (eastbound) road during school morning and afternoon peak hours. This operation currently allows the segment of San Leandro Drive to accommodate up to four lanes of traffic. School buses load students from the curb adjacent to the school on St. Francis Avenue. School staff places temporary traffic cones to reserve the space for three DISD school buses in advance to student dismissal times. Once loaded, school buses proceed to turn left onto San Leandro Drive, drive around the block to return to the intersection of San Cristobal Drive and St. Francis Avenue, where buses turn right and proceed to leave the school site towards Ferguson Road.

Passenger Unloading/Loading and Vehicular Queuing

DeShazo conducted field observations on Thursday, December 10, 2015 and throughout the month of April. Observations of peak traffic associated with student pick-up activities indicate that most vehicles approach the School to load/unload students on San Leandro Drive. Some parents also park near the intersection of Whittier Avenue and San Leandro Drive and walk towards the school to greet their child(ren). Observations also indicate a maximum of approximately 90 vehicles on site at the same time, from a peak queue rate was calculated. The school provides a loading station for students in front of the school along San Leandro Drive; conditions are generally orderly and any evidence of traffic congestion disappears in less than ten (or up to 15) minutes.

Recommendations

The following recommendations are provided by DeShazo to the school administration for the management of vehicular traffic generated by the school during afternoon peak traffic conditions.

1. School administration should stagger dismissal times as shown on **Table 1**. In addition, the school should provide a separate area for pick-up operations for students in 1st–2nd and 6–8th grade (namely Student Loading/Unloading Area B) as depicted in **Exhibit 1**. The proposed dismissal plan will significantly reduce the traffic queues that would otherwise result from all grades combined.
NOTE: an interim Traffic Management Plan depicted in Exhibit 2 should be enforced until the proposed parking lot expansion is completed and while student enrollment remains under 750 students.
2. The School will implement a managed “carpool” system. At the beginning of each school term, parents will be issued hang tags with unique identification that pairs them with the corresponding student(s). During the pick-up period, the hang-tags will be on display through the vehicle’s windshield while parents circulate through the prescribed route, as depicted in **Exhibit 1**. School staff will be positioned at strategic locations ahead of the loading areas and relay the sequence of parent arrival back to the loading area via hand radio, as the students are prepped for pick-up. With the assistance of other school staff stationed at the loading area, several vehicles will continue to be loaded simultaneously along one single designated queue lane.
3. The school PTA and the Forest Hill Neighborhood Association should request the presence of a City of Dallas Police to monitor and enforce traffic operations.
4. The school PTA should investigate resources, incentives and campaigns that encourage students and parents to walk or ride bicycles to school.
5. As needed, school officials should conduct annual meetings with neighborhood representatives to address any problems concerning school traffic and identify solutions in the interest of all involved parties.
6. The City of Dallas should install pedestrian crosswalks at the intersection of St. Francis Avenue and San Leandro Drive; school officials should consider the assignment of crossing guards at this intersection.
NOTE: Any jaywalking between parked school buses on St. Francis should be immediately addressed and controlled. However, pedestrian crosswalks should not be considered an absolute enhancement to provide pedestrian safety. Pedestrians are prone to be less cautious when crossing a street at a dedicated pavement marking, giving responsibility of action to approaching vehicles instead.
7. The full cooperation of staff, students and parents is crucial for the success of the TMP. Proper training of staff on their duties and expectations pertaining to the TMP is recommended. Proper communications at the beginning of the each school term (and otherwise, as needed) with students and parents on their duties and expectation is also recommended, including a reminder of the risks associated with speeding in school zones and the use of hand-held phones while driving.
8. The School should allow no staff other than off-duty, deputized officers of the law to engage or attempt to influence traffic operations in public right-of-way.
9. As needed, students and staff directing dismissed students should, in lieu of simple hand gestures, procure and use reversible hand-paddle signs with the messages for STOP and SLOW. Optional additional equipment may include whistles (for audible warnings) and fluorescent vests (for visual warning).
10. DeShazo recommends a traffic sign for approaching traffic at the operating KCS railroad crossing that alerts and prohibits vehicles from stopping on tracks.
11. Three proposed traffic signs should impose a continuous traffic flow along the south curb of San Leandro Drive in front of the school to maintain a continuous traffic flow of vehicular queue. City staff should consider pavement markings in front of the school to better identify student loading zones and efficiently guide parents through the designated queue.
12. Following discussions with city staff, it is recommended that St. Francis Avenue adjacent to the school be restriped for two lanes in the northbound direction and one lane in the southbound direction. This would require a right-turn only lane on northbound St. Francis Avenue at San Leandro Drive.

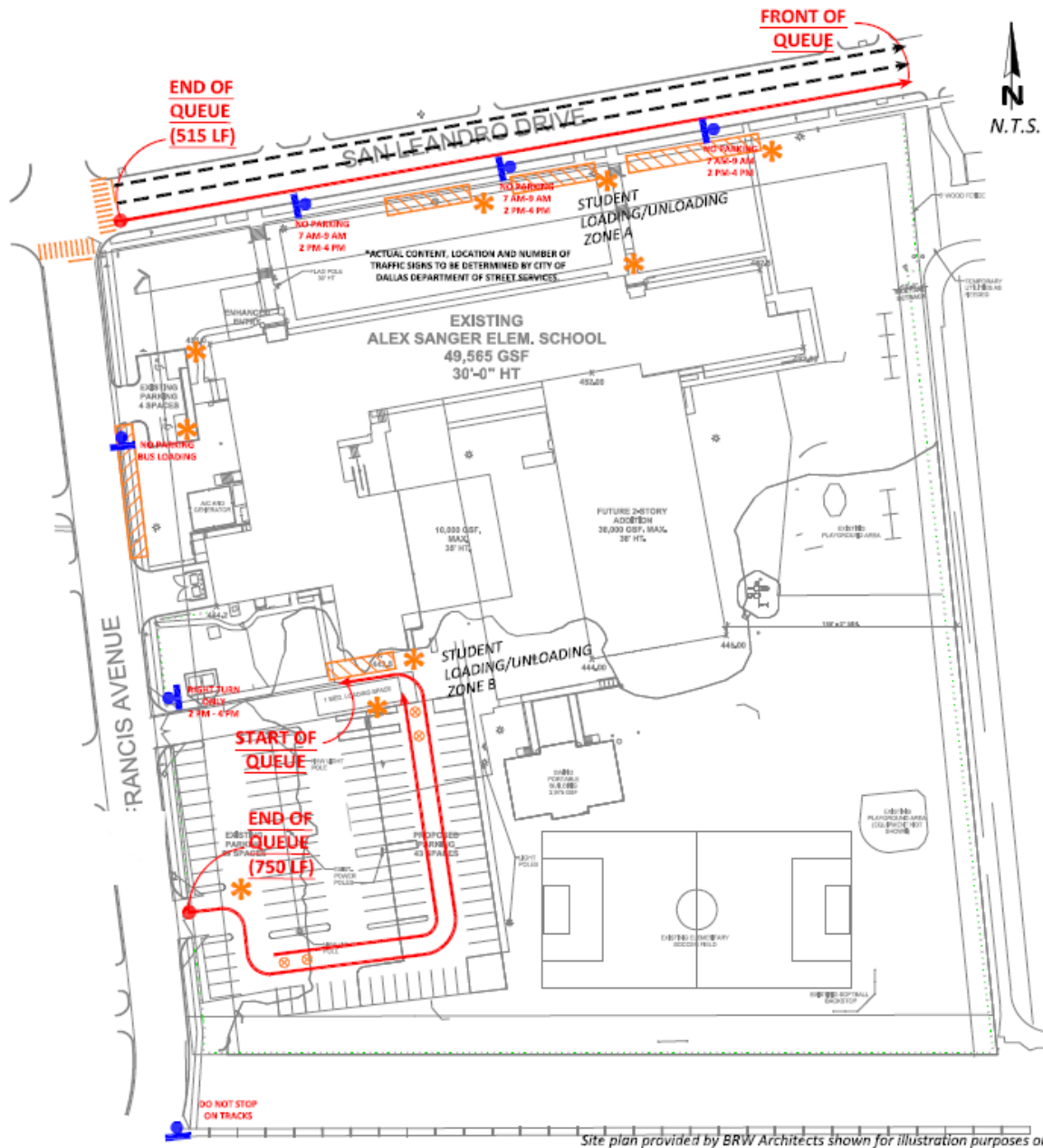
*DeShazo Group, Inc.
June 8, 2016*

13. School officials should monitor and review traffic conditions at this location on a regular basis to confirm its effectiveness. Any deficiency due to spillover of queuing onto (or should incoming traffic ever become an obstruction for through traffic on) St. Francis Avenue should be immediately addressed by the school.

END OF MEMO



DeShazo Group, Inc. Job No. 15234 Exhibit Created on 05-10-2016 Revised on 05-27-2016



Site plan provided by BRW Architects shown for illustration purposes only.

Queuing Summary				
TIME	GRADE	PROVIDED	REQUIRED	SURPLUS
A. 2:50PM	Pre-K (105)	22 cars (517 LF)	16 cars (376 LF)	6 cars (141 LF)
A. 3:00PM	Kinder (145)	22 cars (517 LF)	22 cars (517 LF)	0 cars (0 LF)
A. 3:15PM	3-5th (210)	22 cars (517 LF)	24 cars (644 LF)	- 2 cars (- 47 LF)
B. 3:00PM	1-2nd (220)	32 cars (752 LF)	25 cars (588 LF)	7 cars (165 LF)
B. 3:15PM	6-8th (220)	32 cars (752 LF)	25 cars (588 LF)	7 cars (165 LF)

Legend	
	- School Staff
	- Loading Area
	- Queue Capacity
	- By-Pass Lane
	- Traffic Cones
	- Traffic Sign

The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. The school administration should adhere to this TMP. Any deficiency due to spillover of queuing into undesignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.

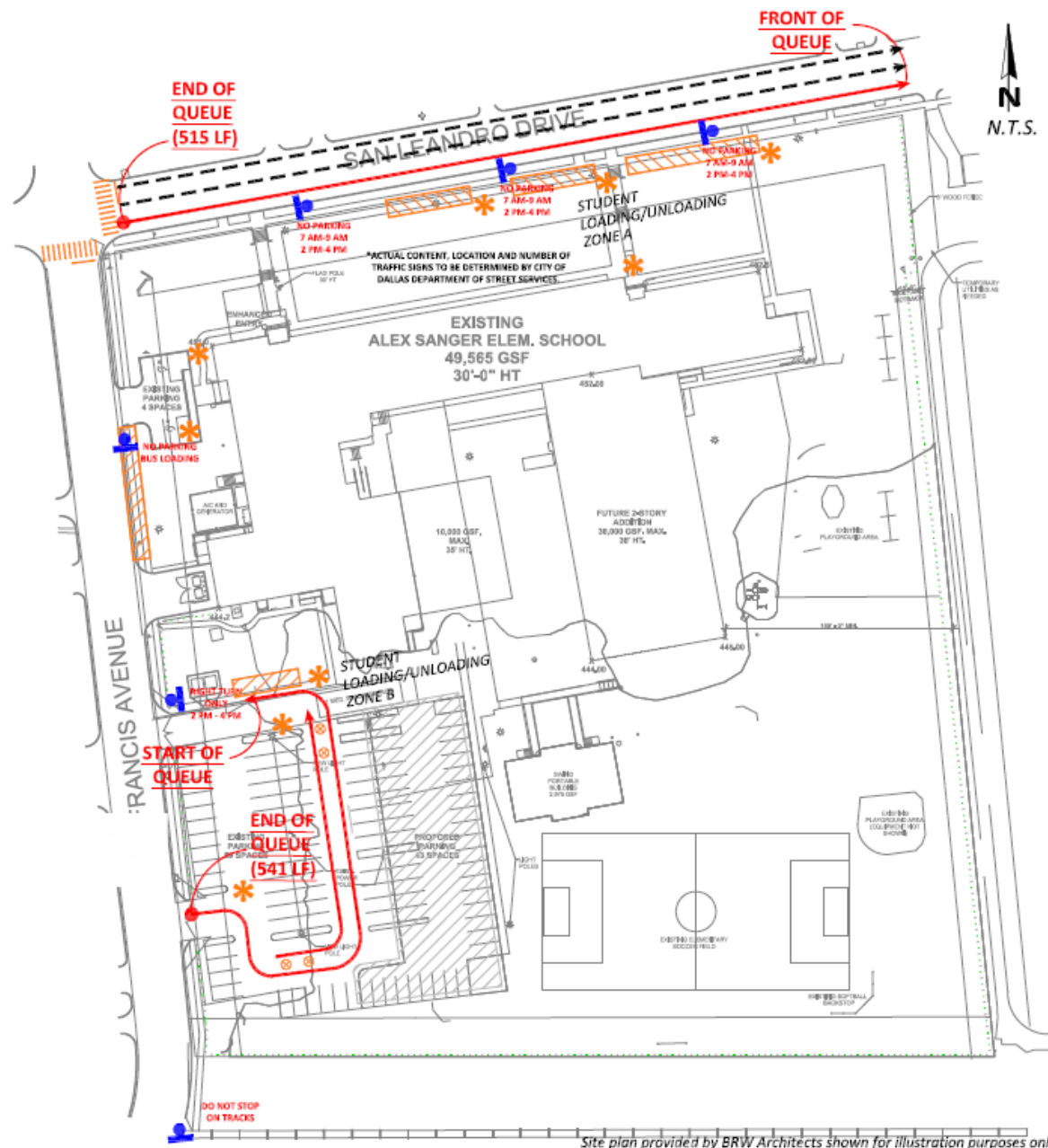
I, David Nevarez, P.E. #106200, certify that site constraints preclude the school's ability to accommodate vehicular queue on-site. While it may not be feasible to eliminate queuing in public rights-of-way, establishing a designated school route will lessen impact to neighborhood as well as background traffic on the main roads. This option is subject to approval by the City of Dallas Street Services Department. Vehicular queue at 23.5 feet per passenger car based on field observations.

EXHIBIT 1
Traffic Management Plan
 DISD Alex Sanger Elementary (& Proposed Middle) School
 8410 San Leandro Dr, Dallas, Texas

DeShazo Group, Inc.
 Texas Registered Engineering Firm F-3199
 400 S. Houston St. Suite 330
 Dallas, Texas 75202
 (214) 748.6740



DeShazo Group, Inc. Job No. 15234 Exhibit Created on 05-10-2016 Revised on 05-27-2016



Site plan provided by BRW Architects shown for illustration purposes only.

Queuing Summary				
TIME	GRADE	PROVIDED	REQUIRED	SURPLUS
A. 2:55PM	Pre-K (150) & Kinder	22 cars (517 LF)	23 cars (541 LF)	-1 car (-24 LF)
A. 3:10PM	3-5th (210)	22 cars (517 LF)	24 cars (564 LF)	-2 cars (-47 LF)
B. 2:55PM	1-2nd (170)	23 cars (541 LF)	19 cars (447 LF)	4 cars (94 LF)
B. 3:10PM	6-8th (220)	23 cars (541 LF)	25 cars (588 LF)	-2 cars (-47 LF)

- Legend**
- * - School Staff
 - Loading Area
 - - Queue Capacity
 - By-Pass Lane
 - Traffic Cones
 - - Traffic Sign

The purpose of this Traffic Management Plan (TMP) is to evaluate traffic operations that promote safety and efficient vehicle circulation. The school administration should adhere to this TMP. Any deficiency due to spillover of queuing into undesignated areas of the city rights-of-way, including roadway travel lanes, should be corrected by the school immediately.

I, David Nevarez, P.E. #106200, certify that site constraints preclude the school's ability to accommodate vehicular queue on-site. While it may not be feasible to eliminate queuing in public rights-of-way, establishing a designated school route will lessen impact to neighborhood as well as background traffic on the main roads. This option is subject to approval by the City of Dallas Street Services Department.

Vehicular queue at 23.5 feet per passenger car based on field observations.

EXHIBIT 2 **Interim Traffic Management Plan**
 DISD Alex Sanger Elementary (& Proposed Middle) School
 8410 San Leandro Dr, Dallas, Texas

DeShazo Group, Inc.
 Texas Registered Engineering Firm F-3199
 400 S. Houston St. Suite 330
 Dallas, Texas 75202
 (214) 748.6740



EXHIBIT 3. Proposed Student Dismissal & Traffic Queue Summary for DISD Alex Sanger Elementary School

Table A. Student Enrollment vs Anticipated School Capacity

Student Grade	Student Enrollment School Year 2018-2019		Student Enrollment at School Capacity	
	Student Enrollment	Bus Ridership	Student Count	Bus Ridership
Pre-K	55	0 (0%)	105	0 (0%)
Kinder	95	24 (25%)	145	36 (25%)
1 – 2 nd	170	45 (25%)	220	55 (25%)
3 – 5 th	210	50 (25%)	210	55 (25%)
6 – 8 th	220	55 (25%)	220	55 (25%)
Totals:	750	175 (22%)	900	200 (22%)

Table B. Interim Conditions

Time	Grades	Student Enrollment	Projected Queue	Provided Queue	Surplus/ (Deficit)
A. Drop-Off/Pick-Up Curb on San Leandro Dr.					
2:55 PM	PreK-Kinder	150	23 cars	22 cars	(1 car)
3:10 PM	3 rd – 5 th Grade	210	24 cars	22 cars	(2 cars)
B. Parking Lot on St. Francis Ave.					
2:55 PM	1 st – 2 nd Grade	170	19 cars	23 cars	4 cars
3:10 PM	6 th – 8 th Grade	220	25 cars	23 cars	(2 cars)
Total Enrollment:		750			

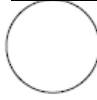
Projected maximum queue considers 25% bus ridership for 1st- 8th grade students.

Table C. Theoretical Conditions (Anticipated School Capacity)

Time	Grades	Student Enrollment	Projected Queue	Provided Queue	Surplus/ (Deficit)
A. Drop-Off/Pick-Up Curb on San Leandro Dr.					
2:50 PM	Pre-Kinder	105	16 cars	22 cars	4 cars
3:00 PM	Kindergarten	145	22 cars	22 cars	0 cars
3:15 PM	3 rd – 5 th Grade	210	24 cars	22 cars	(2 cars)
B. Parking Lot on St. Francis Ave.					
3:00 PM	1 st – 2 nd Grade	220	25 cars	32 cars	7 cars
3:15 PM	6 th – 8 th Grade	220	25 cars	32 cars	7 cars
Total Enrollment:		900			

Projected maximum queue considers 25% bus ridership for 1st- 8th grade students.

CPC Recommended Development Plan



DATE: JAN 03, 2016
 DRAWN BY: CV
 CHECKED BY: AM, LM
 BROW PROJECT NUMBER: 710000000



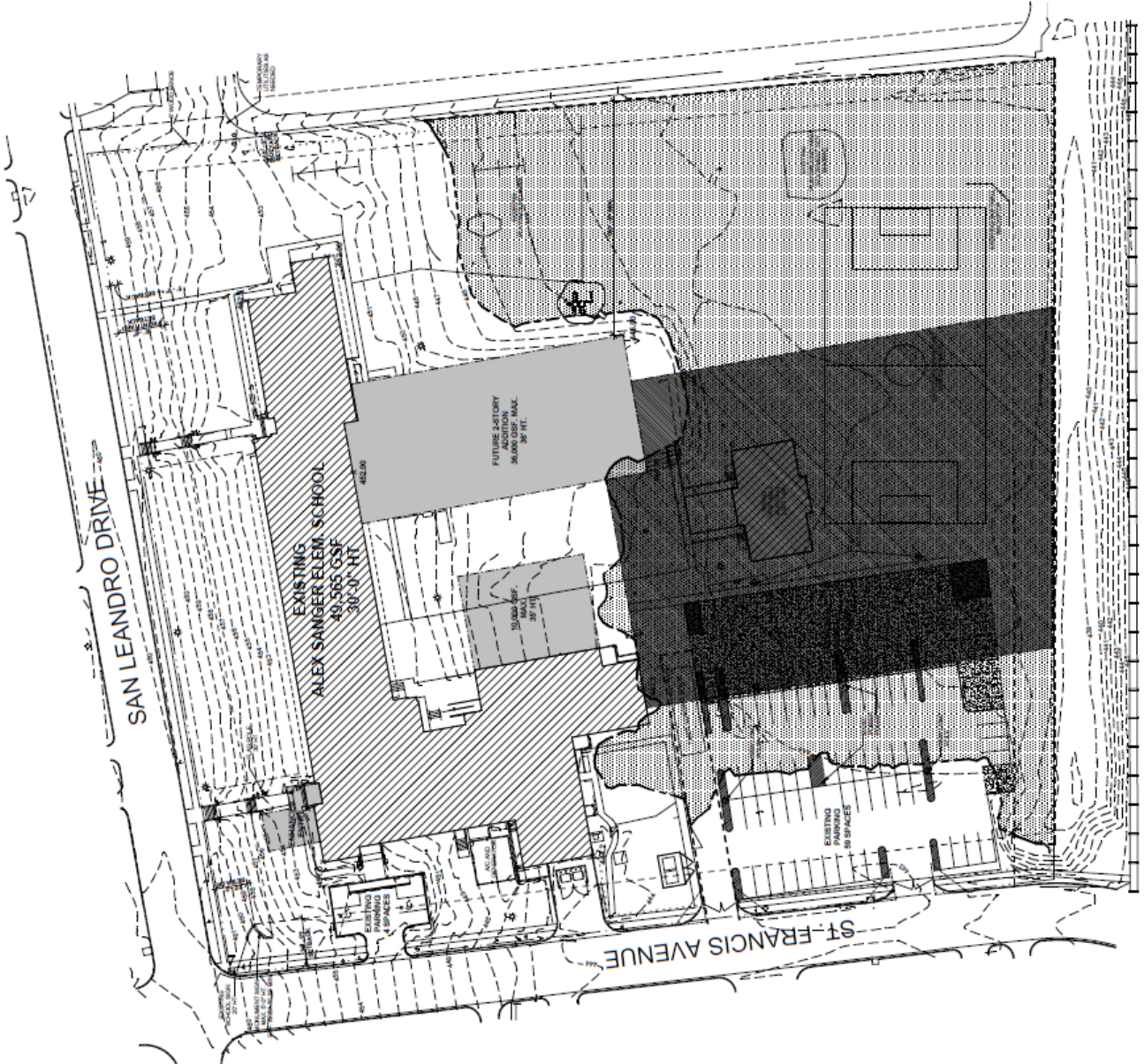
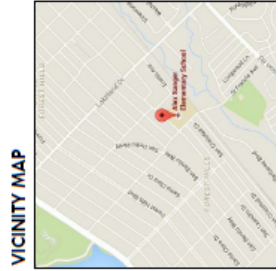
NO.	REVISION	DATE

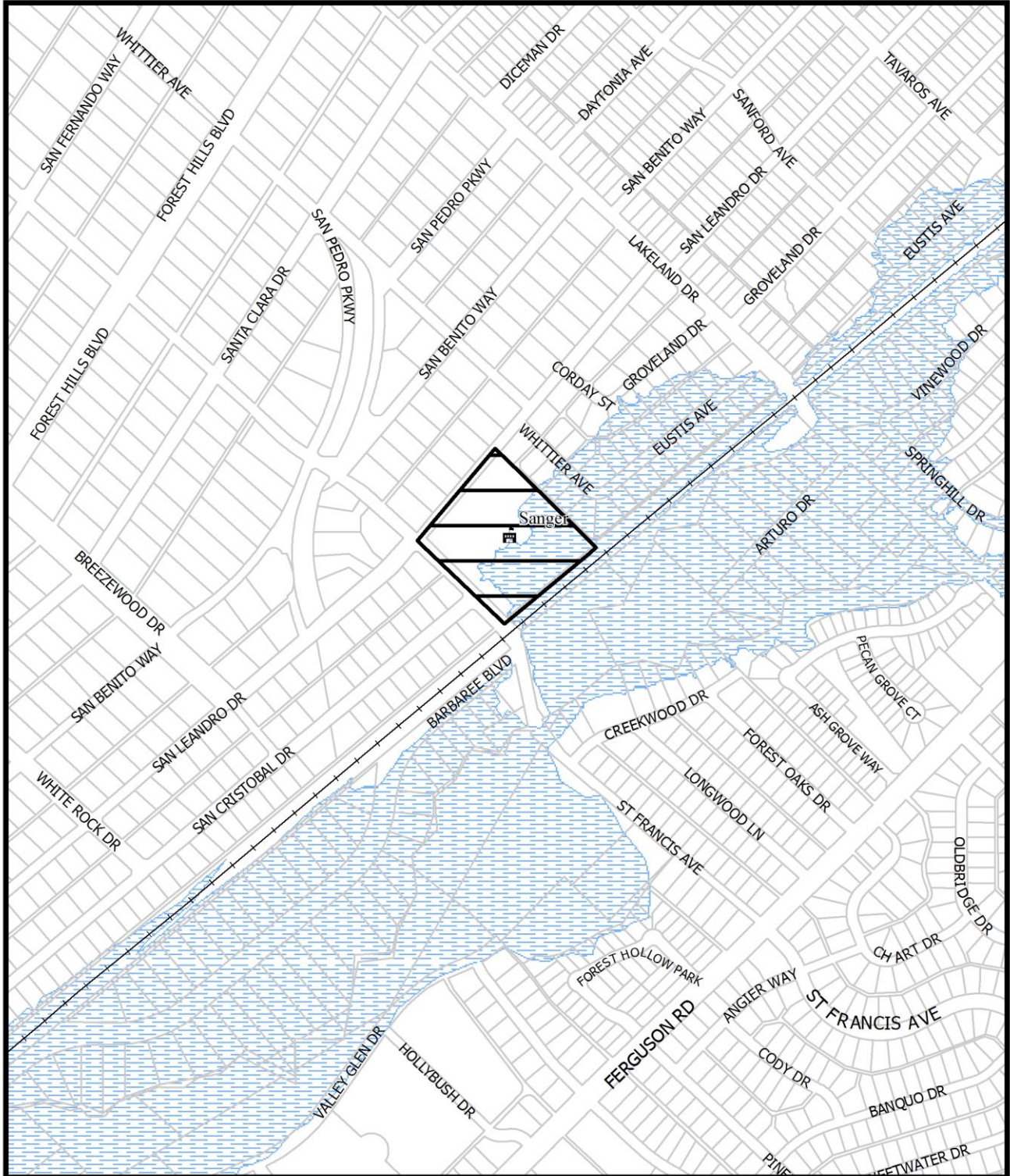
SITE ANALYSIS
 ZONING: PD (PUBLIC SCHOOL)
 PROPOSED USE: PRE-K - 8 PUBLIC SCHOOL
 FLOOR AREA:
 EXISTING: 52,540 SQ FT
 PROPOSED: 46,000 GSF
 PARKING ANALYSIS:
 CLASSES THROUGH 5 TH: 44
 8 TH GRADE: 4
 CLASSES THROUGH 8 TH: 56
 TOTAL: 100 CLASSROOMS
 100 SPACES
 EXISTING PARKING: 83 SPACES
 NEW PARKING: 43 SPACES
 TOTAL PARKING: 126 SPACES
 BETBACKS: REQUIRED: 30' PROVIDED: 30'
 FRONT YARD: 15' SIDE YARD: 15'
 LOT COVERAGE: 25% MAX. HEIGHT: 30'

SITE PLAN LEGEND

SYMBOL	DESCRIPTION
[Diagonal Lines]	EXISTING CONSTRUCTION
[Dotted Pattern]	NEW CONCRETE PAVING
[Cross-hatch Pattern]	PROPOSED CONSTRUCTION
[Stippled Pattern]	TEMPORARY CONSTRUCTION SWING SPACE PORTABLES
[Dashed Line]	LIMITS OF FLOOD PLAN

NOTE: 24 CLASSROOMS WILL BE ALLOWED AT PROPOSED SWING SPACE



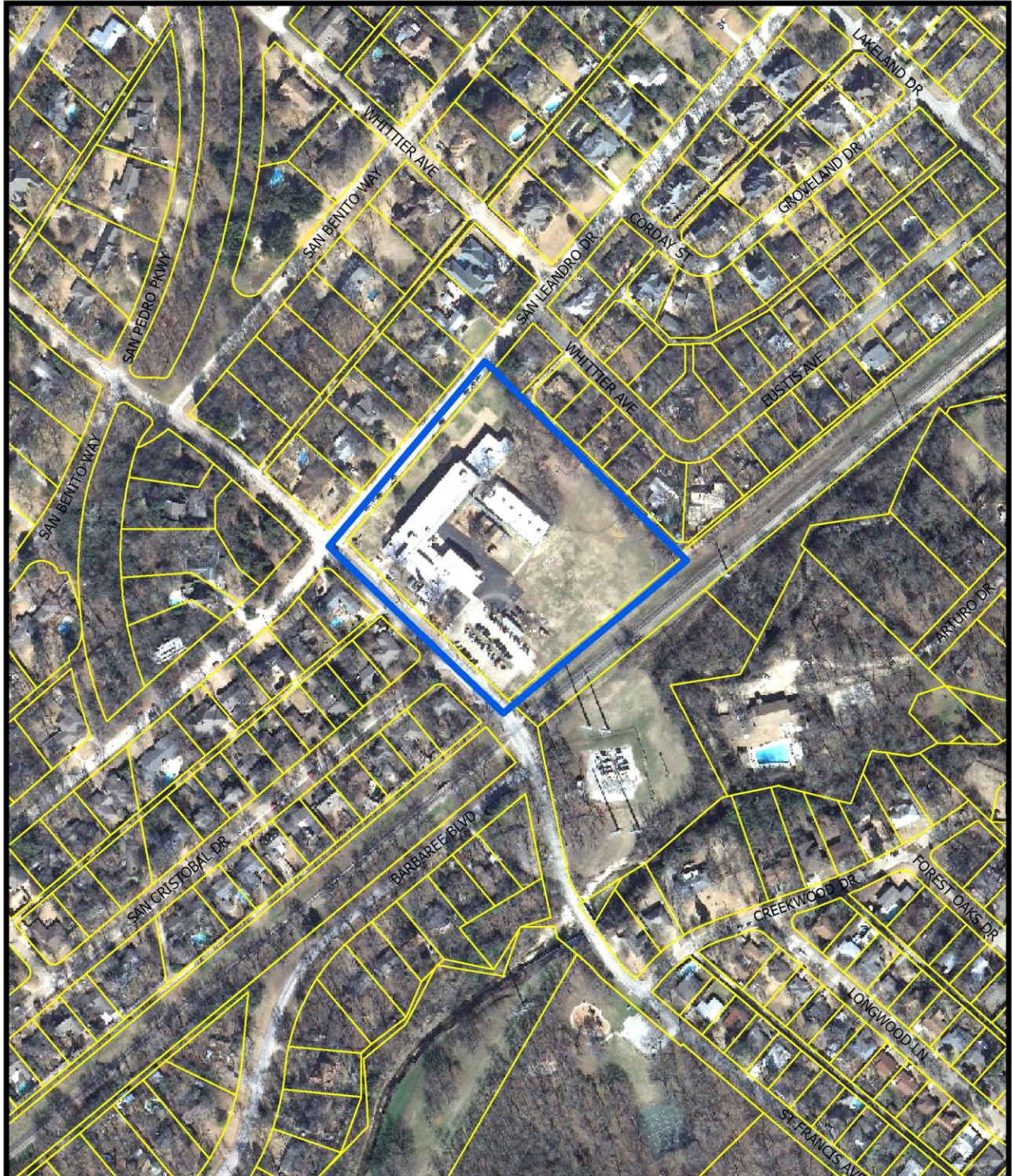


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VICINITY MAP

Case no: Z145-285

Date: 1/20/2016

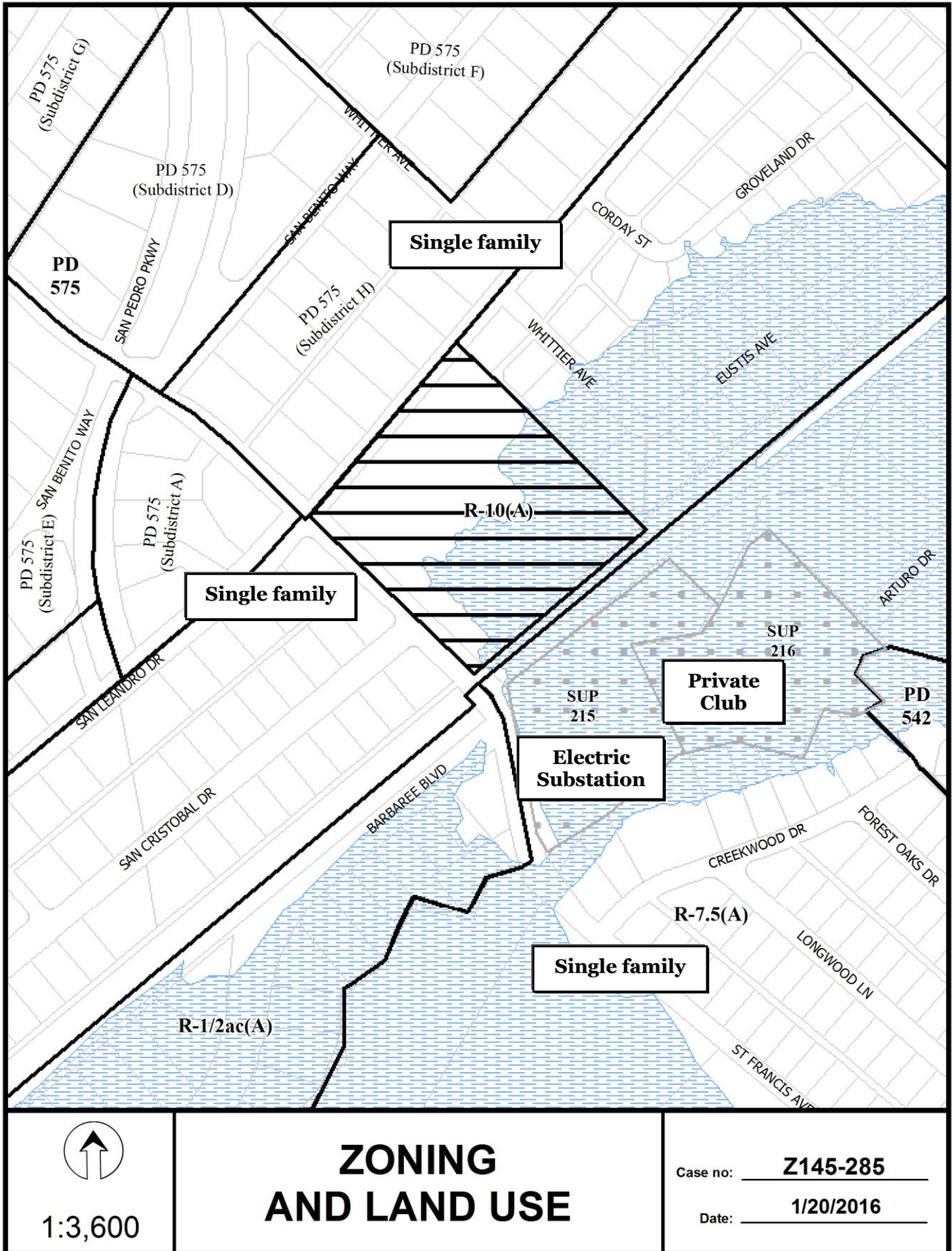


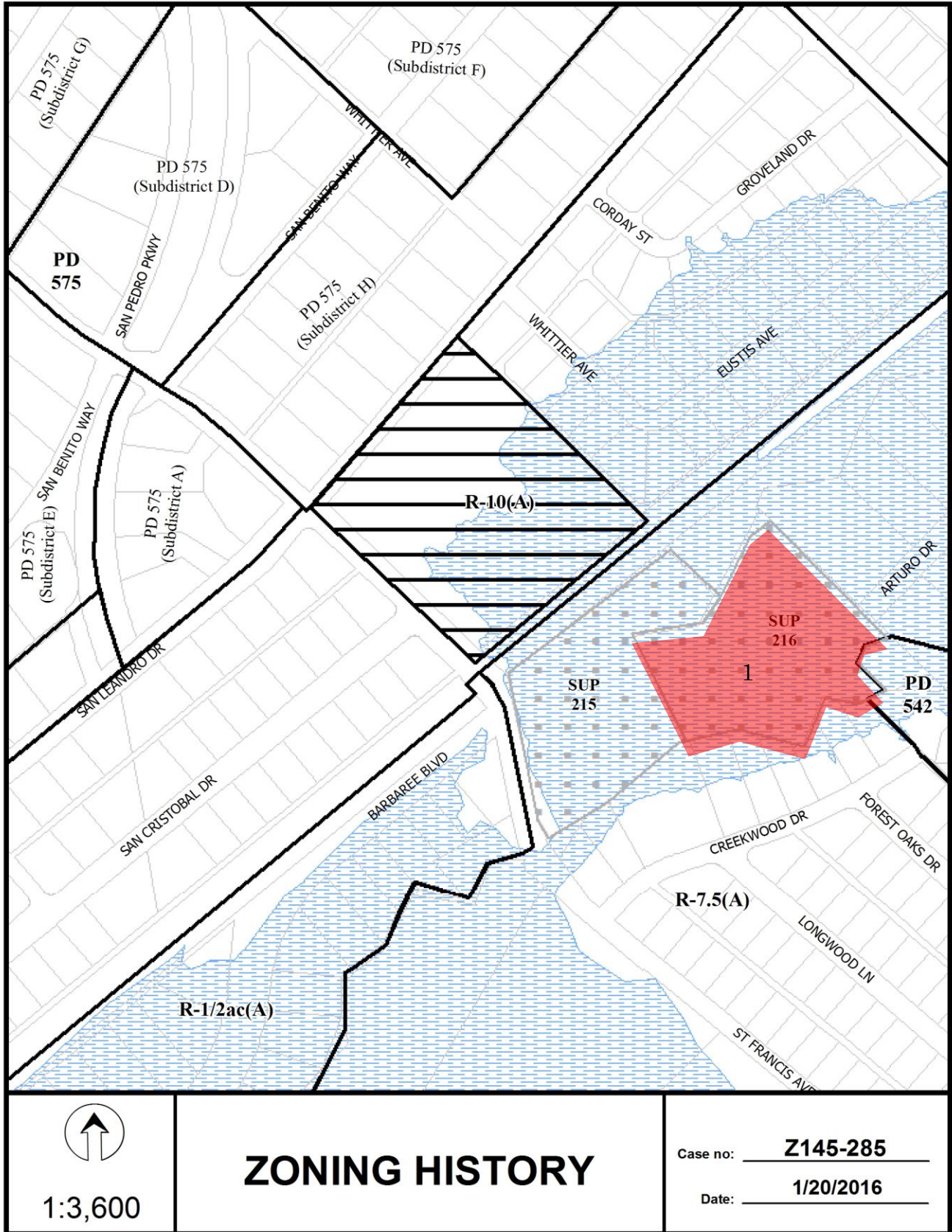
1:3,600

AERIAL MAP

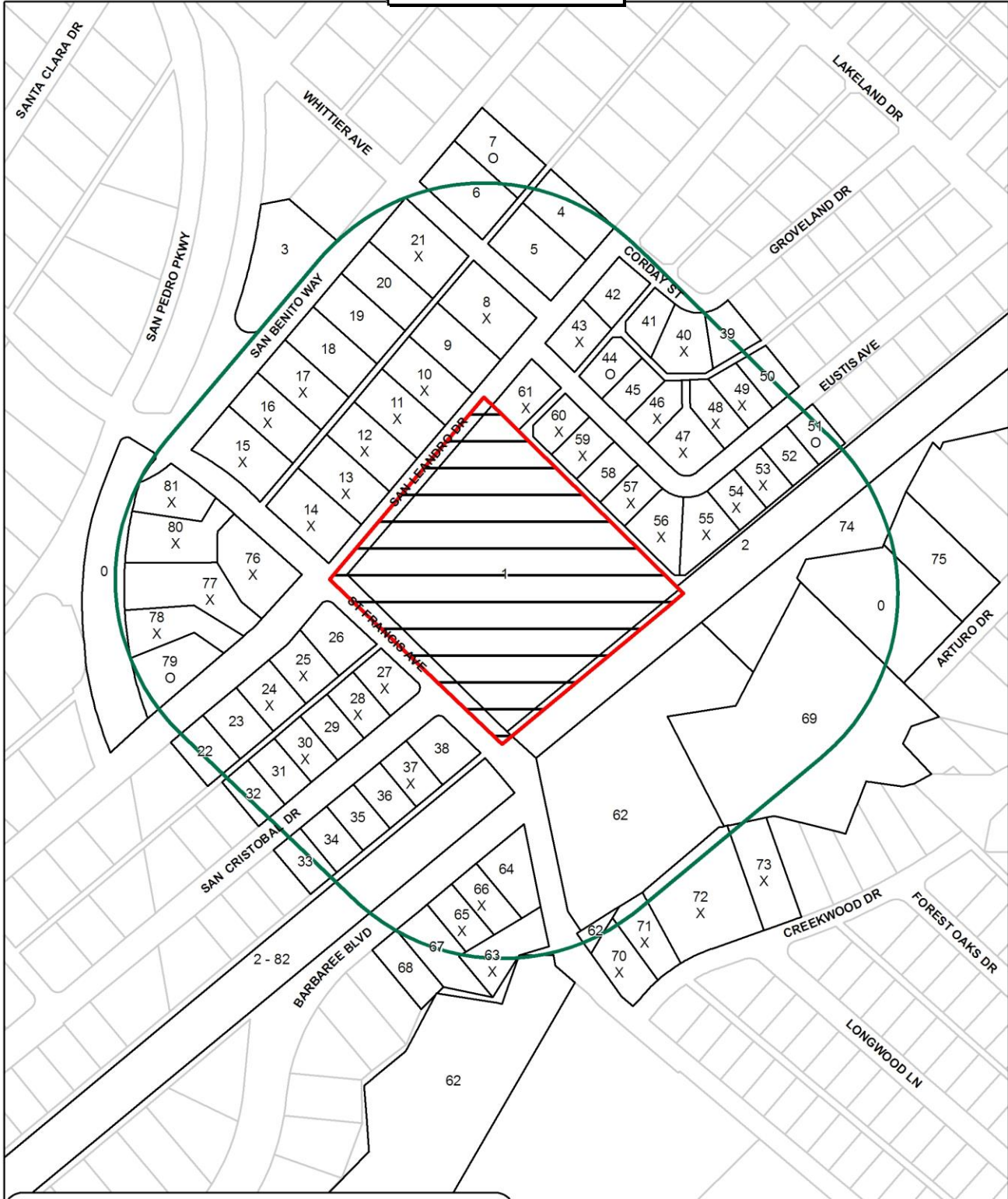
Case no: Z145-285

Date: 1/20/2016





CPC Responses



<u>82</u>	Property Owners Notified (86 parcels)
<u>4</u>	Replies in Favor (4 parcels)
<u>42</u>	Replies in Opposition (42 parcels)
<u>500'</u>	Area of Notification
<u>6/2/2016</u>	Date

Z145-285
CPC



1:3,600

06/06/2016

Reply List of Property Owners***Z145-285******82 Property Owners Notified******4 Property Owners in Favor******42 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	8410 SAN LEANDRO DR	Dallas ISD
	2	99999 NO NAME ST	KANSAS CITY SOUTHERN RR
	3	8441 SAN BENITO WAY	HOPSON ROBERT J &
	4	8515 SAN LEANDRO DR	ABBOTT SYDNEY K &
	5	8507 SAN LEANDRO DR	GLASS DENISE WEBB & BRENT PAYNE
	6	8506 SAN BENITO WAY	NOSTER TRINA G
O	7	8514 SAN BENITO WAY	COHEN BARBARA
	9	8447 SAN LEANDRO DR	BOATWRIGHT CHARLES M
X	10	8439 SAN LEANDRO DR	GERARD NELLIE JOANNA
X	11	8431 SAN LEANDRO DR	SOUTHAN TAMELA L &
X	12	8423 SAN LEANDRO DR	PUMPELLY JASON M & JILL M
X	13	8415 SAN LEANDRO DR	LIZARAZO ALEXANDER G
X	14	8407 SAN LEANDRO DR	BORDELON VERNON PAUL JR & REBECCA MOREAU
X	16	8414 SAN BENITO WAY	DICKEY J R
	18	8430 SAN BENITO WAY	YOUNGBLOOD GARY K TR
	19	8438 SAN BENITO WAY	CROW KYLE
	20	8446 SAN BENITO WAY	BELL MICHAEL B & JENELLE HAMPTON BELL
X	21	8458 SAN BENITO WAY	KOELLNER MATTHEW JACK & JULIE B
	22	8348 SAN LEANDRO DR	BROWN BILLY R &
	23	8358 SAN LEANDRO DR	HILL WILLIAM J & SHARON L
X	24	8364 SAN LEANDRO DR	KIRBY PATRICK W &
X	25	8372 SAN LEANDRO DR	KALIS RANDOLPH P
	26	8380 SAN LEANDRO DR	KEMP ERIC M
X	27	8381 SAN CRISTOBAL DR	CLAUS SETH W & DEBORAH CHEN
X	28	8375 SAN CRISTOBAL DR	MULLER SCOTT K & DEBBIE
	29	8369 SAN CRISTOBAL DR	DUFF JAMES R

06/06/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	30	8363 SAN CRISTOBAL DR	CARTER DAVID R
	31	8357 SAN CRISTOBAL DR	GREENBERG IRA &
	32	8351 SAN CRISTOBAL DR	RENO BARRY LEN & JOANN
	33	8350 SAN CRISTOBAL DR	WALKER ROBERT & CAROLYN R
	34	8356 SAN CRISTOBAL DR	COLE LETA RUTH
	35	8362 SAN CRISTOBAL DR	JONES ROBERT PRESTON &
	36	8368 SAN CRISTOBAL DR	MALLOY CHARLES FOSTER
	38	8380 SAN CRISTOBAL DR	MARQUEZ JOSE I &
	39	8502 GROVELAND DR	CHILDS ANDREW S & ALISON M
X	40	1719 CORDAY ST	NELSON JESSE DAVIS & BROOKE ERIN
	41	1715 CORDAY ST	DELEON TRICIA R
	42	8510 SAN LEANDRO DR	FONDREN SUSAN R
X	43	8502 SAN LEANDRO DR	SMITH RANDOLPH S
O	44	1714 WHITTIER AVE	DUNLEAVY STUART M & GALE
	45	1718 WHITTIER AVE	ETTER KRIS
X	46	1724 WHITTIER AVE	FORD ROBERT L & DEBRA
X	48	8511 EUSTIS AVE	MANN RICHARD
X	49	8519 EUSTIS AVE	ALVAREZ ALICIA E
	50	8523 EUSTIS AVE	MARTINEZ HECTOR ALONSO MENDOZA
O	51	8526 EUSTIS AVE	EPSTEIN LAUREN
	52	8520 EUSTIS AVE	DAVENPORT SCOTT V & JENNIFER Q
X	53	8514 EUSTIS AVE	PHILLIPS CHRISTY H
X	54	8506 EUSTIS AVE	DENTON ERIC & ERICA
X	55	8502 EUSTIS AVE	AKERS RICHARD & MICHELLE
X	56	1737 WHITTIER AVE	COMINI ADRIANA
	58	1727 WHITTIER AVE	FRITSCHER DAVID
X	59	1719 WHITTIER AVE	LIPSCHITZ WARRNE
X	60	1715 WHITTIER AVE	KRAUSS STANLEY L
X	61	8450 SAN LEANDRO DR	BREELAND DORINDA D
	62	8200 BARBAREE BLVD	TEXAS UTILITIES ELEC CO
	64	1818 ST FRANCIS AVE	HUTCHINSON ROBERT
X	65	8322 BARBAREE BLVD	RUMFIELD RAY D JR

06/06/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
X	66	8328 BARBAREE BLVD	RORIE BETTY L TR
	67	8314 BARBAREE BLVD	GRAY TAMARA L
	68	8310 BARBAREE BLVD	HAMIC ROBERT E & BETTY L
	69	8500 ARTURO DR	FRATERNAL ORDER OF
X	70	8405 CREEKWOOD DR	WOODRUFF DARLENE P TR
X	71	8409 CREEKWOOD DR	ARVELO DAVID
X	72	8425 CREEKWOOD DR	MOORE PETER KIMBALL & SARA A
X	73	8431 CREEKWOOD DR	SMITH BRADFORD EUGENE &
	74	2100 LAKELAND DR	HOKE BOBBY R & KAILA
	75	8521 ARTURO DR	LUMPKIN AARON R
X	76	8381 ST FRANCIS AVE	FOREST HILLS HOMEOWNERS
X	77	8371 SAN LEANDRO DR	BABLER STEPHEN J &
X	78	8367 SAN LEANDRO DR	GONZALEZ JOSE L &
O	79	8363 SAN LEANDRO DR	LAIVINS JURIS & CAROLYN
X	80	1609 ST FRANCIS AVE	JORDAN JAMES S & BARBARA
X	81	1603 ST FRANCIS AVE	JORDAN JAMES S &
	82	99999 NO NAME ST	KANSAS CITY SOUTHERN RR
X	A1	8374 SAN CRISTOBAL DR	MUENZLER JULIE
X	A2	1802 ST FRANCIS AVE	HUTCHINSON ROBERT &
X	A3	8459 SAN LEANDRO DR	COOPER RYAN S & JENNIFER A LEROM
X	A4	8400 SAN BENITO WAY	JOSELYN GUY F IV
X	A5	8422 SAN BENITO WAY	CAMPBELL RANDY &
X	A6	8363 SAN CRISTOBAL DR	CARTER DAVID R
X	A7	1730 WHITTIER AVE	SWANN CLAIRE E
X	A8	1731 WHITTIER AVE	UNAL CEREN

ADDENDUM ITEM # 23

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): 4
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 54 U; V

SUBJECT

A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of West Illinois Avenue and Toluca Avenue

Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions

Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions

Z156-216(OTH)

Note: This item was considered by the City Council at a public hearing on June 15, 2016, and was deferred until June 22, 2016, with the public hearing open

FILE NUMBER: Z156-216(OTH)

DATE FILED: February 26, 2015

LOCATION: Northeast corner of West Illinois Avenue and Toluca Avenue

COUNCIL DISTRICT: 4

MAPSCO: 54-U, V

SIZE OF REQUEST: Approx. 0.766 acres

CENSUS TRACT: 54.00

APPLICANT/ OWNER: John Mathews

REPRESENTATIVE: Masterplan, Santos Martinez

REQUEST: An application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The applicant proposes to sell alcohol for off-premise consumption in conjunction with the existing general merchandise or food store. This property previously held Specific Use Permit No. 1832 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less. However, the SUP expired on August 10, 2013, The applicant is a new owner of the business and now is requesting a new SUP.

CPC RECOMMENDATION: Approval for a two-year period, subject to a site plan and conditions.

STAFF RECOMMENDATION: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions.

GUIDING CRITERIA FOR STAFF RECOMMENDATION:

The following factors are listed in Chapter 51A of the Dallas Development Code to guide the determination as to whether or not an SUP shall be granted. Staff has listed its findings based upon each component below:

1. *Compatibility with surrounding uses and community facilities* – The sale of alcoholic beverages in conjunction with the existing general merchandise or food store 3,500 square feet or less will not impact compatibility with the surrounding land uses.
2. *Contribution to, enhancement, or promoting the welfare of the area of request and adjacent properties* – The sale alcoholic beverages in conjunction with the existing general merchandise or food store neither contributes to nor deters the welfare of adjacent properties.
3. *Not a detriment to the public health, safety, or general welfare* – The sale of alcoholic beverages is not a detriment to the public health, safety or general welfare of the public.
4. *Conforms in all other respects to all applicable zoning regulations and standards* – Based on information depicted on the site plan, the proposed development complies with all applicable zoning regulations and standards of the City of Dallas.

Zoning History: There has been one zoning request in the area within the last five years.

Z101-197 On August 10, 2011, the City Council approved a D-1 Liquor Control Overlay and Specific Use Permit No. 1832 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on the request site.

Thoroughfares/Streets:

Thoroughfares/Street	Type	Existing ROW
West Illinois Avenue	Principal Arterial	Aprox. 85.52 ft.
Toluca Street	Local	50 ft.

Traffic:

The Engineering Section of the Department of Sustainable Development and Construction reviewed the request and determined that it will not impact the surrounding roadway system.

STAFF ANALYSIS:

Comprehensive Plan:

The *fowardDallas! Comprehensive Plan* was adopted by the City Council in June 2006. The *fowardDallas! Comprehensive Plan* outlines several goals and policies which can serve as a framework for assisting in evaluating the applicant’s request. The Plan identifies the request site as being in on a Commercial Center of Corridor.

This Building Block primarily functions as service and job destinations and are similar to Business Centers or Corridors, but are smaller and incorporate less density. These corridors, commonly at the intersection of major streets, are easily accessed via automobiles. Buckner Boulevard is an example of a Commercial Corridor. Buildings in these areas tend to be on separate parcels and stand one to five stories with offices, restaurants and a range of retail and commercial uses. In addition to jobs and services, Commercial Centers or Corridors also may include multifamily housing in low- to mid-rise apartment buildings or condominiums. Landscaping and urban design will enhance the visitor’s experience and is used to separate sidewalks from major roads and define pedestrian routes in large parking lots. For large shopping centers, this may involve adding public plazas or other “town center” features. Public transit enhancements as well as quality access and visibility are important components of successful auto-oriented development.

Surrounding Land Uses:

	Zoning	Land Use
Site	CR-D-1	Retail uses
North	R-7.5(A)	Single family
East	CR-D	Car wash and retail uses
South	CR-D	Office, retail, dance school, residential, restaurant, and auto service center
West	CR-D	Office

Land Use Compatibility:

The approximately 0.766 acre site is zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay and is developed with a general merchandise or food store 3,500 square feet or less and a motor vehicle fueling station. The applicant is proposing to sell alcohol for off-premise consumption in conjunction with the general merchandise or food store on the property, which requires a Specific Use Permit.

The adjacent land uses are single family residential to the north; and a car wash to the east. Surrounding land uses are office and single family to the north, retail uses to the east; office, retail, dance school, residential, restaurant, and auto service center to the south; and office to the west.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

The general merchandise use is also regulated by Chapter 12B of the Dallas City Code, Convenience Stores. This chapter applies to all convenience stores, which is defined as any business that is primarily engaged in the retail sale of convenience goods, or both convenience goods and gasoline, and has less than 10,000 square feet of retail floor space; the term does not include any business that has no retail floor space accessible to the public. The purpose of Chapter 12B is to protect the health, safety, and welfare of the citizens of the city of Dallas by reducing the occurrence of crime, preventing the escalation of crime, and increasing the successful prosecution of crime that occurs in convenience stores in the city.

Per the DPD, the applicant is complying with Chapter 12B regulations.

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store use at one space for each 200 square feet of floor area and two parking spaces for the motor vehicle fueling station. The proposed use requires 13 spaces for the proposed use; 11 spaces for the general merchandise or food store and two spaces for the motor vehicle fueling station. The site plan shows 17 parking spaces. Parking must be provided as shown on the site plan.

Landscaping:

Landscaping is required in accordance with Article X of the Dallas Development Code. However, the applicant's request does not trigger any Article X requirements, as no new construction is proposed on the site.

**CPC ACTION:
May 5, 2016**

Motion: It was moved to recommend **approval** of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less for a two-year period, subject to a site plan and conditions on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of West Illinois Avenue and Toluca Avenue.

Maker: Davis
Second: Shidid
Result: Carried: 10 to 0

For: 10 - Houston, Davis, Shidid, Abtahi, Haney, Jung,
Housewright, Peadon, Murphy, Ridley

Against: 0
Absent: 4 - Anglin, Anantasomboon, Schultz, Tarpley
Vacancy: 1 - District 2

Notices: Area: 200 Mailed: 35
Replies: For: 1 Against: 0

Speakers: For (Did not speak): Santos Martinez, 900 Jackson St., Dallas,
TX, 75202
Against: None

PROPOSED CONDITIONS

- 1. **USE:** The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less.
- 2. **SITE PLAN:** Use and development of the Property must comply with the attached site plan.

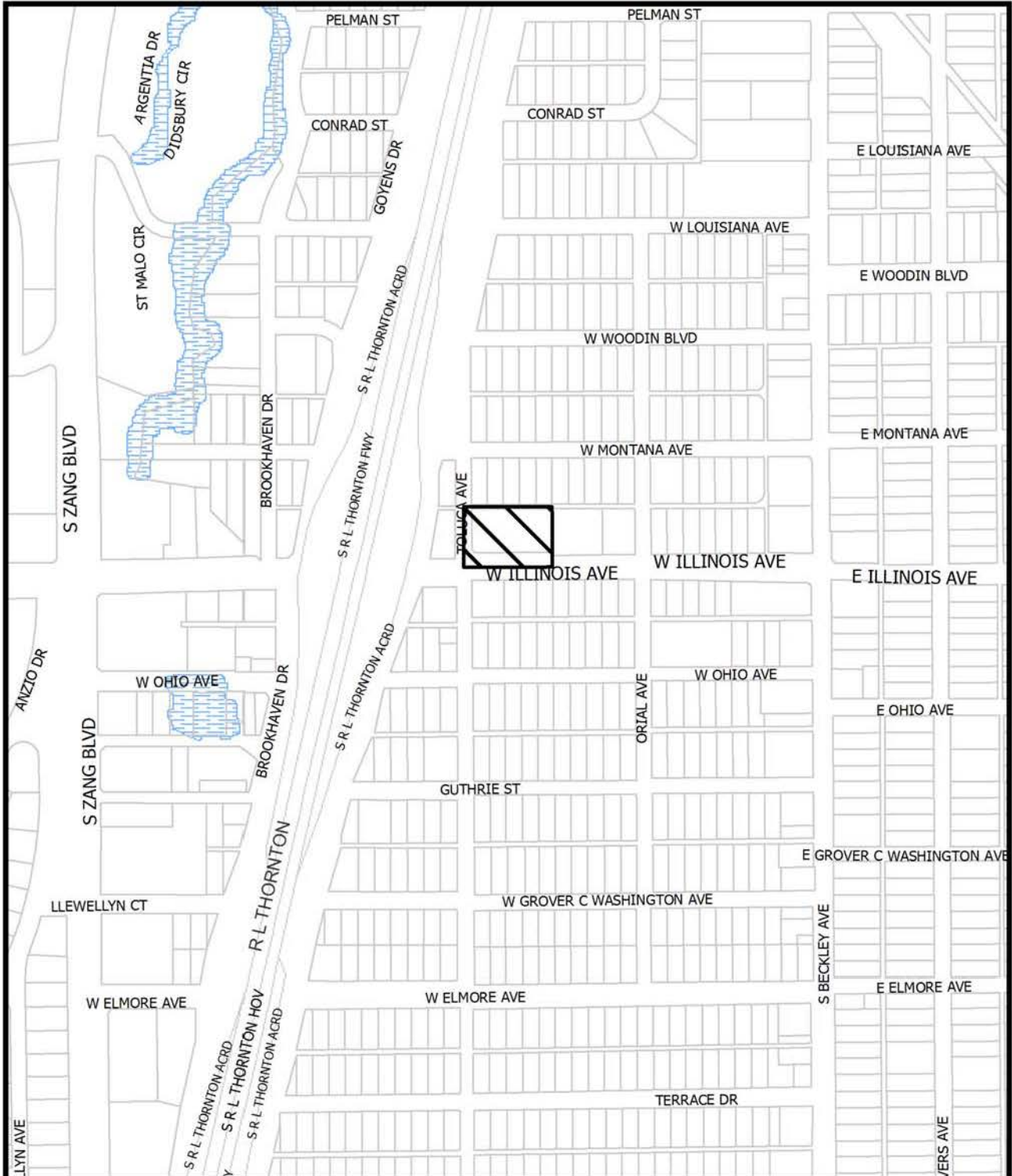
CPC Recommendation:


3. **TIME LIMIT:** This specific use permit expires on two years).

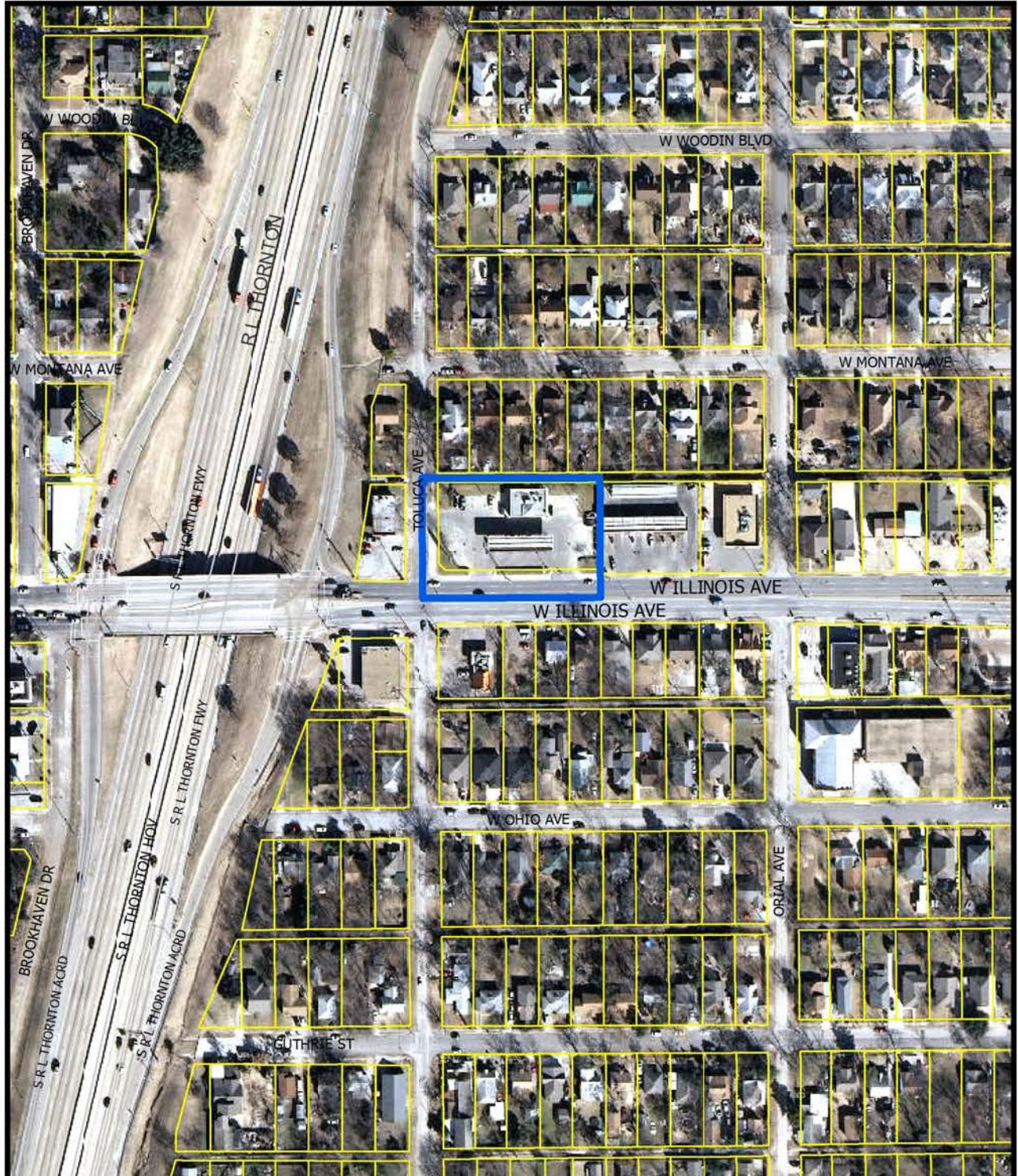
Staff's recommendation & Applicant's Request:

3. **TIME LIMIT:** This specific use permit expires on (two years), but is eligible for automatic renewal for additional five-year periods, pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)

- 5. **MAINTENANCE:** The Property must be properly maintained in a state of good repair and neat appearance.
- 6. **GENERAL REQUIREMENTS:** Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.



 1:4,800	<h2>VICINITY MAP</h2>	Case no: <u>Z156-216</u> Date: <u>3/9/2016</u>
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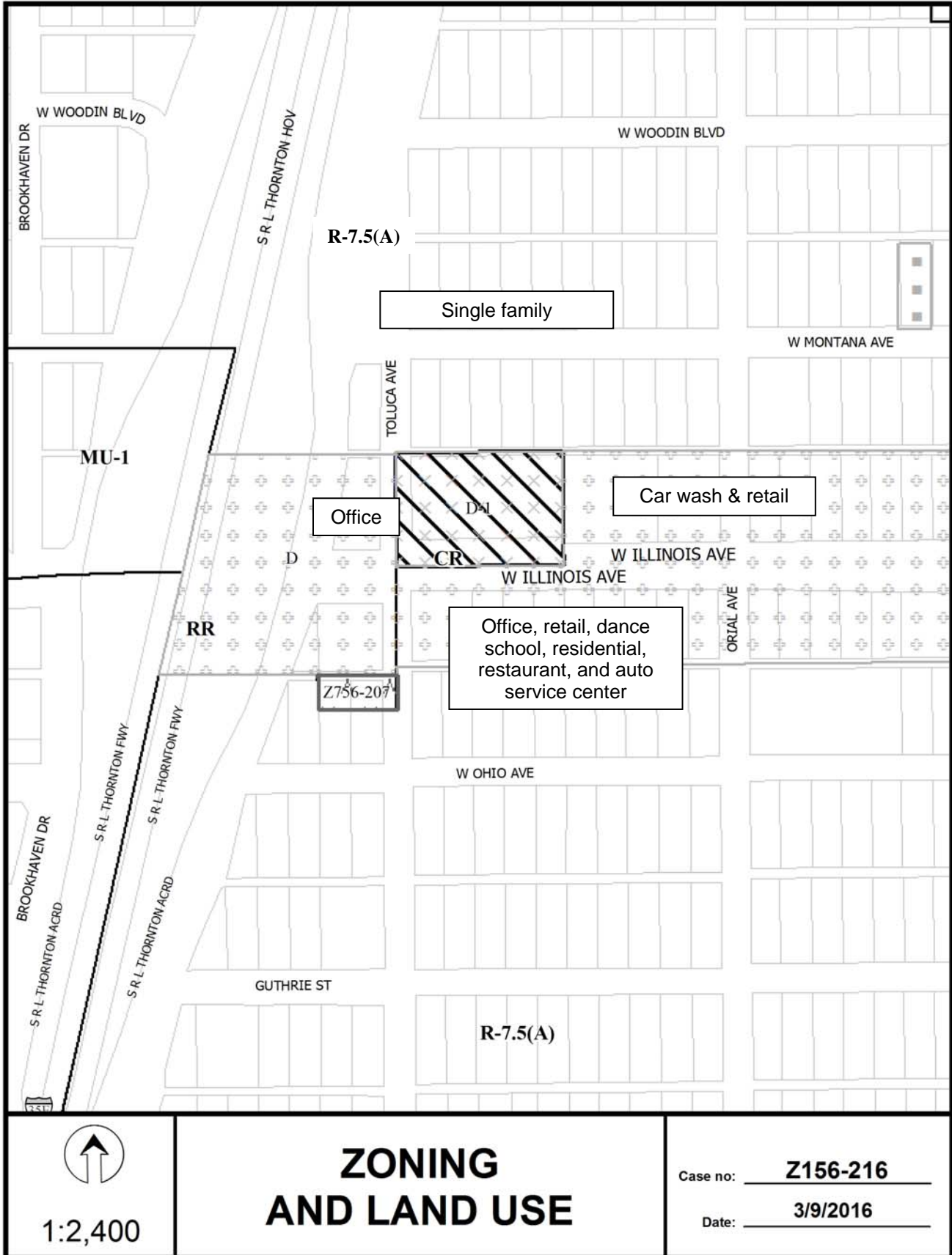


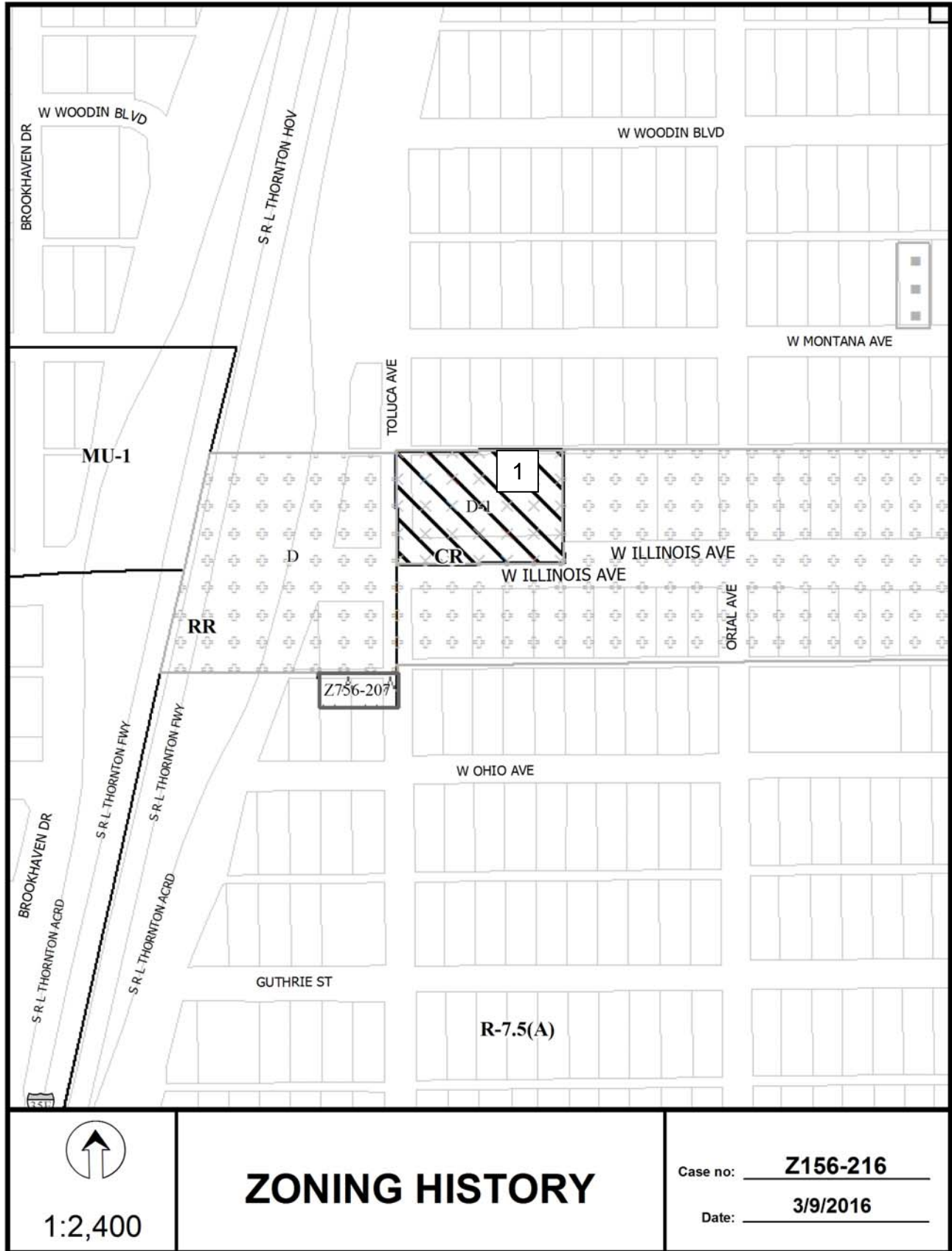
1:2,400

AERIAL MAP

Case no: Z156-216

Date: 3/9/2016





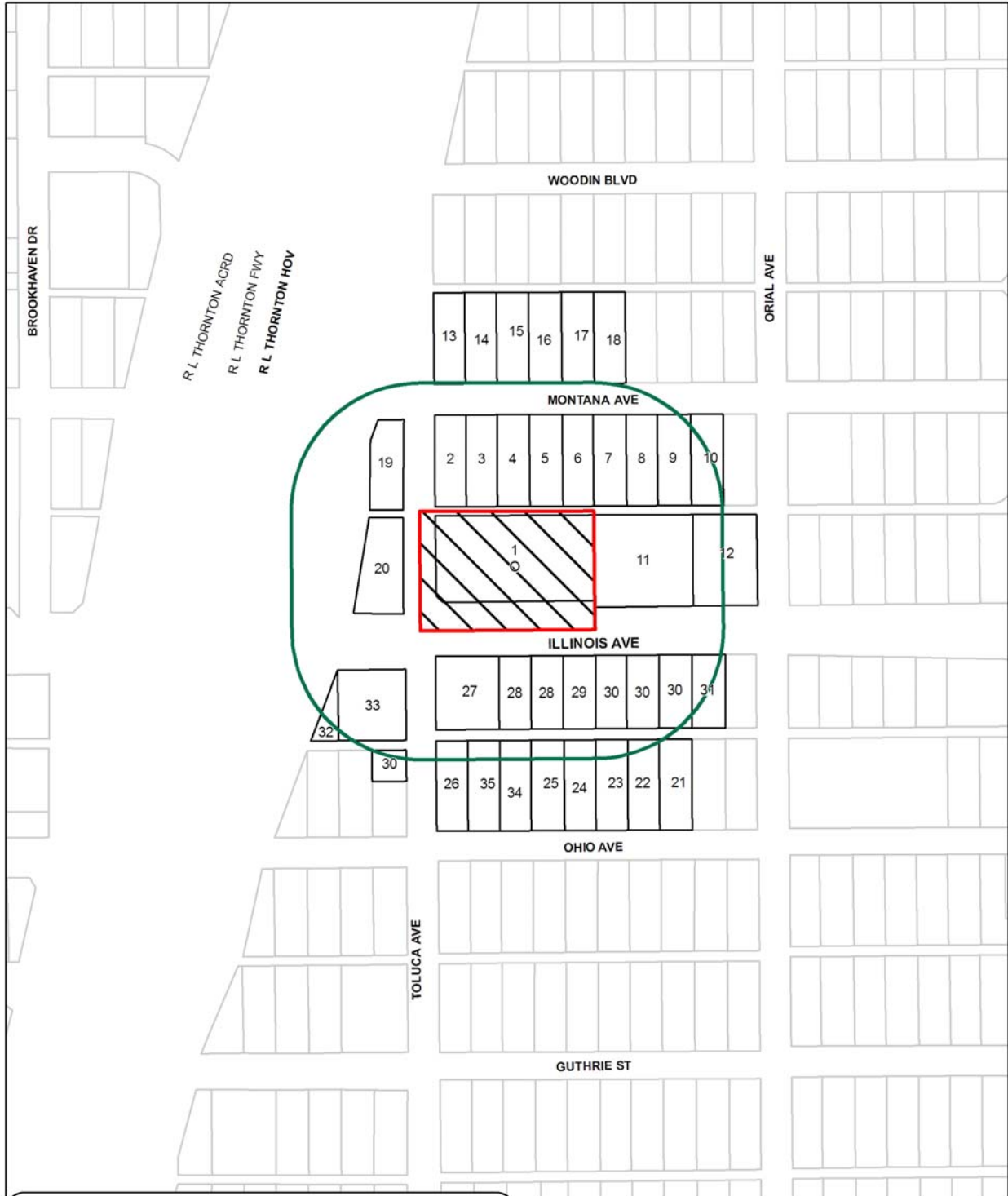
1:2,400

ZONING HISTORY

Case no: Z156-216

Date: 3/9/2016

CPC RESPONSES



<u>35</u>	Property Owners Notified (39 parcels)
<u>1</u>	Replies in Favor (1 parcels)
<u>0</u>	Replies in Opposition (0 parcels)
<u>200'</u>	Area of Notification
<u>5/5/2016</u>	Date

Z156-216
CPC



1:2,400

05/04/2016

Reply List of Property Owners**Z156-216****35 Property Owners Notified****1 Property Owners in Favor****0 Property Owners Opposed**

Reply	Label #	Address	Owner
O	1	225 W ILLINOIS AVE	BORA PETROLEUM INC
	2	238 W MONTANA AVE	FAGGETT FELECIA
	3	234 W MONTANA AVE	JOHNSON GWENDA LAJOYCE
	4	230 W MONTANA AVE	WILLIAMS TOMASA G
	5	226 W MONTANA AVE	PEREZ ALICE RAMIREZ
	6	222 W MONTANA AVE	DOROTEO ALFREDO &
	7	218 W MONTANA AVE	MIRELES OVIDIO JR
	8	212 W MONTANA AVE	ORTEGA JOEL F SALINAS &
	9	208 W MONTANA AVE	POWELL DEBRA A
	10	204 W MONTANA AVE	AGUILAR ROGELIO & ESMERALDA DE LA SANCHA ALONSO
	11	213 W ILLINOIS AVE	KRIN MARK C & SUZANNE
	12	207 W ILLINOIS AVE	A & I INSURANCE SERV INC
	13	237 W MONTANA AVE	WHEELER MARGIE FAY
	14	233 W MONTANA AVE	ROMERO ARMANDO JOEL
	15	231 W MONTANA AVE	GEORGE JOHNNY R &
	16	227 W MONTANA AVE	SEALS WILBA L
	17	221 W MONTANA AVE	PAVIA INVESTMENTS LLC
	18	219 W MONTANA AVE	CASAS RAUL
	19	302 W MONTANA AVE	WHEELER ALEXANDER R II
	20	2220 S R L THORNTON FWY	SAROFIA HOLDINGS INC
	21	211 W OHIO AVE	MORALES JOSE ANTONIO
	22	215 W OHIO AVE	SALAZAR GLORIA M
	23	219 W OHIO AVE	MENDOZA PAULA S &
	24	223 W OHIO AVE	COLUNGA MARIA C
	25	227 W OHIO AVE	BADILLO ARISTEO R &
	26	239 W OHIO AVE	RIOJAS NOLBERTO & ANTONIA M &

Z156-216(OTH)

05/04/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	238	W ILLINOIS AVE	WILLIAMS FRIED CHICKEN
28	230	W ILLINOIS AVE	RIVERA SUPPLY INC
29	222	W ILLINOIS AVE	RAFTER WALKER REAL EST VI
30	218	W ILLINOIS AVE	BLAIR EVELYN
31	206	W ILLINOIS AVE	SALINAS JOEL F &
32	2310	S R L THORNTON FWY	EASDON STEVEN L
33	308	W ILLINOIS AVE	JOHNSON PARTNERS LTD ETAL
34	231	W OHIO AVE	ALVARADO FRANCISCO
35	235	W OHIO AVE	ESPINOZA MERCEDALIA

ADDENDUM ITEM # 24

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): 14
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 45 P

SUBJECT

A public hearing to receive comments regarding an application to amend Section 51A-7.1000 West End Sign District to create a subdistrict within the West End Special Provision Sign District to allow an attached sign/supergraphic on an historic structure at the northeast corner of Elm Street and Record Street and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval of conditions
SPSD156-002

FILE NUMBER: SPSD156-002 **DATE INITIATED:** March 28, 2016

LOCATION: Northeast corner of Elm Street and Record Street
(601 Elm Street)

COUNCIL DISTRICT: 14 **MAPSCO:** 45P

SIZE OF REQUEST: Approx .2296 acres **CENSUS TRACT:** 31.01

APPLICANT: Tanya Ragan

OWNER: Preserve Purse LLC

REPRESENTATIVE: Craig Melde

REQUEST: An application to amend Section 51A-7.1000 West End Sign District to create a subdistrict within the West End Special Provision Sign District to allow an attached sign/supergraphic on an historic structure.

SUMMARY: The purpose of this request is to allow a 6,500 square foot sign (supergraphic) on the Purse Building. The proposal is for a sign that is compatible with the West End Historic District and that will not cover the existing old sign on the east side of the building.

STAFF RECOMMENDATION: Approval of conditions

CPC RECOMMENDATION: Approval of conditions

BACKGROUND INFORMATION:

- The proposed amendment is for a subdistrict within the West End Special Provision Sign District (SPSD).
- Currently, the West End SPSP allows up to a 30 square foot effective area if the building is not more than six stories tall and be at least 36 feet above grade.
- The West End SPSP does not allow supergraphics.
- The Special Sign District Advisory Committee (SSDAC) met on May 10, 2016 to review the application. The SSDAC recommended approval with revised conditions to include a sunset provision of 10 years and to allow the sign to stay in place indefinitely.

STAFF ANALYSIS:

The request site is developed with a 100 plus year old building commonly known as the Purse Building. There is an old sign for the Purse Company painted on the east façade that will remain on the building and will not be covered by the proposed supergraphic. The lot to the east of the Purse Building is developed with a one-story restaurant and a parking lot.

The Preservation Solutions Committee has discussed in general the ability for historic structures to have non-premise signs and supergraphics as an income generator to help preserve buildings for adaptive reuse.

The applicant states the supergraphic would “improve the visual appearance of the party wall by covering the common party wall brick” and create a historically compatible feature on a party wall.” Further, the proposal will not obscure the existing painted sign on the east façade. The applicant’s proposal is for a 50 foot by 130 foot sign attached to the west façade of the building.

Staff proposed regulations that mirror the supergraphic sign regulations in the Downtown SPSP, where applicable, with additional provisions for the request site.

The CPC followed staff recommendation with a change to six months (instead of staff’s recommended four months) the time the sign could remain on the building before having to be changed. The applicant is requesting no limit to the length of time for a sign to be displayed. Since the building is in the West End Historic District and the structure is a contributing building, the sign will require a Certificate of Appropriateness from the Landmark Commission each time the sign is replaced. The CPC also recommended a sunset provision for a 10-year time frame. This will allow the Council to review the effectiveness of the sign and determine whether to allow the continuation of the supergraphic.

Preserve Purse, LLC.

1907 Marilla St
Dallas, TX, 75201

Owner:

Preserve Purse, LLC
Managing Partner, Tanya Ragan
214-233-0485

Partners:

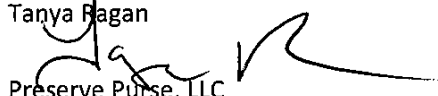
Rexon Investments, LLC
Schroff Investments
601 Elm Limited

Architect & Representative:

Architexas, Craig Melde
214-748-4561

To whom it may concern,
Preserve Purse, LLC. authorizes Craig Melde to act on Preserve Purse's behalf with any questions related to the zoning change application for property located at 601 Elm Street, Dallas, TX, 75201.

Tanya Ragan


Preserve Purse, LLC

President & Managing Partner

**CPC Action:
June 2, 2016**

Motion: It was moved to recommend **approval** of an amendment to Section 51A-7.1000 West End Sign District to create a subdistrict within the West End Special Provision Sign District to allow an attached sign/supergraphic, subject to staff recommended revised conditions with the following revision: Condition H provide that a supergraphic sign may not display the same message for more than 6 consecutive months within a 12-month period on an historic structure at the northeast corner of Elm Street and Record Street.

Maker: Ridley
Second: Haney
Result: Carried: 13 to 0

For: 13 - Anglin, Rieves, Houston, Davis, Shidid, Abtahi,
Haney, Jung, Schultz, Peadon, Murphy, Ridley,
Tarpley

Against: 0
Absent: 2 - Anantasomboon, Housewright
Vacancy: 0

Notices: Area: 200 Mailed: 39
Replies: For: 0 Against: 1

Speakers: For (Did not speak): Tanya Ragan, 1907 Marilla St., Dallas, TX, 75201
Against: None

East Façade
(photo provided by the applicant)



**East façade with example of sign
(photo and rendering provided by the applicant)**

(1)



CPC recommendation

- (h) The supergraphic sign must be removed on or before (ten years from passage of ordinance). This section does not confer a nonconforming or vested right to maintain a supergraphic sign after (ten years from passage of ordinance) and all permits authorizing supergraphic sign shall automatically expire on that date.
- (i) This section expires on (ten years from passage of ordinance) unless re-enacted with amendment before that date. The city plan commission and city council shall review this section before its expiration date.

Applicant's request

- ~~(p) The supergraphic sign must be removed on or before (ten years from passage of ordinance). This section does not confer a nonconforming or vested right to maintain a supergraphic sign after (ten years from passage of ordinance) and all permits authorizing supergraphic sign shall automatically expire on that date.~~
- ~~(q) This section expires on (ten years from passage of ordinance) unless re-enacted with amendment before that date. The city plan commission and city council shall review this section before its expiration date~~

Proposed Amendments

“SEC. 51A-7.1001. DESIGNATION OF WEST END HISTORIC SIGN DISTRICT.

The West End Historic Sign District is hereby recognized as that area of the city within the ~~[following described]~~ boundaries described in Exhibit A attached to Ordinance No. _____, passed by the Dallas City Council on June 22, 2016. [∴

~~Beginning at the center of the intersection of Main Street and Lamar Street; then north along the center line of Lamar Street to the southern boundary of the Woodall Rodgers Freeway right-of-way; then southwest along the southern boundary of the Woodall Rodgers Freeway right-of-way to its intersection with Railroad Track ICC 158; then south along Track ICC 158 to its merger with Track ICC 15; then south along Track ICC 15 to its merger with Main Line 2; then south along Main Line 2 to its intersection with the center line of Commerce Street; then east along the center line of Commerce Street to its intersection with the center line of Austin Street; then north along the center line of Austin Street to its intersection with the center line of Main Street; then east along the center line of Main Street to the point of beginning.]”~~

SECTION 2. That Division 51A-7.1000, “West End Historic Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Section 51A-7.1001.1, “Designation of Subdistricts,” to read as follows:

“SEC. 51A-7.1001.1. DESIGNATION OF SUBDISTRICTS.

Purse Building Subdistrict. The subdistrict boundaries are described in Exhibit B attached to Ordinance No. _____, passed by the Dallas City Council on June 22, 2016.”

SECTION 3. That Division 51A-7.1000, “West End Historic Sign District,” of Article VII, “Sign Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Section 51A-7.1007.1, “Purse Building Subdistrict,” to read as follows:

“SEC. 51A-7.1007.1. PURSE BUILDING SUBDISTRICT.

(a) In general. Except as provided in this division, the provisions of the Arts District Sign District apply in this subdistrict.

(b) Definition. SUPERGRAPHIC SIGN means a large attached premise or non-premise sign on a mesh or fabric surface, or a projection of a light image onto a wall face without the use of lasers.

(c) Visual display and coverage.

(1) A supergraphic sign must have one large visual display with a minimum of 80 percent non-textual graphic content (no more than 20 percent text).

(A) Multiple displays giving an appearance of multiple signs are prohibited.

(B) The effective area of text is the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines, each of which fully contains a word.

(2) Supergraphic signs are intended to be creative and artful and not strictly a representation of an advertised product. It is the intent of this provision to:

(A) encourage the use of illustrative images or other non-repetitive design elements;

(B) encourage visually interesting, vibrant, and colorful designs;

(C) discourage use of solid colors or repetitive design elements; and

(D) discourage an image of a single product or product logo without other graphic elements.

(3) Supergraphic signs may be internally or externally illuminated. If internally illuminated, a supergraphic sign may consist of translucent materials, but not transparent materials.

(4) A supergraphic sign may not extend beyond the edge of the face of the building to which it is attached.

(c) Effective area. Minimum permitted effective area is 2,500 square feet. This subsection controls over Paragraph (b)(2). Maximum permitted effective area is 6,500 square feet.

(d) Height. No supergraphic sign may be lower than 10 feet above grade level.

(e) Location. A supergraphic may only be located on the east facade of the building.

(f) Number. Maximum number of supergraphics in this subdistrict is one.

CPC recommendation

(g) Message duration. A supergraphic sign may not display the same message for more than six consecutive months in any 12-month period.

Staff recommendation

(g) A supergraphic sign may not display the same message for more than four consecutive months in any 12-month period.

Applicant's request

~~(g) A supergraphic sign may not display the same message for more than four~~

(h) Additional provisions.

(1) A supergraphic sign is intended to be compatible with the West End Historic District as determined by the Landmark Commission.

(2) All hardware fasteners for a supergraphic sign must comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas.

(3) No supergraphic sign may be a Highway Beautification Act (HBA) sign as defined in Section 51A-7.102.

(4) The existing painted sign on the east facade must remain uncovered and visible.

CPC Recommendation

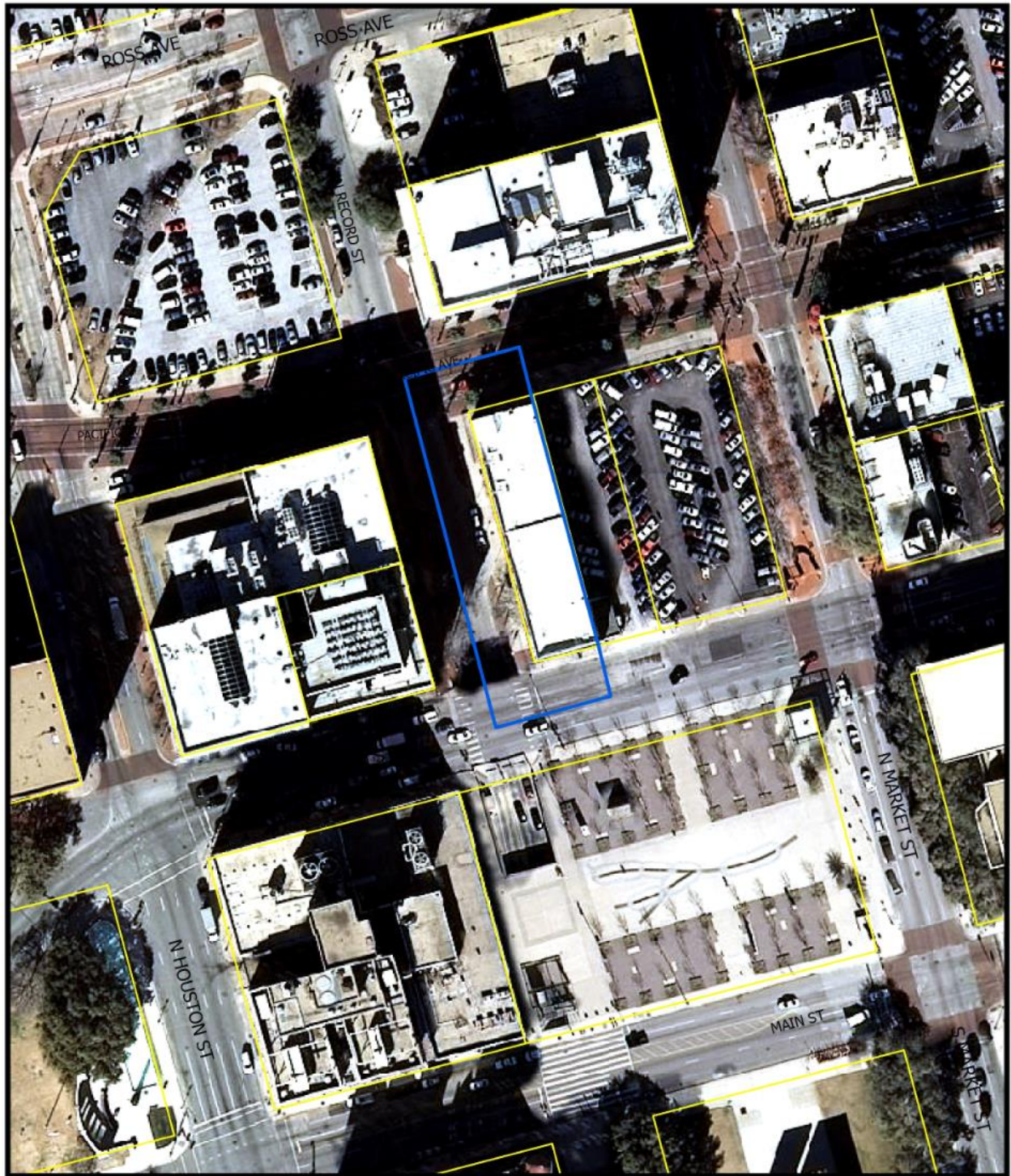
(i) Mandatory removal in 2026. The supergraphic sign must be removed on or before June 22, 2026. This section does not confer a nonconforming or vested right to maintain a supergraphic sign after June 22, 2026 and all permits authorizing a supergraphic sign shall automatically expire on that date.

(j) Sunset. This section expires on June 22, 2016 unless re-enacted with amendment before that date. The city plan commission and city council shall review this section before its expiration date.

Applicant's Request

~~(i) Mandatory removal in 2026. The supergraphic sign must be removed on or before June 22, 2026. This section does not confer a nonconforming or vested right to maintain a supergraphic sign after June 22, 2026 and all permits authorizing a supergraphic sign shall automatically expire on that date.~~

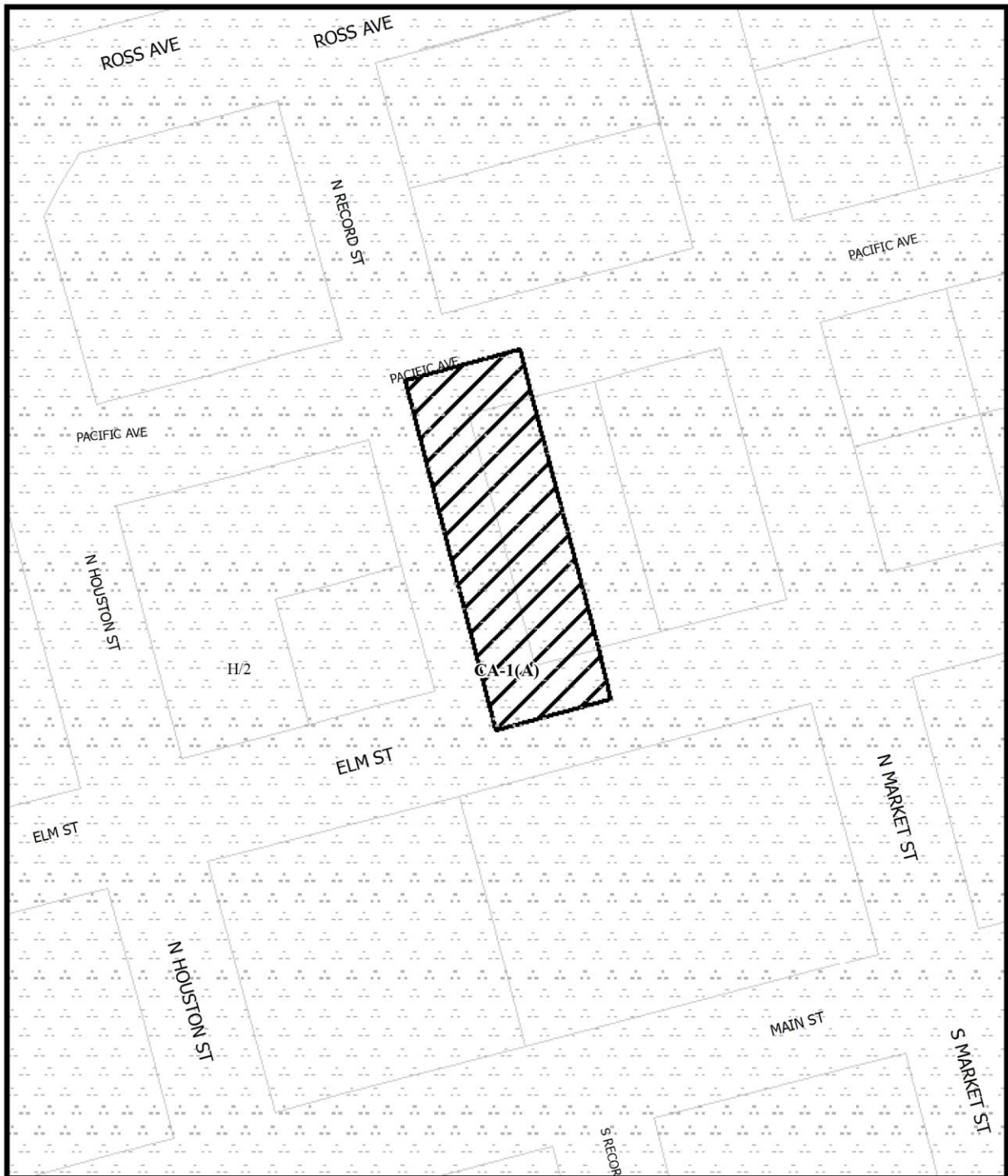
~~(j) Sunset. This section expires on June 22, 2016 unless re-enacted with amendment before that date. The city plan commission and city council shall review this section before its expiration date.~~




1:1,200

AERIAL MAP

Case no: SPSD156-002
Date: 4/19/2016



1:1,200

ZONING MAP

Case no: SPSD156-002

Date: 4/19/2016

CPC RESPONSES



<u>39</u>	Property Owners Notified (11 parcels)
<u>0</u>	Replies in Favor (0 parcels)
<u>1</u>	Replies in Opposition (1 parcels)
<u>200'</u>	Area of Notification
<u>6/2/2016</u>	Date

SPSD156-002
CPC



1:1,200

06/06/2016

Reply List of Property Owners***SPSD156-002******39 Property Owners Notified******0 Property Owners in Favor******1 Property Owners Opposed***

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	1	605 ELM ST	PRESERVE PURSE LLC
	2	501 ELM ST	MAY DAY INTERESTS LP
	3	509 ELM ST	SHIELLS THEODORE & EVA A
	4	509 ELM ST	UTTER ROBERT S &
	5	509 ELM ST	PICKERING GREGORY &
	6	509 ELM ST	STANLEY JAMES M
	7	509 ELM ST	BAGBY JAMES DOUGLAS & NAOKO SUZUKI
	8	509 ELM ST	HISLOP ANDREW M
	9	509 ELM ST	DOWL SOPHIA
	10	509 ELM ST	BARTLETT ANTHONY & MARIE
	11	509 ELM ST	POZOS JOSE
	12	509 ELM ST	SKINNER KEVIN T &
	13	509 ELM ST	SCHMITZ CATHY ANN
	14	509 ELM ST	FUSSELL DAVID STEWART
	15	509 ELM ST	TROUPE GUY H
	16	509 ELM ST	FORREST MATHEW
	17	509 ELM ST	PROKUP RICHARD J & KERRY
	18	509 ELM ST	MANJREKAR ASHISH T
	19	509 ELM ST	FLEISIG ALEXIS
	20	509 ELM ST	MILLER DAVID
	21	509 ELM ST	NEDBOR WENDY
	22	509 ELM ST	SAATKAMP JOSEPH III
	23	509 ELM ST	GARZA RUBEN A & LINH T
	24	509 ELM ST	TORRES MICHELLE
	25	509 ELM ST	TOMES ROBERT B ET AL
	26	509 ELM ST	TROTTER GARY L &

06/06/2016

<i>Reply</i>	<i>Label #</i>	<i>Address</i>	<i>Owner</i>
	27	509 ELM ST	MOORE JUSTIN PATRICK
	28	509 ELM ST	MOULDEN DOUG
	29	509 ELM ST	CROSS JEFFERY T
	30	509 ELM ST	SELLERS STEPHEN B &
	31	509 ELM ST	DEMARCO CHILDRENS TRUST
	32	509 ELM ST	HUNCHAREK BARBARA
	33	500 ELM ST	County of Dallas
	34	311 N MARKET ST	MARKET STREET L P
	35	301 N MARKET ST	DALLAS COUNTY COMMUNITY
	36	611 ELM ST	7223 L P
X	37	605 ELM ST	609 ELM LLC
	38	515 ROSS AVE	DALLAS HOLOCAUST MUSEUM CENTER FOR
	39	211 N RECORD ST	MAY DAY INTERESTS LP

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Economic Development
Business Development & Procurement Services

CMO: Ryan S. Evans, 671-9837
Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize ~~(1)~~ a service contract for the ~~design~~ development and implementation of a website and digital content strategy for the Office of Economic Development to replace the existing website in the amount of \$77,246; and ~~(2) a for five-year years service contract for~~ of hosting, maintenance and support in the amount of \$28,000 with Icon Enterprises, Inc. dba CivicPlus, most advantageous proposer of eleven - Total not to exceed \$105,246 - Financing: Public/Private Partnership Funds

BACKGROUND

This five service year contract will provide web design services, hosting and support, and content strategy for the Office of Economic Development (OED) to replace its existing website and recommend and implement changes to its external communications program.

OED's website (<http://www.dallas-ecodev.org>) is the primary gateway for businesses, investors, entrepreneurs and citizens as they seek information on the city's economic climate and research public-private partnership opportunities. The current site includes testimonials, news, small business guides, demographic and economic measures, and detailed information on the department's incentive programs, partners and services. OED also maintains a digital communications suite via social media (Facebook, Twitter, LinkedIn) and e-mail newsletters.

The current site was redesigned most recently in 2010, and the contract with the designer for hosting and support will end this fall. The current site no longer meets the needs of staff and clients, including a lack of mobile device responsiveness, antiquated site organization, and old technology. The new site will bring a fresh web presence for OED, new features to better serve clients, and a new digital communications strategy which will play an integral role in proactive recruitment, retention, and expansion of business and real estate within the City of Dallas.

BACKGROUND (Continued)

The Dallas Film Commission and Dallas B.R.A.I.N. website are separate from the main OED website and are not included in this contract. The International Inland Port of Dallas website will be consolidated with the main OED site as part of this contract.

The City issued a Request for Competitive Sealed Proposals (RFCSP) for new website on February 24, 2016 and closed on March 10, 2016. The RFCSP sought proposals that would greatly simplify discoverability and provide an optimal user interface and experience for its customers and Dallas citizens. A focused, compelling brand and a dynamic online presence will support OED's mission of attracting businesses and talent to (and within) the City of Dallas. Dallas OED wants to create a new site that is fresh, engaging and user-friendly.

The site will provide strategic and compelling data and information to site selectors, CEOs, business owners and key decision-makers who are considering business expansions or relocations. OED wants to increase key customer contacts, connectivity and business leads via intuitive contact information and forms. The project will also integrate the Office's Salesforce Customer Resource Management (CRM) platform with its website to collect leads and better interact with customers.

Icon Enterprises, Inc. dba CivicPlus was the most responsive proposer. They will complete the following major work items over the five year contract term: (1) a new content management strategy covering web, social media, and email communications; (2) a new website design and structure that fits with the strategy; (3) integration with the Salesforce CRM; and (4) hosting and support related to the above activities.

A five member committee from the following departments reviewed and evaluated the proposals:

- Business Development and Procurement Services (1)*
- Economic Development (2)
- City Manager's Office (1)
- Sustainable Development and Construction (1)

*Business Development and Procurement Services only evaluated the cost.

The proposer's responses were evaluated based on the following criteria:

- Cost 30%
- Strategic Approach 25%
- Capability, Expertise & Experience 20%
- Functional Match and Technical Match 20%
- Training 5%

BACKGROUND (Continued)

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 1,270 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

The recommended vendor meets the wage floor rate of \$10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

Information about this item was provided to the Economic Development Committee on June 6, 2016.

FISCAL INFORMATION

\$105,246 - Public/Private Partnership Funds

M/WBE INFORMATION

- 204 - Vendors contacted
- 204 - No response
 - 0 - Response (Bid)
 - 0 - Response (No bid)
 - 0 - Successful

1,270 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

Icon Enterprises, Inc. dba CivicPlus

White Male	85	White Female	81
Black Male	4	Black Female	0
Hispanic Male	2	Hispanic Female	0
Other Male	3	Other Female	8

PROPOSAL INFORMATION

The following proposals were received from solicitation number BUZ1613 and were opened on March 11, 2016. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
*Icon Enterprises, Inc. dba CivicPlus	302 S. 4 th Street Suite 500 Manhattan, KS 66502	86.48%	\$ 105,246.00
Civic Resource Group International, Inc.	915 Wilshire Boulevard Suite 1680 Los Angeles, CA 90017	86.13%	\$ 97,860.00
Atlas Advertising	929 Broadway Denver, CO 80203	84.38%	\$ 125,640.00
Golden Shovel Agency, LLC	43 E. Broadway Street Little Falls, NN 56345	84.26%	\$ 99,200.00
Imulos LLC. dba Axial	944 Pearl Street Boulder, CO 80302	78.20%	\$ 116,970.00
Diversified Technologies LLC dba DT Atlanta	440 Louisiana Street Suite 900 Houston, TX 77002	76.00%	\$ 88,500.00
Teneo Management Company, LLC Dbalifeblue	610 Elm Street Suite 400 McKinney, TX 75069	74.06%	\$ 147,000.00
Zielinski Design Associates, Inc.	6301 Gaston Avenue Suite 820 Dallas, TX 75214	66.23%	\$ 108,450.00
The Old State, LLC	9007 San Benito Way Dallas, TX 75218	65.52%	\$ 151,500.00
Pavlov Advertising, LLC	707 W. Vickery Boulevard Suite 103 Fort Worth, TX 76104	60.45%	\$ 254,050.00

PROPOSAL INFORMATION (Continued)

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Amount</u>
InSite Productions, LLC	4311 Oaklawn Avenue Suite 100 Dallas, TX 75219	55.37%	\$ 337,390.00

OWNER

Icon Enterprises, Inc. dba CivicPlus

Brian Rempe, President
Ward Morgan, Secretary

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize ~~(1)~~ a service contract for the ~~design~~ development and implementation of a website and digital content strategy for the Office of Economic Development to replace the existing website in the amount of \$77,246; and ~~(2)~~ a for five ~~-year~~ years ~~service contract for~~ of hosting, maintenance and support in the amount of \$28,000 with Icon Enterprises, Inc. dba CivicPlus, most advantageous proposer of eleven - Total not to exceed \$105,246 - Financing: Public/Private Partnership Funds

Icon Enterprises, Inc. dba CivicPlus is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$105,246.00	100.00%
TOTAL CONTRACT	<u>\$105,246.00</u>	<u>100.00%</u>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	<u>\$0.00</u>	<u>0.00%</u>	<u>\$0.00</u>	<u>0.00%</u>

June 22, 2016

WHEREAS, the Office of Economic Development is charged with growing the City's tax base and employment base through the attraction, expansion and retention of business activities and real estate development; and

WHEREAS, the Office of Economic Development website and digital presence is the portal for initiating staff interaction with new clients; and

WHEREAS, the current site is no longer meeting needs of modern Internet users; and

WHEREAS, the City desires to create an industry-leading digital presence; and

WHEREAS, the City desires a third-party developer and strategist to provide a new direction; and

WHEREAS, the City issued a Response for Competitive Sealed Proposals to seek a third-party web developer and content strategist; and

WHEREAS, Icon Enterprises Inc. dba CivicPlus was determined to be the most advantageous proposer of eleven respondents; and

WHEREAS, the City now desires to authorize the execution of a five-year service contract with Icon Enterprises, Inc. dba CivicPlus, for services relating to the development, hosting, support, and strategy for a new website and content strategy.

NOW, THEREFORE,

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

Section 1. That the City Manager is authorized to execute (1) a service contract for the design development and implementation of a website and digital content strategy for the Office of Economic Development to replace the existing website in the amount of \$77,246.00; ~~and (2) a for five-year years service contract for of~~ hosting, maintenance and support in the amount of \$28,000.00 with Icon Enterprises, Inc. dba CivicPlus (VS0000069417) in a total amount not to exceed \$105,246.00, upon approval as to form by the City Attorney. ~~If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Icon Enterprises, Inc. dba CivicPlus shall be based only on the amount of the services directed to be performed by the City and properly performed by Icon Enterprises, Inc. dba CivicPlus under the contract.~~

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$28,000.00 from Service Contract number MASCD5V160001 from Fund 0352, Department ECO, Unit 9992, Object 3099, Activity PPPF.

June 22, 2016

Section 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$77,246.00 from Service Contract number MASCDV160001 from Fund 0352, Department ECO, Unit 9992, Object 4735, Activity PPPF.

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly resolved.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 4, 7, 8

DEPARTMENT: Public Works Department
Water Utilities

CMO: Jill A. Jordan, P.E., 670-5299
Mark McDaniel, 670-3256

MAPSCO: 47D 65A 66P Q

SUBJECT

Authorize **(1)** street paving, storm drainage, water and wastewater main improvements, and alley paving for Project Group 12-3003; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law (list attached); and **(2)** a benefit assessment hearing to be held on August 24, 2016, to receive comments - Financing: No cost consideration to the City

BACKGROUND

Longhorn Street from Ferguson Road to Bar X Street was requested by property owner petition and accepted on December 22, 2009. The alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive was requested by property owner petition and accepted on May 10, 2006. The alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property was requested by property owner petition and accepted on August 24, 2009. All of these projects were subsequently funded in the 2012 Bond Program. A professional services contract for the design was authorized by City Council on September 25, 2013, by Resolution No. 13-1731 and on December 11, 2013, by Resolution No. 13-2072. This action will authorize the project, partial payment of cost by assessment, and a benefit assessment hearing. The street improvement will consist of upgrading the existing unimproved two-lane asphalt street with 26-foot wide concrete pavement with curbs, sidewalks, drive approaches, installation of a storm drainage system and water and wastewater main improvements. The alley improvements will consist of upgrading the unimproved gravel and dirt alleys with 10-foot wide concrete pavement.

BACKGROUND (Continued)

The paving assessment process requires the following three steps:

1. Authorize paving improvements
2. Authorize a benefit assessment hearing
3. Benefit assessment hearing, ordinance levying assessments and authorize contract for construction

These actions are the 1st and 2nd steps in the process.

ESTIMATED SCHEDULE OF PROJECT

Began Design	December 2013
Completed Design	August 2015
Begin Construction	November 2016
Complete Construction	November 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering services on September 25, 2013, by Resolution No.13-1731.

Authorized a professional services contract for engineering services on December 11, 2013, by Resolution No.13-2072.

Information about this item will be provided to the Transportation and Trinity River Project Committee on June 13, 2016.

FISCAL INFORMATION

Design	\$ 99,239.25
Construction	
Paving&Drainage (PBW)	\$ 973,165.00 (est.)
Water & Wastewater (WTR)	<u>\$ 363,464.84 (est.)</u>
Total Project Cost	\$1,435,869.09 (est.)

<u>Council District</u>	<u>Amount</u>
4	\$ 72,845.00 (est.)
7	\$1,071,259.84 (est.)
8	<u>\$ 192,525.00 (est.)</u>
Total	\$1,336,629.84 (est.)

This project does involve assessments.

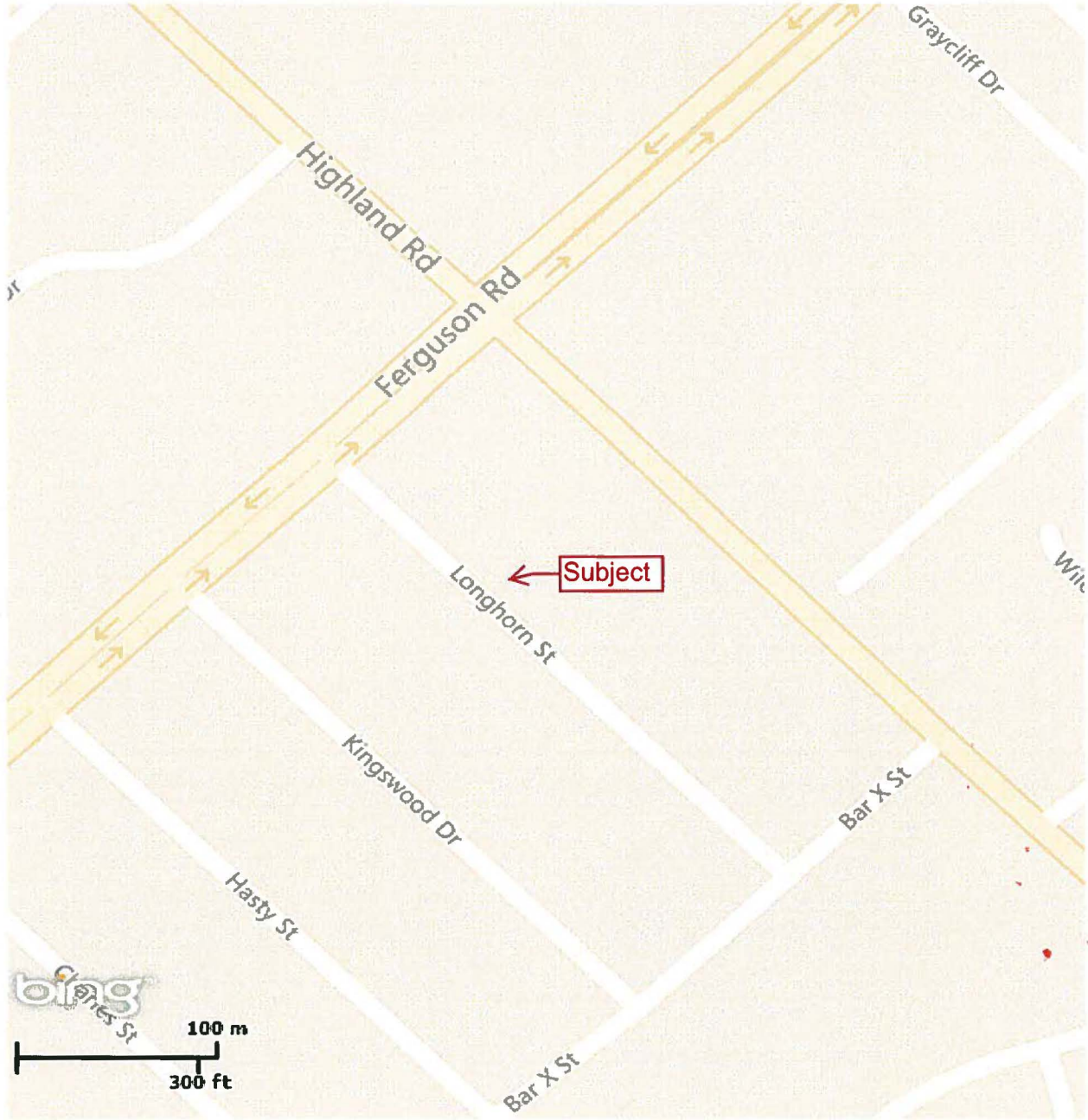
MAPS

Attached.

Project Group 12-3003

<u>Project</u>	<u>Limits</u>	<u>Council District</u>
Longhorn Street	from Ferguson Road to Bar X Street	7
Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive	from Lovingood Drive to Loud Drive	8
Alley between Idaho Avenue and Maryland Avenue	from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property	4

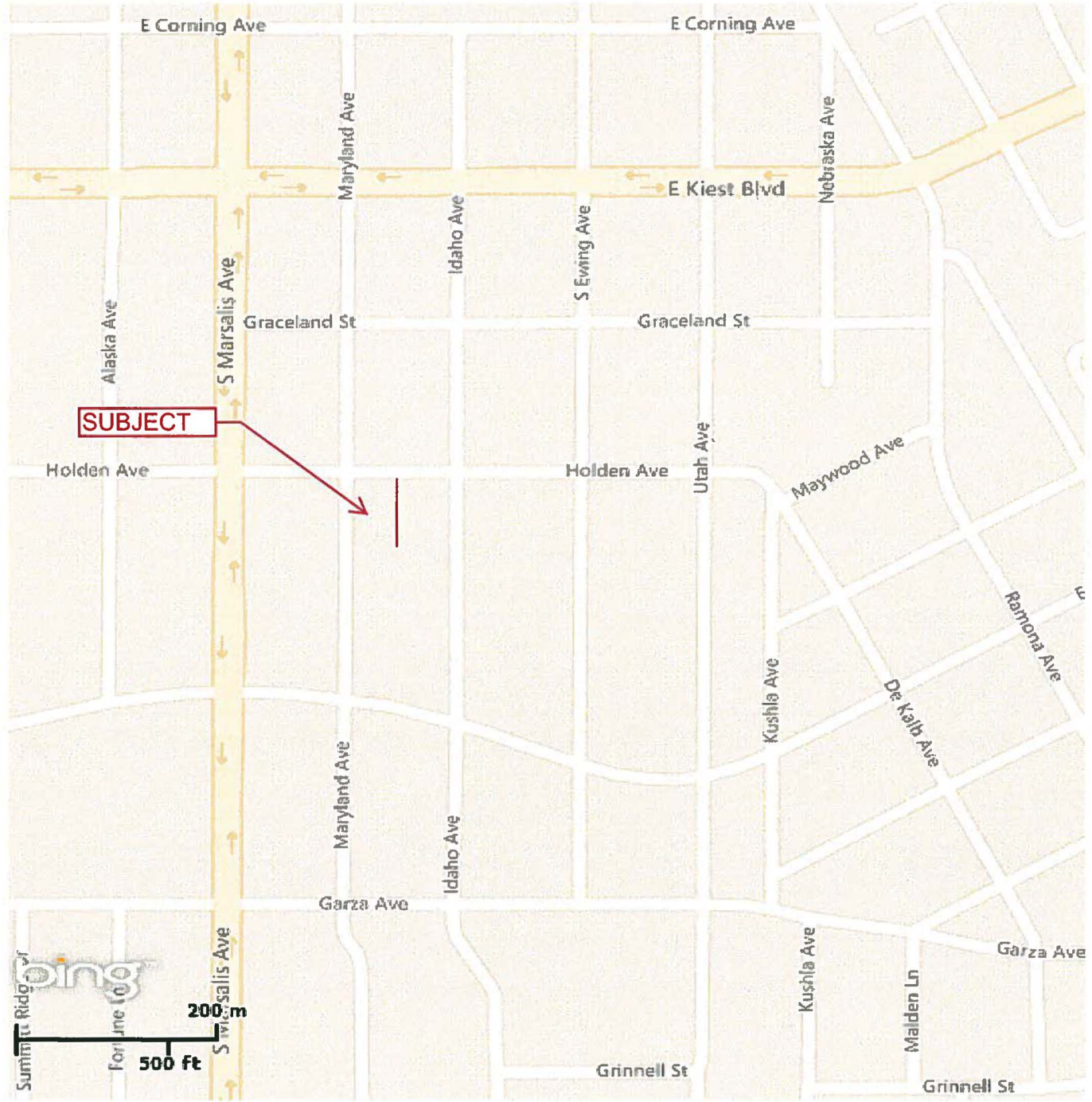
PROJECT GROUP 12-3003



MAPSCO 47D



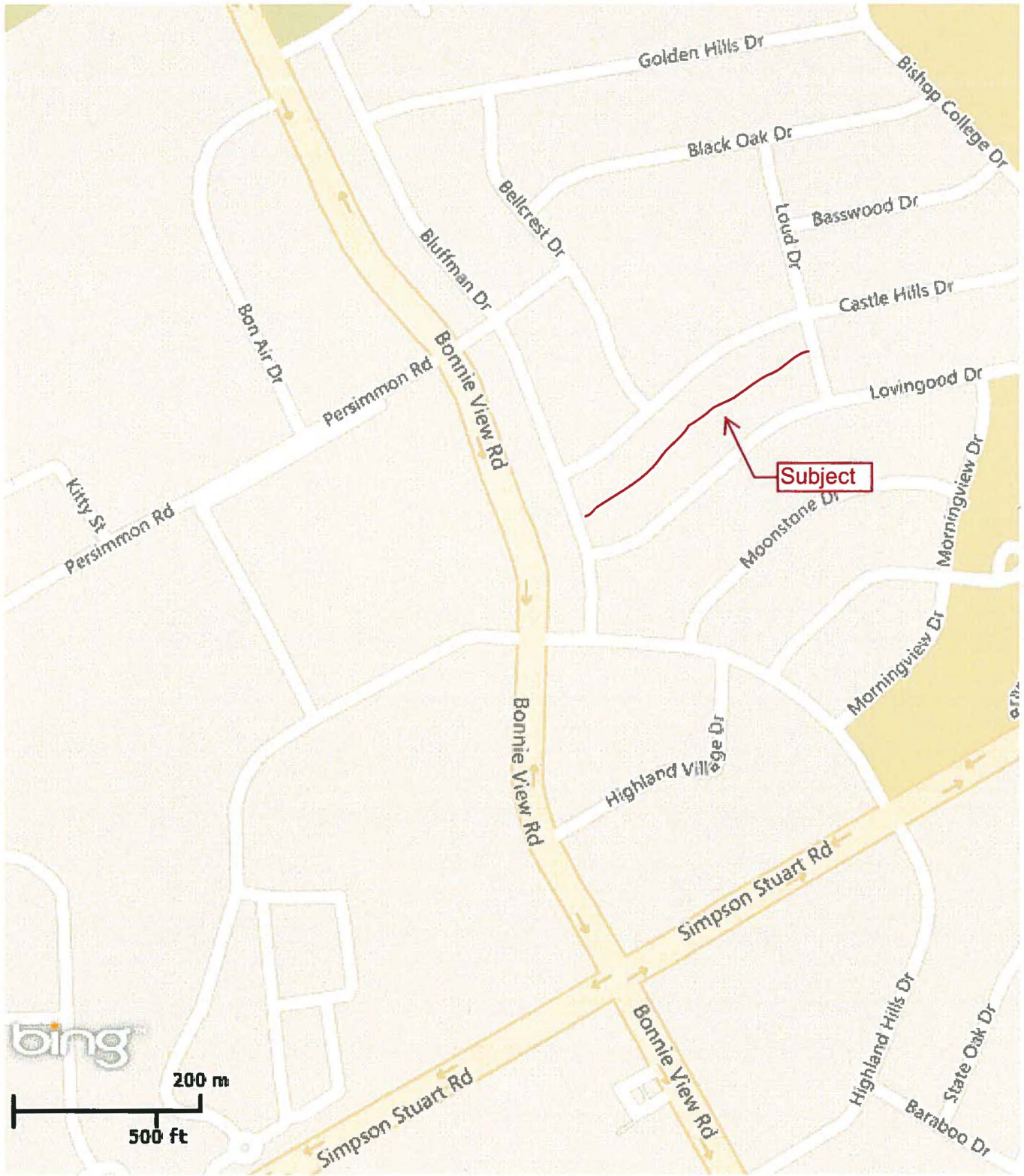
PROJECT GROUP 12-3003



MAPSCO 65A



PROJECT GROUP 12-3003



MAPSCO 66P, Q



June 22, 2016

WHEREAS, the City of Dallas deems it necessary to permanently improve the hereinafter named street and alleys within the City of Dallas.

Now, Therefore,

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

SECTION 1. That the following street and alleys

Project Group 12-3003

Street:

1. Longhorn Street from Ferguson Road to Bar X Street

Alleys:

2. Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive
3. Alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property

shall be improved in the following manner, to wit:

(1) That said street and alleys shall be profiled so as to bring same to design grade.

(2) That said street shall be paved from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 feet in width; and,

(3) That said alleys shall be paved with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick subgrade; and,

That any permanent improvements in place, meeting these specifications, or which can be utilized, shall be left in place, if any, and corresponding credits to the property owners shall be allowed on the assessments.

That bids shall be taken for the construction of the work for the type of construction enumerated above, and the work shall be done with the materials and according to plans and methods selected by the City Council after the bids are opened.

June 22, 2016

That the cost of said improvements shall be paid for as follows, to wit:

(a) That the City of Dallas shall pay only an amount equal to the cost of storm sewers, and all the cost of improving intersections of said street and alleys with other street and alleys, and partial adjusted frontages on side property, except so much thereof as shall be borne by streets, railways, and steam railways, as provided in Subsection (a)

(b) That after deducting the proportion of the cost provided for in said Subsection (a) above, the whole remaining cost, including the cost of concrete curbs or curbs and gutters, driveways, sidewalks and alleys shall be paid by the owners of property abutting on said streets and alleys named to be paved, in the following manner, to wit:

That the cost shall be assessed against said owners and their property respectively, in accordance with what is known as the "Front-Foot Plan", in proportion as the frontage of the property of each owner is to the whole frontage improved and shall be payable in monthly installments not to exceed one hundred twenty (120) in number, the first of which shall be payable within thirty (30) days from the date of the completion of said improvements and their acceptance by the City of Dallas, and one installment each month thereafter until paid, together with interest thereon at the current rate established and adopted by the City Council applicable to Public Improvement Assessment Accounts being paid by installments and not to exceed the statutory rate, with the provision that any of said installments may be paid at any time before maturity by the payment of the principal and the accrued interest thereon. Any property owner against whom and whose property an assessment has been levied may pay the whole assessment chargeable to him without interest within thirty (30) days after the acceptance and completion of said improvements.

Provided that, if the application of the above-mentioned rule of apportionment between property owners would, in the opinion of the City Council, in particular cases be unjust or unequal, it shall be the duty of the said Council to assess and apportion said cost in such manner as it may deem just and equitable, having in view the special benefits in enhanced value to be received by each owner of such property, the equities of owners, and the adjustment of such apportionment, so as to produce a substantial equality of benefits received by and burdens imposed upon such owners.

That no such assessment shall be made against any owner of abutting property, if any, until after the notice and hearing provided by law, and no assessment shall be made against an owner of abutting property in excess of the benefits to such property in enhanced value thereof by means of such improvements.

June 22, 2016

That the contractor shall be paid for the work performed under the specifications, upon monthly estimates to be prepared by the Director of Public Works. That there shall be deducted as a retainage fee, five (5%) percent of such monthly estimates, to be held by the City of Dallas until the contract is performed and executed to the satisfaction of the Director of Public Works. The monthly estimates shall be paid on or before the 10th day of the next succeeding month for the work performed during the previous month.

For that part of the cost of the improvements that shall be determined to be levied against the owners of abutting property and their property shall be levied by assessment as herein provided, and said improvements may further be secured by Mechanic's Liens to be executed in favor of the City of Dallas, provided by law in accordance with the terms and provisions of this resolution. Paving certificates evidencing the assessment shall be issued in favor of the City of Dallas for the amount of the assessment, whether the property owners have executed Mechanic's Liens to secure the payment or not, and shall be payable for the use and benefit of the Revolving Fund established for the purpose of financing paving improvements.

That the Director of Public Works is hereby directed to prepare at once the specifications and an estimate of the cost of such improvements and file the same with the City Council for the hereinabove described pavement and improvements. That in the specifications prepared, provision shall be made to require all contractors to give such bonds as may be necessary or as required by law.

That such specifications shall require the bidder to make a bid upon the type of improvements above described, with such bonds as may be required.

That the specifications shall also state the amounts of the required bonds, as well as the method by which it is proposed to pay the cost of said improvements, said method being in accordance with this resolution.

SECTION 2. That the City Council, in initiating this proceeding, is acting under the terms and provisions of the Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, and known as Chapter 106 of the Acts of said Session, together with any amendments thereto, now shown as Texas Transportation Code Annotated Sections 311 and 313 (Vernon's 1996), which said law, as an alternative method for the construction of street and alley improvements in the City of Dallas, Texas, has been adopted and made a part of the Charter of said City, being Chapter XX of said Charter.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

NOTICE OF ASSESSMENT PROCEEDINGS AND LIEN UPON ABUTTING PROPERTY

NOTICE is hereby given that the Governing Body of the City of Dallas, in the County of Dallas, in the State of Texas, by Resolution No. _____ dated _____ has ordered and directed that the following street in said City be improved, to wit:

Project Group 12-3003

1. Longhorn Street from Ferguson Road to Bar X Street

Northwest Side of Street

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>
Ferguson Highlands	A/7051	4
Ferguson Highlands	A/7051	15
Ferguson Highlands	A/7051	16
Ferguson Highlands	A/7051	17
Ferguson Highlands	A/7051	18
Ferguson Highlands	A/7051	19
Ferguson Highlands	A/7051	20
Ferguson Highlands	A/7051	21
Ferguson Highlands	A/7051	22
Ferguson Highlands	A/7051	23
Ferguson Highlands	A/7051	24

Southeast Side of Street

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>
Ferguson Highlands	B/7051	12
Ferguson Highlands	B/7051	11
Ferguson Highlands	B/7051	10
Ferguson Highlands	B/7051	9
Ferguson Highlands	B/7051	8
Ferguson Highlands	B/7051	7
Ferguson Highlands	B/7051	6
Ferguson Highlands	B/7051	5
Ferguson Highlands	B/7051	4
Ferguson Highlands	B/7051	3
Ferguson Highlands	B/7051	1

2. Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive

North Side of Alley

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>
Highland Hills	7/6866	1
Highland Hills	7/6866	30
Highland Hills	7/6866	28
Highland Hills	7/6866	27
Highland Hills	7/6866	26
Highland Hills	7/6866	25
Highland Hills	7/6866	24
Highland Hills	7/6866	23
Highland Hills	7/6866	22
Highland Hills	7/6866	21
Highland Hills	7/6866	20
Highland Hills	7/6866	19
Highland Hills	7/6866	18
Highland Hills	7/6866	17
Highland Hills	7/6866	16
Highland Hills	7/6866	15

South Side of Alley

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>
Highland Hills	7/6866	14
Highland Hills	7/6866	13
Highland Hills	7/6866	12
Highland Hills	7/6866	11
Highland Hills	7/6866	10
Highland Hills	7/6866	9
Highland Hills	7/6866	8
Highland Hills	7/6866	7
Highland Hills	7/6866	6
Highland Hills	7/6866	5
Highland Hills	7/6866	4
Highland Hills	7/6866	3
Highland Hills	7/6866	2

3. Alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property

West Side of Alley

South Side of Alley

<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>	<u>Subdivision</u>	<u>Block</u>	<u>Lot</u>
Plaza Parks Rev	5/6000	1	Plaza Parks Rev	5/6000	23
Plaza Parks Rev	5/6000	2	Plaza Parks Rev	5/6000	22
Plaza Parks Rev	5/6000	3	Plaza Parks Rev	5/6000	21
Plaza Parks Rev	5/6000	4	Plaza Parks Rev	5/6000	20

In case of conflict between numbers and street names and limits, street names will govern. A portion of the cost of such improvements is to be specially assessed as a lien upon property abutting thereon.

City of Dallas, Texas

By _____
City Secretary

(File in Deed of Trust Records)

June 22, 2016

WHEREAS, the City Council of the City of Dallas is of the opinion that it is necessary to levy an assessment against the property and the owners thereof abutting upon the following:

Project Group 12-3003

Street:

1. Longhorn Street from Ferguson Road to Bar X Street

Alleys:

2. Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive
3. Alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property

for a part of the cost of improving said street and alleys, fixing a time for the hearing of the owners of said property concerning the same, and directing the City to give notice of said hearing, as required by law; and,

WHEREAS, the City Council has heretofore, by resolution, ordered the improvement of the street enumerated above, by paving said street from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 feet in width; and

WHEREAS, the City Council has heretofore, by resolution, ordered the improvement of the alleys enumerated above, by paving said alleys with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick subgrade; and

Any existing permanent improvements in place, meeting these specifications, or which can be utilized, shall be left in place, if any, and corresponding credits to the property owners shall be allowed on the assessments; and,

WHEREAS, the Director of Public Works of the City of Dallas has, in accordance with the law, filed his report with the City Council, and the property owners, in the cost thereof, together with the names of the owners and the description of said property, and the work to be done adjacent thereto, and the amounts proposed to be assessed against each lot or parcel and its owners and all other matters required by the applicable law.

June 22, 2016

Now, Therefore,

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

SECTION 1. That the report or statement filed by the Director of Public Works having been duly examined is hereby approved.

SECTION 2. That it is hereby found and determined that the cost of improvements on the hereinafter described street and alleys, with the amount or amounts per front foot proposed to be assessed for such improvements against abutting property and the owners thereof, are as follows, to wit:

Project Group 12-3003

Street:

1. Longhorn Street from Ferguson Road to Bar X Street

Alleys:

2. Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive
3. Alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property

shall be improved from curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 feet in width; and

shall be paved with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with a 6-inch thick subgrade; and

The estimated cost of the improvements is **\$1,336,629.84 (est.)**

- a. The estimated rate per square yard to be assessed against abutting property and the owners thereof for concrete drive approaches is **\$43.43/S. Y.**
- b. The estimated rate per front foot to be assessed against abutting property and the owners thereof for concrete alley is: **\$17.10/L. F.**
- c. The estimated rate per front foot to be assessed against abutting property and the owners thereof for pavement improvements is as follows:

June 22, 2016

Where Property Classification is WSR-II (MF-2(A))

The front rate for 6-inch thick reinforced concrete pavement 13.5 feet wide with curb: **\$75.52/L. F.**

The side frontage rate for 6-inch thick reinforced concrete pavement 2.5 feet wide with curb: **\$15.75/L.F.**

The front rate for 4-inch thick reinforced concrete sidewalk is: **\$8.34/L.F.**

The side frontage rate for 4-inch thick reinforced concrete sidewalk is: **\$4.17/L.F.**

Where Property Classification is WSR-III (Commercial)

The rate for 6-inch thick reinforced concrete pavement 13.5 feet wide with curb: **\$75.52/L.F.**

The rate for 4-inch thick reinforced concrete sidewalk is: **\$8.34/L.F.**

All assessments, however, are to be made and levied by the City Council as it may deem just and equitable, having in view the special benefits in enhanced value to be received by such parcels of property and owners thereof, the equities of such owners, and the adjustment of the apportionment of the cost of improvements so as to produce a substantial equality of benefits received and burdens imposed.

SECTION 3. That a hearing shall be given to said owners of abutting property, or their agents or attorneys and all persons interested in said matter, as to the amount to be assessed against each owner and his abutting property and railways and street railways and as to the benefits to said property by reason of said improvement, or any other matter of thing in connection therewith, which hearing shall be held in the Council Chamber of the City Hall of the City of Dallas, County of Dallas, on the **24th** day of **August**, A.D. **2016**, at **1:00** o'clock P.M., at which time all the said owners, their agents or attorneys or other interested persons are notified to appear and be heard, and at said hearing said owners and other persons may appear, by counsel or in person, and may offer evidence, and said hearing shall be adjourned from day to day until fully accomplished.

June 22, 2016

That the City shall give notice of the time and place of such hearing and of other matters and facts in accordance with the terms of provisions of the Act passed at the First called session of the Fortieth Legislature of the State of Texas, and known as Chapter 106 of the Acts of said session, together with any amendments thereto, now shown as Texas Transportation Code Annotated Section 311 and 313 (Vernon's 1996), which said law, as an alternative method for the construction of street improvements in the City of Dallas, Texas, has been adopted and made a part of the charter of said City, being Chapter XX of said Charter. Said notice shall be by advertisement inserted at least three times in a newspaper published in the City of Dallas, Texas, the first publication to be made at least twenty-one (21) days before the date of said hearing. Said notice shall comply with and be in accordance with the terms and provisions of said Act

That the City shall give additional written notice of said hearing by mailing to said owners a copy of said notice deposited in the Post Office at Dallas, Texas, at least fourteen (14) days prior to the date of said hearing, provided however, that any failure of the property owners to receive said notice, shall not invalidate these proceedings.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

June 22, 2016

TO THE CITY COUNCIL OF THE CITY OF DALLAS, TEXAS

As requested by your Honorable Body, the undersigned has prepared plans and specifications for the improvements of Project Group 12-3003. That said street shall be paved curb to curb with 6-inch thick 4000-pounds per square inch reinforced concrete pavement; with 6-inch thick lime treated base; with 6-inch high integral curbs; with 6-inch thick reinforced concrete drive approaches; with 4-inch thick reinforced concrete sidewalks 4 or 5 feet wide where specified, so that the roadway shall be 26 feet in width; and that said alleys shall be paved with 6-inch thick, 4500-pounds per square inch reinforced concrete, 10 feet in width; with an 6-inch thick subgrade and with estimates of the cost of improving the streets and alleys as listed thereon, together with the proposed assessments, a part of the cost to be made against the abutting properties and the property owners, and part of the cost to be paid by the City. The report of these improvements is as follows:

Project Group 12-3003

Street:

1. Longhorn Street from Ferguson Road to Bar X Street

Total Property Owners' Cost - Assessments		\$159,820.69
Total Estimated City of Dallas' Cost - Paving	\$475,052.01	
Total Estimated City of Dallas' Cost - Drainage	\$72,922.30	
Total Estimated Water Utilities Department Cost Water and Wastewater Main Improvements	\$363,464.84	
Total Estimated City of Dallas' Cost		\$911,439.15
Total Estimated Cost of Improvements		\$1,071,259.84

Alleys:

2. Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive

Total Property Owners' Cost - Assessments		\$31,874.40
Total Estimated City of Dallas' Cost - Paving	\$160,650.60	
Total Estimated City of Dallas' Cost		\$160,650.60
Total Estimated Cost of Improvements		\$192,525.00

3. Alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property

Total Property Owners' Cost - Assessments		\$8,998.68
Total Estimated City of Dallas' Cost - Paving	\$63,846.32	
Total Estimated City of Dallas' Cost		\$63,846.32
Total Estimated Cost of Improvements		\$72,845.00

Project Group 12-3003

Street:

- 1. Longhorn Street from Ferguson Road to Bar X Street**

Alleys:

- 2. Alley between Bluffman Drive, Castle Hills Drive and Lovingood Drive from Lovingood Drive to Loud Drive**
- 3. Alley between Idaho Avenue and Maryland Avenue from Holden Avenue to an estimated 250 feet south to the Dallas Power and Light Property**

Grand Total Property Owners' Cost - Assessments	\$200,693.77
Estimated Grand Total City of Dallas' Cost - Paving	\$699,548.93
Estimated Grand Total City of Dallas' Cost - Drainage	\$72,922.30
Estimated Grand Total Water Utilities Department Cost Water and Wastewater Main Improvements	\$363,464.84
Estimated Grand Total City of Dallas' Cost	\$1,135,936.07
Estimated Grand Total Cost of Improvements	\$1,336,629.84

The Director of Public Works reports that representatives of this Department have studied the actual existing conditions on the ground on these particular streets and alleys, and find that the existing roadways have a narrow asphalt surface with shallow earth drainage ditches; and that there are poor conditions existing on these dirt and gravel alleys which have accessibility and drainage issues. Taking all of this and other factors into consideration; plans and specifications have been prepared for these improvements. We believe that this paving will improve the properties abutting on said streets and alleys, and the proposed assessment is equitable for the enhancement value achieved on the abutting properties. Final determination of assessments will be made based on analysis of enhancement.

Respectfully submitted,



Director, Public Works Department

PROJECT GROUP 12-3003

1. LONGHORN STREET FROM FERGUSON ROAD TO BAR X STREET

SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICK 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH AND 8-INCH THICK REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICK REINFORCED CONCRETE SIDEWALKS 4 FEET WIDE; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH.

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
NORTHWEST SIDE OF STREET						
FERGUSON HIGHLANDS						
DOLLY BOUDEWYN TR 9227 FREEPORT DRIVE DALLAS, TX 75228	4 7900	A/7051	140 FT PVMT 79 FT WALK 30 FT DRIVE 31 FT DRIVE	\$75.52 \$8.34 No Cost No Cost	\$10,572.80 \$658.86 \$0.00 \$0.00	\$11,231.66
GERMAN R. RAMIREZ 2319 LONGHORN STREET DALLAS, TX 75228	15	A/7051	84 FT PVMT 52 FT WALK 27.5 SY DR(20' wide) 17.7 SY DR(12' wide)	\$75.52 \$8.34 \$43.43 \$43.43	\$6,343.68 \$433.68 \$1,194.33 \$768.71	\$8,740.40
JOSE M. MARTINEZ 2327 LONGHORN STREET DALLAS, TX 75228	16	A/7051	83 FT PVMT 58 FT WALK 15 FT DRIVE 10 FT DRIVE	\$75.52 \$8.34 No Cost No Cost	\$6,268.16 \$483.72 \$0.00 \$0.00	\$6,751.88
SMYRL N. POYNER C/O T N POYNER 8522 SAGEBRUSH LANE SAN ANTONIO, TEXAS 75217	17 2333	A/7051	83 FT PVMT 73 FT WALK 10 FT DRIVE	\$75.52 \$8.34 No Cost	\$6,268.16 \$608.82 \$0.00	\$6,876.98
FELIPE MARTINEZ 2350 LONGHORN STREET DALLAS, TX 75228	18 2339	A/7051	83 FT PVMT 73 FT WALK 10 FT DRIVE	\$75.52 \$8.34 No Cost	\$6,268.16 \$608.82 \$0.00	\$6,876.98

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SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICK 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH AND 8-INCH THICK REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICK REINFORCED CONCRETE SIDEWALKS 4 FEET WIDE; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH.

OWNER	LOT	BLOCK	FRONTAGE		RATE	AMOUNT	TOTAL ASSESSMENT
JAMES E. FORDHAM, JR 10411 CHESTERTON DRIVE DALLAS, TX 75238	19 2347 Longhorn St	A/7051	83	FT PVMT	\$75.52	\$6,268.16	
			73	FT WALK	\$8.34	\$608.82	
			15.2	SY DR(10'wide)	\$43.43	\$660.14	
			10	FT DRIVE	No Cost	\$0.00	
							\$7,537.12
JUANITA ALCARAZ & JOSE A. VASQUEZ 2351 LONGHORN STREET DALLAS, TX 75228	20	A/7051	83	FT PVMT	\$75.52	\$6,268.16	
			66	FT WALK	\$8.34	\$550.44	
			17	FT DRIVE	No Cost	\$0.00	
							\$6,818.60
PEDRO VALDIVIA LUNA & CARMEN Q. LUNA 2357 LONGHORN STREET DALLAS, TX 75228	21	A/7051	83	FT PVMNT	\$75.52	\$6,268.16	
			59	FT WALK	\$8.34	\$492.06	
			12	FT DRIVE	No Cost	\$0.00	
			12	FT DRIVE	No Cost	\$0.00	
							\$6,760.22
JAMES S. KILLGO 2365 LONGHORN STREET DALLAS, TX 75228	22	A/7051	83	FT PVMNT	\$75.52	\$6,268.16	
			63	FT WALK	\$8.34	\$525.42	
			18.3	SY DR(10'wide)	\$43.43	\$794.77	
			18.3	SY DR(10'wide)	\$43.43	\$794.77	
							\$8,383.12
JOSE A. REYES MAYORGA SONIA REYES 2371 LONGHORN STREET DALLAS, TX 75228	23	A/7051	83	FT PVMT	\$75.52	\$6,268.16	
			73	FT WALK	\$8.34	\$608.82	
			10	FT DRIVE	No Cost	\$0.00	
							\$6,876.98

PROJECT GROUP 12-3003

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SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICK 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH AND 8-INCH THICK REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICK REINFORCED CONCRETE SIDEWALKS 4 FEET WIDE; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH.

OWNER	LOT	BLOCK	FRONTAGE		RATE	AMOUNT	TOTAL ASSESSMENT
ANTONIO D. ESTRADA & EVA GALDEAN 2377 LONGHORN STREET DALLAS, TX 75228	24	A/7051	80	FT PVMT	\$75.52	\$6,041.60	\$6,508.64
			56	FT WALK	\$8.34	\$467.04	
			24	FT DRIVE	No Cost	\$0.00	
SOUTHEAST SIDE OF STREET							
FERGUSON HIGHLANDS							
NEVADA E. COLEMAN & DANIEL P. GREBIN 2376 LONGHORN STREET DALLAS, TX 75228	12	B/7051	80	FT PVMT	\$75.52	\$6,041.60	\$6,625.40
			70	FT WALK	\$8.34	\$583.80	
			10	FT DRIVE	No Cost	\$0.00	
JUAN ESTRADA & RHODE ESTRADA 2370 LONGHORN ST DALLAS, TX 75228	11	B/7051	83	FT PVMT	\$75.52	\$6,268.16	\$8,337.08
			58	FT WALK	\$8.34	\$483.72	
			15.2	SY DR(10'wide)	\$43.43	\$660.14	
			21.3	SY DR(15'wide)	\$43.43	\$925.06	
MARTHENIA D. GORDON 2364 LONGHORN STREET DALLAS, TX 75228	10	B/7051	83	FT PVMT	\$75.52	\$6,268.16	\$7,671.75
			73	FT WALK	\$8.34	\$608.82	
			18.3	SY DR(10'wide)	\$43.43	\$794.77	
ABRAHAM GALDIAN 3102 LAWNVIEW AVE DALLAS, TX 75227	9	B/7051	83	FT PVMT	\$75.52	\$6,268.16	\$8,118.20
	2356		63	FT WALK	\$8.34	\$525.42	
	Longhorn St		30.5	SY DR(20'Wide)	\$43.43	\$1,324.62	
FELIPE MARTINEZ & MARIA T. MARTINEZ P O BOX 141373 DALLAS, TX 75214	8	B/7051	83	FT PVMT	\$75.52	\$6,268.16	\$6,793.58
	2350		63	FT WALK	\$8.34	\$525.42	
	Longhorn St		20	FT DRIVE	No Cost	\$0.00	

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SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICK 4000-POUNDS PER SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH AND 8-INCH THICK REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH THICK REINFORCED CONCRETE SIDEWALKS 4 FEET WIDE; SO THAT THE ROADWAY SHALL BE 26 FEET IN WIDTH.

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
JUAN A. ESTRADA & RHODE ESTRADA 2370 LONGHORN STREET DALLAS, TX 75228	7 2346 Longhorn St	B/7051	83 FT PVMT 71 FT WALK 20.7 FT DR(12'Drive)	\$75.52 \$8.34 \$43.43	\$6,268.16 \$592.14 \$899.00	\$7,759.30
FERGUSON HIGHLANDS						
MARK SHAMBECK & GLENAJO SHAMBECK 409 CAMP CREEK ROAD ROCKWALL, TX 75087	6 2338 Longhorn St	B/7051	83 FT PVMT 73 FT WALK 10 FT DRIVE	\$75.52 \$8.34 No Cost	\$6,268.16 \$608.82 \$0.00	\$6,876.98
STEVEN CONWAY 2332 LONGHORN STREET DALLAS, TX 75228	5	B/7051	83 FT PVMT 59 FT WALK 14 FT DRIVE 10 FT DRIVE	\$75.52 \$8.34 No Cost No Cost	\$6,268.16 \$492.06 \$0.00 \$0.00	\$6,760.22
FELIPE MARTINEZ 2326 LONGHORN STREET DALLAS, TX 75228	4	B/7051	83 FT PVMT 73 FT WALK 10 FT DRIVE	\$75.52 \$8.34 No Cost	\$6,268.16 \$608.82 \$0.00	\$6,876.98
ERNESTINA DEL CASTILLO 2318 LONGHORN STREET DALLAS, TX 75228	3	B/7051	84 FT PVMT 60 FT WALK 18.3 SY DR(10'wide) 18.3 SY DR(10'wide)	\$75.52 \$8.34 \$43.43 \$43.43	\$6,343.68 \$500.40 \$794.77 \$794.77	\$8,433.62
ANTONIO VILLANUEVA & STEPHANIE J W 7836 FERGUSON ROAD DALLAS, TX 75228	1	B/7051	140 FT PVMT 97 FT WALK 18 FT DRIVE	\$15.75 No Cost No Cost	\$2,205.00 \$0.00 \$0.00	\$2,205.00

PROJECT GROUP 12-3003

**1. LONGHORN STREET FROM FERGUSON ROAD TO BAR X STREET
SHALL BE PAVED FROM CURB TO CURB WITH 6-INCH THICK 4000-POUNDS PER
SQUARE INCH REINFORCED CONCRETE PAVEMENT; WITH 6-INCH LIME
STABILIZED BASE; WITH 6-INCH HEIGHT INTEGRAL CURBS; WITH 6-INCH
AND 8-INCH THICK REINFORCED CONCRETE DRIVE APPROACH; WITH 4-INCH
THICK REINFORCED CONCRETE SIDEWALKS 4 FEET WIDE; SO THAT
THE ROADWAY SHALL BE 26 FEET IN WIDTH.**

TOTAL PROPERTY OWNERS' COST ASSESSMENTS		\$159,820.69
ESTIMATED TOTAL CITY OF DALLAS' COST - PAVING	\$475,052.01	
ESTIMATED TOTAL CITY OF DALLAS' COST - DRAINAGE	\$72,922.30	
TOTAL ESTIMATED WATER & WASTEWATER MAIN IMPROVEMENTS	\$363,464.84	
ESTIMATED TOTAL CITY OF DALLAS' COST		\$911,439.15
ESTIMATED TOTAL COST OF IMPROVEMENTS		\$1,071,259.84

PROJECT GROUP 12-3003

**2. ALLEY BETWEEN BLUFFMAN DRIVE, CASTLE HILLS DRIVE AND LOVINGOOD DRIVE
FROM LOVINGOOD DRIVE TO LOUD DRIVE
SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH
REINFORCED CONCRETE 10 FEET WIDE.**

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
NORTH SIDE OF ALLEY						
HIGHLAND HILLS						
EST OF RITA WEBBER 3607 LOVINGOOD DR DALLAS, TX 75241	1	7/7866	96 FT PVMT	\$17.10	\$1,641.60	\$1,641.60
CYNTHIA KING 5854 BLUFFMAN DR DALLAS, TX 75241	30	7/6866	52 FT PVMT	\$17.10	\$889.20	\$889.20
BERNARD C BLAYLOCK 5848 BLUFFMAN DR DALLAS, TX 75241	29	7/6866	NO ASSESSMENT IRREGULAR SHAPE LOT			
ELMO ROQUE 3610 CASTLE HILLS DR DALLAS, TX 75241	28	7/6866	58 FT PVMT	\$17.10	\$991.80	\$991.80
EZELIA K THOMPSON 3616 CASTLE HILLS DR DALLAS, TX 75241	27	7/6866	65 FT PVMT	\$17.10	\$1,111.50	\$1,111.50
NITE TIME INVESTMENTS LLC 1201 COUNTRY CLUB RD ENNIS, TX 75119	26 3620	7/6866	59 FT PVMT	\$17.10	\$1,008.90	\$1,008.90

PROJECT GROUP 12-3003

**2. ALLEY BETWEEN BLUFFMAN DRIVE, CASTLE HILLS DRIVE AND LOVINGOOD DRIVE
FROM LOVINGOOD DRIVE TO LOUD DRIVE
SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH
REINFORCED CONCRETE 10 FEET WIDE.**

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
CAROLYN FOSTER 3624 CASTLE HILL DR DALLAS, TX 75241	25	7/6866	59 FT PVMT	\$17.10	\$1,008.90	\$1,008.90
CAMERON FULLER JR 3628 CASTLE HILLS DR DALLAS, TX 75241	24	7/6866	59 FT PVMT	\$17.10	\$1,008.90	\$1,008.90
MARILYN ROBERSON & DAVID ROBERSON 3706 CASTLE HILLS DR DALLAS, TX 75241	23	7/6866	58 FT PVMT	\$17.10	\$991.80	\$991.80
KATHY Y ROSS 3710 CASTLE HILLS DR DALLAS, TX 75241	22	7/6866	59 FT PVMT	\$17.10	\$1,008.90	\$1,008.90
PARAMOUNT REI LTD 3716 CASTLE HILL DR DALLAS, TX 75241	21	7/6866	55 FT PVMT	\$17.10	\$940.50	\$940.50
RUTHIE L MCCLELLAN 3720 CASTLE HILLS DR DALLAS, TX 75241	20	7/6866	57 FT PVMT	\$17.10	\$974.70	\$974.70
ESEQUIEL MALDONADO 715 ASTAIRE AVENUE DUNCANVILLE, TX 75137	19 3726 Castle Hills Dr	7/6866	56 FT PVMT	\$17.10	\$957.60	\$957.60

PROJECT GROUP 12-3003

**2. ALLEY BETWEEN BLUFFMAN DRIVE, CASTLE HILLS DRIVE AND LOVINGOOD DRIVE
FROM LOVINGOOD DRIVE TO LOUD DRIVE
SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH
REINFORCED CONCRETE 10 FEET WIDE.**

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
EST OF VITORIA MCFAIL 3730 CASTLE HILLS DR DALLAS, TX 75241	18	7/6866	55 FT PVMT	\$17.10	\$940.50	\$940.50
JUAN A BAUTISTA & LETICIA BAUTISTA 3736 CASTLE HILLS DR DALLAS, TX 75241	17	7/6866	56 FT PVMT	\$17.10	\$957.60	\$957.60
EDDIE LEE SPEARS & DOROTHY GRAVES & DORIS THOMAS ET AL 3740 CASTLE HILLS DR DALLAS, TX 75241	16	7/6866	56 FT PVMT	\$17.10	\$957.60	\$957.60
DORIS WILSON 3746 CASTLE HILLS DR DALLAS, TX 75241	15	7/6866	64 FT PVMT	\$17.10	\$1,094.40	\$1,094.40
SOUTH SIDE OF ALLEY						
OLLIE JOHNSON 3739 LOVINGOOD DR DALLAS, TX 75241	14	7/6866	77 FT PVMT	\$17.10	\$1,316.70	\$1,316.70
DALLAS REALTY CONNECTION P O BOX 2839 MCKINNEY, TX 75070	13 3733 Lovingood Dr	7/6866	64 FT PVMT	\$17.10	\$1,094.40	\$1,094.40
NORMAN & SARA EVANS 2423 W GREEN ACRES DF VISALIA, CA 93291	12 3729 Lovingood Dr	7/6866	64 FT PVMT	\$17.10	\$1,094.40	\$1,094.40

PROJECT GROUP 12-3003

**2. ALLEY BETWEEN BLUFFMAN DRIVE, CASTLE HILLS DRIVE AND LOVINGOOD DRIVE
FROM LOVINGOOD DRIVE TO LOUD DRIVE
SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH
REINFORCED CONCRETE 10 FEET WIDE.**

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
THELMA JONES 3710 VOLGA AVE DALLAS, TX 75216	11 3723 Lovingood Dr	7/6866	64 FT PVMT	\$17.10	\$1,094.40	\$1,094.40
JOSE M MORALES SR 710 E CHERRY ST DUNCANVILLE, TX 75116	10 3719 Lovingood Dr	7/6866	63 FT PVMT	\$17.10	\$1,077.30	\$1,077.30
JAMES E MALONE 808 HEATHER KNOLL DR DESOTO, TX 75115	9 3715 Lovingood Dr	7/6866	59 FT PVMT	\$17.10	\$1,008.90	\$1,008.90
EST OF ARTHUR MCCARTHUR 3709 LOVINGOOD DR DALLAS, TX 75241	8	7/6866	62 FT PVMT	\$17.10	\$1,060.20	\$1,060.20
SIMPSON & BRAGGS 512 EARLY DAWN TRL DALLAS, TX 75224	7 3703 Lovingood Dr	7/6866	61 FT PVMT	\$17.10	\$1,043.10	\$1,043.10
DOROTHY G THOMPSON 3631 LOVINGOOD DR DALLAS, TX 75241	6	7/6866	62 FT PVMT	\$17.10	\$1,060.20	\$1,060.20
ROSEZELL MORNEY 3627 LOVINGOOD DR DALLAS, TX 75241	5	7/6866	62 FT PVMT	\$17.10	\$1,060.20	\$1,060.20

PROJECT GROUP 12-3003

**2. ALLEY BETWEEN BLUFFMAN DRIVE, CASTLE HILLS DRIVE AND LOVINGOOD DRIVE
FROM LOVINGOOD DRIVE TO LOUD DRIVE
SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH
REINFORCED CONCRETE 10 FEET WIDE.**

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
WANDA F KING 3621 LOVINGOOD DR DALLAS, TX 75241	4	7/6866	62 FT PVMT	\$17.10	\$1,060.20	\$1,060.20
MATTIE NEAL 3617 LOVINGOOD DR DALLAS, TX 75241	3	7/6866	62 FT PVMT	\$17.10	\$1,060.20	\$1,060.20
NOAH WILLIAMS 3611 LOVINGOOD DR DALLAS, TX 75241	2	7/6866	138 FT PVMT	\$17.10	\$2,359.80	\$2,359.80

ALLEY GROUP 12-3003

2. ALLEY BETWEEN BLUFFMAN DRIVE, CASTLE HILLS DRIVE AND LOVINGOOD DRIVE FROM LOVINGOOD DRIVE TO LOUD DRIVE SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE.

TOTAL PROPERTY OWNERS' COST ASSESSMENTS		\$31,874.40
TOTAL ESTIMATED CITY OF DALLAS' COST- PAVING	\$160,650.60	
TOTAL ESTIMATED CITY OF DALLAS' COST		\$160,650.60
TOTAL ESTIMATED COST OF IMPROVEMENTS		\$192,525.00

PROJECT GROUP 12-3003

3. ALLEY BETWEEN IDAHO AVENUE AND MARYLAND AVENUE FROM HOLDEN AVENUE TO AN ESTIMATED 250' SOUTH TO THE DALLAS POWER & LIGHT PROPERTY SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE.

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
WEST SIDE OF ALLEY						
<i>PLAZA PARKS REV</i>						
R E RUNNELS 3418 MARYLAND AVE DALLAS, TX 75216	4	5/6000	64 FT PVMT	\$17.10	\$1,094.40	\$1,094.40
KATHERINE BURKS 3412 MARYLAND AVE DALLAS, TX 75216	3	5/6000	60 FT PVMT	\$17.10	\$1,026.00	\$1,026.00
PAUL COLEMAN 5110 BLANCHARD DR DALLAS, TX 75227	2 3408 Maryland Ave	5/6000	60 FT PVMT	\$17.10	\$1,026.00	\$1,026.00
MADIE P ROGERS 3402 MARYLAND AVE DALLAS, TX 75216	1	5/6000	64 FT PVMT	\$17.10	\$1,094.40	\$1,094.40
EAST SIDE OF ALLEY						
VERONICA EACKLES 3403 IDAHO AVE DALLAS, TX 75216	23	5/6000	63 FT PVMT	\$17.10	\$1,077.30	\$1,077.30
PATTIE L HENRY 3409 IDAHO AVE DALLAS, TX 75216	22	5/6000	59 FT PVMT 4.1 SY DR (10' Wide)	\$17.10 \$43.43	\$1,008.90 \$178.06	\$1,186.96

PROJECT GROUP 12-3003

3. ALLEY BETWEEN IDAHO AVENUE AND MARYLAND AVENUE FROM HOLDEN AVENUE TO AN ESTIMATED 250' SOUTH TO THE DALLAS POWER & LIGHT PROPERTY SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE.

OWNER	LOT	BLOCK	FRONTAGE	RATE	AMOUNT	TOTAL ASSESSMENT
<i>PLAZA PARKS REV</i>						
LOUIS J LEVINE 3413 IDAHO AVE DALLAS, TX 75216	21	5/6000	60 FT PVMT 4.1 SY DR (10' Wide)	\$17.10 \$43.43	\$1,026.00 \$178.06	\$1,204.06
KLISBY E ROBINSON 3419 IDAHO AVE DALLAS, TX 75216	20	5/6000	65 FT PVMT 4.1 SY DR(10' Wide)	\$17.10 \$43.43	\$1,111.50 \$178.06	\$1,289.56

ALLEY GROUP 12-3003

3. ALLEY BETWEEN IDAHO AVENUE AND MARYLAND AVENUE FROM HOLDEN AVENUE TO AN ESTIMATED 250' SOUTH TO THE DALLAS POWER & LIGHT PROPERTY SHALL BE PAVED WITH 6-INCH THICKNESS 4500-POUNDS PER SQUARE INCH REINFORCED CONCRETE 10 FEET WIDE.

TOTAL PROPERTY OWNERS' COST ASSESSMENTS		\$8,998.68
TOTAL ESTIMATED CITY OF DALLAS' COST - PAVING	\$63,846.32	
TOTAL ESTIMATED CITY OF DALLAS' COST		\$63,846.32
TOTAL ESTIMATED COST OF IMPROVEMENTS		\$72,845.00

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 22, 2016
COUNCIL DISTRICT(S): 14
DEPARTMENT: Office of Economic Development
CMO: Ryan S. Evans, 671-9837
MAPSCO: 45 F

SUBJECT

Authorize a Chapter 380 economic development grant agreement with Jacobs Engineering Group, Inc. in an amount up to \$277,500 to encourage the relocation of the company headquarters to 1999 Bryan Street and stimulate business development activity in the City of Dallas, pursuant to the Public/Private Partnership Program - Not to exceed \$277,500 - Financing: Public/Private Partnership Funds

BACKGROUND

For the past several months, city staff has been in discussions with representatives of Jacobs Engineering Group Inc. (“Jacobs” or the “Company”) regarding the relocation of its corporate headquarters from California. The company considered locations in several states for its new corporate office where it had an existing regional office. In response to proposals from the City of Dallas and State of Texas for economic development support, the Company chose to locate at 1999 Bryan Street, Dallas, TX (Harwood Center).

Jacobs, publicly traded as a Fortune 500 company, was founded in 1947 by Dr. Joseph J Jacobs. The company excels in design and engineering services for the following business lines: Petroleum & Chemicals; Buildings & Infrastructure; Aerospace & Technology; and Industrial. The Company’s CEO is Mr. Steven J. Demetriou. The Company employs over 60,000 persons globally with approximately 2,000 at several locations in Texas. Jacobs has over 250 offices in North America, South America, Europe, the Middle East, Australia, Africa, and Asia.

Jacobs’ Dallas regional office currently leases approximately 80,373 square feet at Harwood Center (presently occupying 55,472 square feet) through April 30, 2025 and the Company maintains 250 jobs at the site.

BACKGROUND (Continued)

With its headquarters relocation, the Company will extend its lease to December 31, 2028 and expand its leasehold from 80,373 square feet to 96,936 square feet to allow co-location of the Company headquarters. With the move, Jacobs anticipates relocating up to 111 positions to Dallas and estimates that approximately 25 percent of the positions will be filled by staff relocating from California. Jacobs will initiate its headquarters relocation immediately and anticipates completing the process by the end of 2019.

The terms of the proposed Chapter 380 economic development grant agreement are as follows:

- Jacobs will meet “base eligibility” for the economic development grant once it has (1) changed its Company headquarters address to 1999 Bryan Street, Dallas, Texas; (2) executed a new or extended lease of at least 10-years that incorporates the Company headquarters; and (3) received a certificate of occupancy for the space occupied by the Company headquarters.
- Upon attaining “base eligibility”, the Company will be eligible for the proposed grant in an amount up to \$277,500 (\$2,500 per job on site) in three phases based on the additional stipulations outlined below.

Payment 1: maintenance of 250 existing jobs and locating 18 new permanent headquarter positions with a minimum average salary of \$130,000 at the property by December 31, 2017. Payment amount: \$45,000.

Payment 2: maintenance of 268 existing jobs and locating an additional 72 new permanent headquarter positions (90 total new) with a minimum average salary of \$130,000 at the property and verify a minimum investment of \$1 million on furniture, fixtures and equipment (FF&E) by December 31, 2018. Payment amount: \$180,000.

Payment 3: maintenance of 322 340 existing jobs and locating an additional 10 new permanent headquarter positions (100 total new) at the property by December 31, 2019 with a minimum average salary of \$130,000. Payment amount: \$25,000.

Payment 4: maintenance of 350 jobs and locating an additional 11 new permanent headquarter positions (111 total new) at the property December 31, 2019 with a minimum average salary of \$130,000. Payment amount \$27,500.

BACKGROUND (Continued)

- Should Jacobs attain eligibility for any of the described payments but not a subsequent payment, Jacobs will be required to reimburse the City 50 percent of the grant amount previously paid and the grant will be terminated with no further payment, subject to the notice of default and cure provisions that will be set forth in the grant agreement.
- Once all three payments are made, should Jacobs not maintain at least 100 full-time positions at the office for a period of five (5) years beginning January 1, 2020 through December 31, 2024, the company will be required to reimburse the City an amount of \$150,000, subject to the notice of default and cure provisions that will be set forth in the grant agreement.

Net fiscal impact from the project after incentives is estimated at \$2.77 million over the 10 year lease term. This proposed project conforms to minimum eligibility criteria for the City's Public/Private Partnership Program Guidelines and Criteria as creates over 100 jobs. Staff recommends approval of the proposed incentive.

ESTIMATED SCHEDULE OF PROJECT

Complete first phase move-in	December 2017
Complete final phase move-in	December 2019

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Economic Development Committee on June 6, 2016.

FISCAL INFORMATION

\$277,500 - Public/Private Partnership Funds

COMPANY REPRESENTATIVE

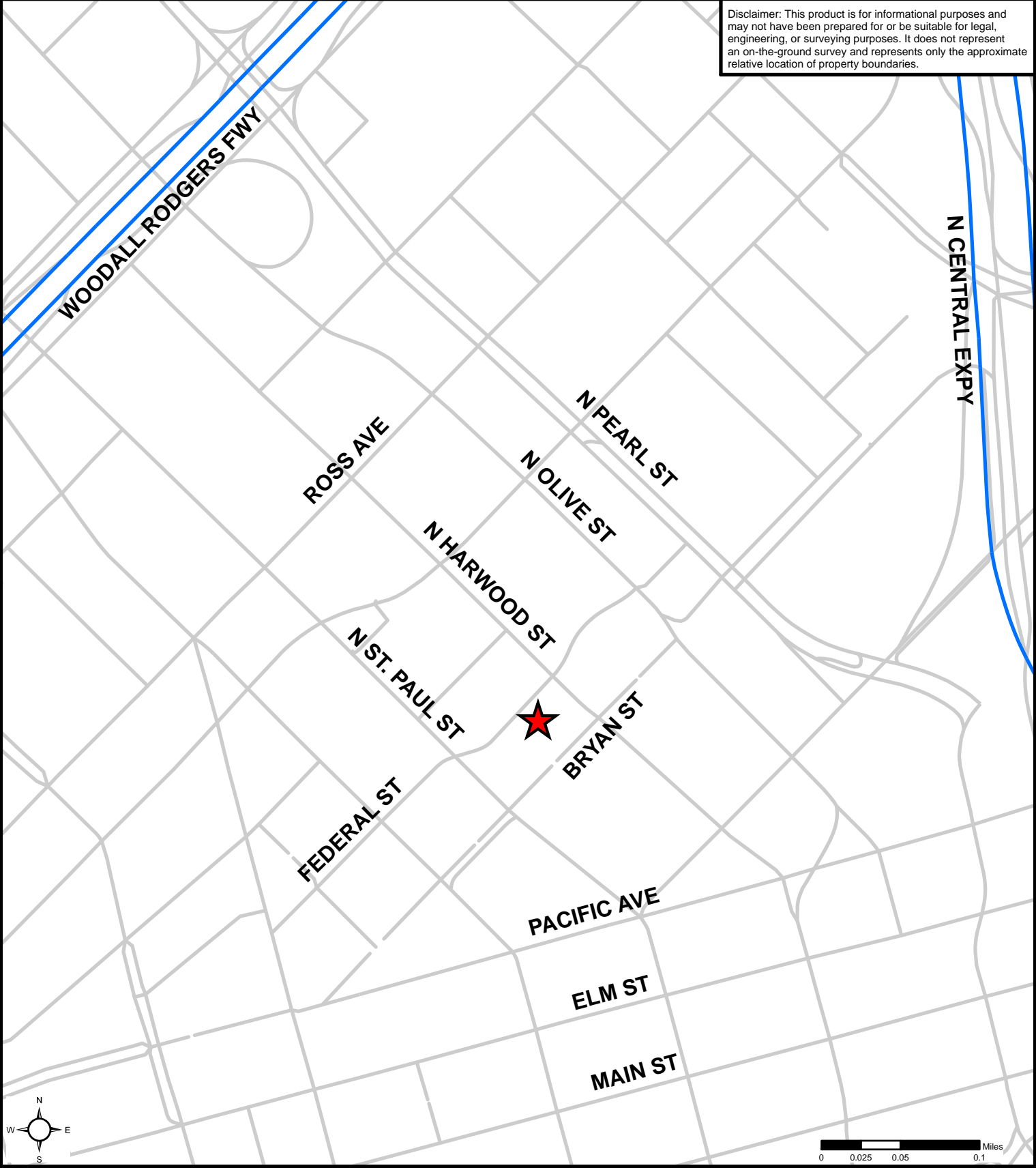
Jacobs Engineering Group, Inc.

Kevin Berryman, Executive Vice President & Chief Financial Officer

MAP

Attached.

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



**DALLAS
ECONOMIC
DEVELOPMENT**
Research & Information Division
214.670.1685
dallas-ecodev.org

Legend

 **1999 BRYAN STREET**

Created 06.01.16, Last Updated 06.01.16 - 1999 Bryan
Data Source: City of Dallas

June 22, 2016

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, on June 25, 2014, pursuant to Resolution No. 14-0993, City Council elected to continue its authorization of the City of Dallas' Public/Private Partnership Program Guidelines and Criteria governing tax abatement agreements as specified in the Property Redevelopment and Tax Abatement Act and other City of Dallas economic development programs including the Business Development Chapter 380 Grant/Loan Program for the period June 25, 2014 through June 25, 2016; and

WHEREAS, Jacobs Engineering Group Inc., following discussions with the Office of Economic Development, has chosen to relocate to Dallas to align with its long-term strategy, and its choice of a downtown Dallas location will both promote vitality in the area and position Jacobs Engineering Group Inc. to better serve Dallas clients; and

WHEREAS, the City desires to enter into an economic development grant agreement with Jacobs Engineering Group Inc. to promote economic development, stimulate private sector investment, encourage job creation, and grow the tax base in Dallas.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute an economic development grant agreement with Jacobs Engineering Group Inc. in conjunction with the relocation of its headquarters to the office facility ("Facility") located at 1999 Bryan Street, Dallas, via an expansion of its current lease from 80,373 square feet to 96,936 square feet.

Section 2. That the real property located at 1999 Bryan Street, Dallas is depicted on the attached site map as **Exhibit A**.

Section 3. That the economic development grant shall be in an amount not to exceed \$277,500 provided Jacobs Engineering Group Inc. meets its obligations under the grant agreement with the City.

June 22, 2016

Section 4. The terms of the proposed Chapter 380 economic development grant agreement are as follows:

1. Jacobs will meet “base eligibility” for the economic development grant once it has (1) changed its Company headquarters address to 1999 Bryan Street, Dallas, Texas; (2) executed a new or extended lease of at least 10-years that incorporates the Company headquarters; and (3) received a certificate of occupancy for the space occupied by the Company headquarters.
2. Upon attaining “base eligibility”, the Company will be eligible for the proposed grant in an amount up to \$277,500 (\$2,500 per job on site) in three phases based on the additional stipulations outlined below.
 - a. **Payment 1:** maintenance of 250 existing jobs and locating 18 new permanent headquarter positions with a minimum average salary of \$130,000 at the property by December 31, 2017. Payment amount: \$45,000.
 - b. **Payment 2:** maintenance of 268 existing jobs and locating an additional 72 new permanent headquarter positions (90 total new) with a minimum average salary of \$130,000 at the property and verify a minimum investment of \$1 million on furniture, fixtures and equipment (FF&E) by December 31, 2018. Payment amount: \$180,000.
 - c. **Payment 3:** maintenance of ~~322~~ 340 existing jobs and locating an additional 10 new permanent headquarter positions (100 total new) at the property by December 31, 2019 with a minimum average salary of \$130,000. Payment amount: \$25,000.
 - d. **Payment 4:** maintenance of 350 jobs and locating an additional 11 new permanent headquarter positions (111 total new) at the property December 31, 2019 with a minimum average salary of \$130,000. Payment amount \$27,500.
3. Should Jacobs attain eligibility for any of the described payments but not a subsequent payment, Jacobs will be required to reimburse the City 50 percent of the grant amount previously paid and the grant will be terminated with no further payment, subject to the notice of default and cure provisions that will be set forth in the grant agreement.

June 22, 2016

Section 4. (Continued)

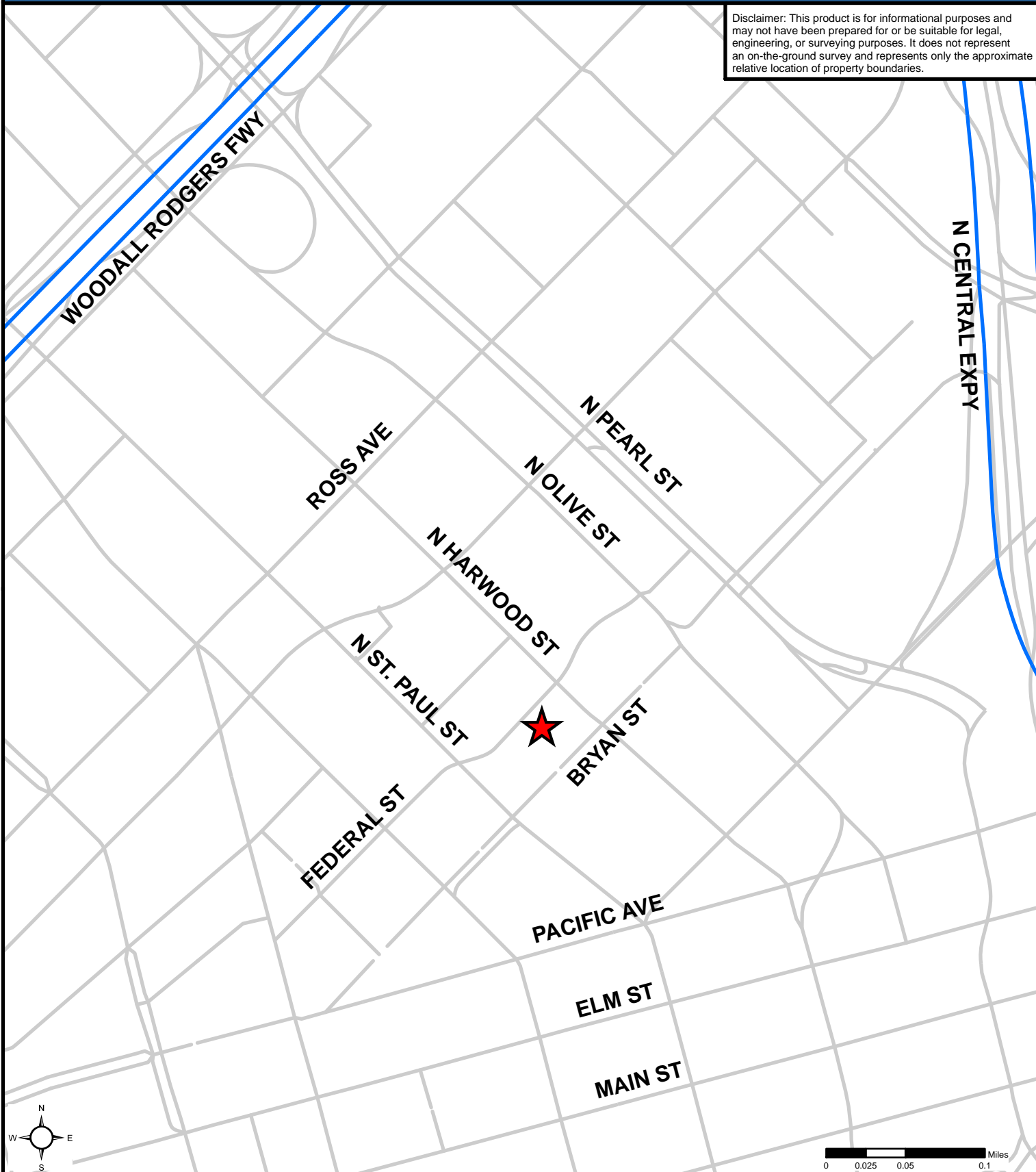
4. Once all three payments are made, should Jacobs not maintain at least 100 full-time positions at the office for a period of five (5) years beginning January 1, 2020 through December 31, 2024, the company will be required to reimburse the City an amount of \$150,000, subject to the notice of default and cure provisions that will be set forth in the grant agreement.

Section 5. That the Chief Financial Officer is hereby authorized to encumber and disburse future funds from: Fund 0352, Department ECO, Unit 9992, Object 3016, Activity PPPF, Encumbrance No. ECO9992H280, Vendor No. VS0000023961, in an amount not to exceed \$277,500.

Section 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

EXHIBIT A

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



DALLAS
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Legend

 1999 BRYAN STREET

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 22, 2016

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Office of Economic Development
Public Works Department

CMO: Ryan S. Evans, 671-9837
Jill A. Jordan, P.E., 670-5299

MAPSCO: 45 H 46E

SUBJECT

Gaston Hotel and Area Wide Improvements

- * Authorize **(1)** a Project Specific Agreement to the Master Agreement with Dallas County for public infrastructure improvements to facilitate the commercial development in the Baylor area; **(2)** the receipt and deposit of funds in an amount not to exceed \$450,000, pursuant to the City’s Business Development Chapter 380 Grant Program; and **(3)** an increase in appropriations in an amount not to exceed \$450,000 in the Capital Projects Reimbursement Fund - Not to exceed \$450,000 - Financing: Capital Projects Reimbursement Funds
- * Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with ~~Baylor Scott & White Health~~, GMV Gaston, LP and Gatehouse Gaston Development, LLC for the development of a full-service hotel to be located on a tract of land addressed as 3301-3309, 3401 Gaston Avenue, 3302 Floyd Street, and 910-916 North Hall Street and the associated public and private improvements including site and area wide street improvements - Not to exceed \$450,000 - Financing: Capital Projects Reimbursement Funds

BACKGROUND

For the past several months, City and Dallas County staff have negotiated with ~~Baylor Scott & White Health~~ Baylor Health Care System (~~Baylor Medical Center~~ and owner of land), GMV Gaston, LP (owner of improvements), and Gatehouse Gaston Development, LLC (developer) (collectively referred to as “Owner/Developer”) regarding the creation of a 68,000 square feet full service hotel development on vacant land at the northeast corner of Gaston Avenue and North Hall Street (the “Project”).

BACKGROUND (Continued)

The Project will consist of a full service hotel, serving the Baylor Medical University and the Deep Ellum area, located at the northeast corner of Gaston Avenue and North Hall Street, on currently vacant land leased to GMV Gaston, LP by the ~~Baylor Scott & White~~ Baylor Health Care System (BHCS), the ground owner, for no less than seven (7) years.

Dallas County would like to support needed community and public improvements through a Project Specific Agreement with the City. Dallas County currently has no mechanism to provide funding to private developers so the City would like to accept such funds, pursuant to the City's Business Development Chapter 380 Grant Program. Funding is anticipated to be provided by Dallas County through matching funds of up to \$450,000, less Dallas County project delivery costs estimated to be \$30,000, subject to approval by the Dallas County Commissioners Court, and Owner/Developer will be required to match such funds. The City would like to accept funds from Dallas County and enter into a Chapter 380 Grant Agreement with Owner/Developer for the development of a full-service hotel and the associated public and private improvements. The City will receive and administer funding from Dallas County for phase 1 and 2 project costs. Dallas County will deduct its final project delivery costs prior to transferring its reimbursement amounts to the City. Total project value of improvements, including hotel development is approximately \$20,000,000. In addition to the costs associated with the site and facility improvements, Owner/Developer is responsible for any cost overruns.

The project will be built in two phases. Phase 1 will begin construction no later than December 2016 and will be completed no later than December 2018. Phase 2 will begin construction no later than December 2017 and will be completed no later than December 2019. Phase 1 will include development, completion of construction, and certificates of occupancy for a hotel development project consisting of a minimum of 68,000 square feet of hotel and shared common space with meeting space, food and beverage, fitness center, and pool area. The Project will include a minimum of 60,000 square feet of hotel space (approximately 132 rooms). In addition, the project will feature 8,000 square feet used for back of house/common area uses. As part of the project, the development will feature site and streetscape improvements including, but not limited to, a barrier free curb ramp and crosswalk and sidewalk improvements, and burial of power and low voltage lines. In addition to creating the hotel, Owner/Developer will provide area wide improvements surrounding the site to support Baylor Medical Center and the adjacent area. Phase 2 will be the completion construction of project-related site and streetscape improvements and obtain certificate(s) of acceptance for, including but not limited to, curb improvements and crosswalk improvements.

ESTIMATED SCHEDULE OF THE PROJECT

Begin Construction December 31, 2016
Substantial Completion December 31, 2019

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 6, 2016, the Economic Development Committee was briefed on this item.

FISCAL INFORMATION

\$450,000 - Capital Projects Reimbursement Funds

OWNER

GMV Gaston, LP

Marty Collins, Manager

~~**Baylor Scott & White Health**~~

~~Charles Shelburne, Agent~~

DEVELOPER

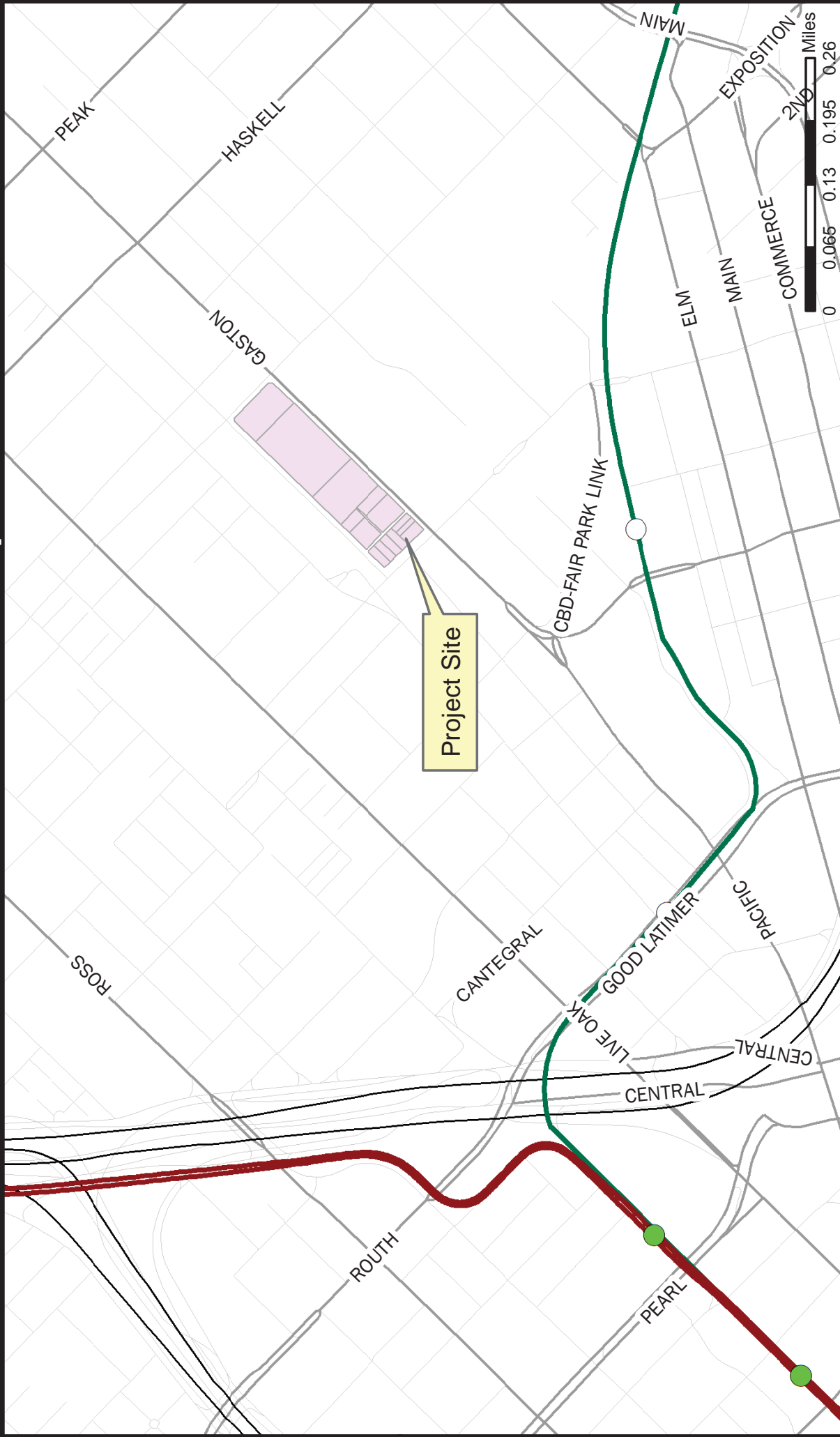
Gatehouse Gaston Development, LLC

Marty Collins, Manger

MAP

Attached.

Gaston Hotel - Area Wide Improvements



- ### Legend
- Gaston Hotel
 - Project Site
 - DART Green
 - DART Blue
 - DART Red
 - DART Orange
 - DART Station
 - TRE Station
 - CBD Station
 - D2
 - D2Alt
 - Deep Ellum TIF Boundary
 - Parcel 2013 Cert

June 22, 2016

WHEREAS, on January 10, 2001, Resolution No. 01-0104 authorized the Master Agreement with Dallas County governing major capital improvement projects to be jointly funded and developed by the County and City; and

WHEREAS, on April 13, 2011, Resolution No. 11-0927 authorized the new Master Agreement with Dallas County governing Major Capital Improvement Program with Dallas County; and

WHEREAS, the City and Dallas County desire to make public infrastructure improvements within the Baylor Medical Center area, including paving, drainage, street lightings, sidewalks, crosswalks, barrier free ramps, traffic signal, and utility burial; and

WHEREAS, it is now necessary to authorize a Project Specific Agreement to the Master Agreement with Dallas County for the Baylor area-wide public infrastructure improvements to facilitate the development around Hall Street between Gaston Avenue and Swiss Avenue; and

WHEREAS, the City will be the lead agency for the project; and

WHEREAS, the City's Public/Private Partnership Program established the Business Development Chapter 380 Grant Program and pursuant to this program, the City may administer and accept resources from other political subdivisions of the state to support the program and may administer and accept resources from the federal government in support of developments; and

WHEREAS, the City intends, subject to the appropriate approvals, to enter into a Chapter 380 economic development grant agreement with ~~Baylor Scott & White Health~~ GMV Gaston, LP, and Gatehouse Gaston Development, LLC, for the construction of public and private improvements, including a full-service hotel; and

WHEREAS, it is also necessary to authorize receipt and deposit of funds from Dallas County to the City of Dallas in an amount not exceed \$450,000, less County project delivery costs estimated to be \$30,000.

NOW, THEREFORE,

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

June 22, 2016

Section 1. That the City Manager is, upon approval as to form by the City Attorney, hereby authorized to execute a Project Specific Agreement to the Master Agreement with Dallas County for participation in the design and construction of drainage, paving, street lighting, sidewalks, ADA ramps, traffic signal improvements and other costs for public infrastructure improvements associated with Baylor area-wide improvements that include a full-service hotel.

Section 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds from Dallas County in an amount not to exceed \$450,000 in Fund 0556, Department ECO, Unit W096, Revenue Source 6511.

Section 3. That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund 0556, Department ECO, Unit W096, Object 3016, in an amount not to exceed \$450,000.

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly resolved.

June 22, 2016

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, the City, pursuant to Resolution No. 14-0993, approved by City Council on June 25, 2014: (1) adopted revised Public/Private Partnership Program - Guidelines and Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; and (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code (the "Act"); and

WHEREAS, the City's Public/Private Partnership Program established the Business Development Chapter 380 Grant Program and pursuant to this program, the City may administer and accept resources from other political subdivisions of the state to support the program (**See Exhibit B**); and

WHEREAS, the City would like to accept funds from Dallas County to administer such program, less Dallas County project delivery costs; and

WHEREAS, the City intends to enter into a Project Specific Agreement to the Master Agreement with Dallas County for the Baylor area-wide public infrastructure improvements to facilitate the development; and

WHEREAS, the City desires to use such funds to assist in the construction of hotel development and certain area-wide public infrastructure improvements in order to promote construction of a full-service hotel and promote the development around Hall Street between Gaston Avenue and Swiss Avenue; and

WHEREAS, the City of Dallas desires to enter into a Chapter 380 economic development grant agreement with ~~Baylor Scott & White Health~~, land owner GMV Gaston, LP, owner of the improvements, and Gatehouse Gaston Development, LLC, developer, in order to promptly complete the contemplated public improvements and to facilitate the development of a full-service hotel development and economic development in the area.

NOW, THEREFORE,

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

June 22, 2016

Section 1. That the City Manager, upon approval as to form by the City Attorney is hereby authorized to execute a Chapter 380 economic development grant agreement, in an amount not to exceed \$450,000, with ~~Baylor Scott & White Health, land owner,~~ GMV Gaston, LP, owner of the improvements, and Gatehouse Gaston Development, LLC, developer (collectively referred to as "Owner/Developer"), for hotel development, site improvements and other public improvements along properties on Hall Street between Gaston Avenue and Swiss Avenue, subject to the Dallas County Commissioners Court's approval of the Project Specific Agreement with the City (**See Exhibit A**).

Section 2. That the grant agreement shall require, among other provisions, the following of Owner/Developer:

- A. Minimum private investment of \$10,000,000 for Phase I, including acquisition, construction, other hard costs, and construction related soft costs, including a minimum of 100 rooms. Minimum private investment in Phase 2 of \$150,000, including construction, other hard costs and construction related soft costs.

The term "Invest" or "Investment" means the sum of all acquisition costs, construction costs (hard and soft) paid, payable or actually incurred by or on behalf of the Owner/Developer, with respect to the Project and the improvements thereon. Construction-related soft costs include the following items: architecture and engineering, interior design, consulting, construction management. Construction management is solely intended to cover fees paid to an outside consultant or third party who confirms the quality of the work. Construction management fees must be invoiced with a detailed description of work performed. Carrying or other similar costs shall not be considered toward this definition of project investment. The Owner/Developer must provide verification of all expenditures.

The Owner/Developer will be required to spend a minimum of \$450,000 on MCIP Master Agreement eligible items. MCIP Master Agreement eligible items shall mean the standard Dallas County-approved City criteria for paving, bridges, drainage and appurtenances, traffic control items including pavement marking, warranted uniform signals, street lights foundations, pull boxes, conduit, sidewalks, medians, storage/turn lanes access, required structural retaining walls and standard driveways excluding road or street amenities, or such design criteria as the City and Dallas County may mutually agree upon in the project scoping sheets, to be attached to the Project Specific Agreement between the City and Dallas County. Dallas County shall verify such expenditures.

June 22, 2016

Section 2. (Continued)

- B. Each phase is eligible for reimbursement upon completion and satisfaction of all Chapter 380 Economic Development Agreement and Project Specific Agreement contingencies. Owner/Developer may start or complete the Project improvements before the finalization of the development agreement, at the Owner/Developers risk. If the development agreement is never executed, Owner/Developer will receive no funds. In no event shall the total reimbursement for Phase 1 and Phase 2 exceed \$450,000 (less \$30,000 in estimated delivery costs). Reimbursement shall be based on actual expenditures and therefore the grant amount may be less than \$450,000. No interest shall accrue on the grant. The minimum requirements for each phase is as follows, however, Owner/Developer shall meet all other contingencies for payment, as detailed herein and as will further be detailed in the grant agreement.
1. Phase 1: Development, completion of construction, and certificates of occupancy for a hotel development project consisting of a minimum of 68,000 square feet of hotel and shared common space with meeting space, food and beverage, fitness center, and pool area. The project shall include a minimum of 60,000 square feet of hotel space (approximately 132 rooms). In addition, the project shall feature a minimum of 8,000 square feet used for back of house/common area uses. As part of the project, the development shall feature site and streetscape improvements including, but not limited to, a barrier free curb ramp and crosswalk and sidewalk improvements, and burial of power and low voltage lines in the areas shown on **Exhibit C**, to be eligible for up to \$300,000 of reimbursement.
 2. Phase 2: Completion of streetscape construction and obtain a certificate(s) of acceptance and a minimum investment of \$150,000 shall be eligible for up to \$150,000 of reimbursement (**See Exhibit D**).
- C. GMV Gaston, LP shall maintain its lease with ~~Baylor Scott & White Health~~ Baylor Health Care System for a minimum of seven (7) years.
- D. Obtain a building and/or demolition permit from the City and start construction for each phase, starting with Phase 1 of the Project by December 31, 2016, and Phase 2 of the project by December 31, 2018.
- E. Obtain a Certificate of Occupancy (CO) for the contemplated ground floor improvements (excluding the elevators) for Phase 1 by December 31, 2017.

June 22, 2016**Section 2. (Continued)**

- F. Owner/Developer shall be subject to recapture liability for any and all grant funds paid to it, should Owner/Developer fail to meet a term or condition of the overall Project, that is not tied to a particular phase, after it has received an installment(s) of grant funds.
- G. If applicable, obtain final acceptance of the public infrastructure improvements associated with the Project, as evidenced by the issuance of December 31, 2020 a Green Tag from the Public Works and Transportation Department by December 31, 2020, and submit documentation to the Office of Economic Development (the "OED").
- H. If applicable, execute an operating and maintenance agreement for the non-standard public infrastructure improvements associated with the Project, beginning no later than December 31, 2020, for a period of 20 years.
- I. Owner/Developer shall submit to the Director of the OED a quarterly status report for ongoing work on the project, as well as public improvements. Status reports will be due once every three months after the Council approval date.
- J. Owner/Developer shall make a good faith effort to (i) comply with the Business Inclusion and Development ("BID") goal of twenty-five percent (25%) Minority/Women-owned Business Enterprise (M/WBE) participation for public improvements and (ii) achieve a goal of 25% certified M/WBE participation for total private improvement construction expenditures for the portion of the Project, eligible for reimbursement under the Chapter 380 funding, and meets all reporting requirements for each **(See Exhibit E)**.
- K. Owner/Developer is obligated to cover all project cost over runs. The City and Dallas County will not be responsible for any project cost over runs and will not sign off on project completion for reimbursement until all financial obligations are addressed.
- L. If necessary, the Project deadline can be extended up to 6 months, subject to the Office of Economic Development Director's approval.
- M. Owner/Developer shall pay for half the utility burial costs for the Project. Any costs for utility burial that has been passed on to the City by Dallas County, will be passed on to Owner/Developer.

June 22, 2016

Section 2. (Continued)

- N. The 380 grant agreement shall not be assigned prior to the completion of the hotel and the public and private improvements. After completion, the grant agreement may be assigned, in whole or in part, upon written approval from the Director of the Office of Economic Development.

Section 3. That the Chief Financial Officer is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the Project Specific Agreement from Capital Projects Reimbursement Fund: Fund 0556, Department ECO, Unit W096, Object 3016, Activity INFS, Encumbrance No. ECOW096H281, Vendor No. VS91929, in an amount not to exceed \$450,000, less County project delivery costs.

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Exhibit A



Site plan for targeted pedestrian and public right of way (ROW) improvements on the Baylor Dallas Campus along Gaston Ave and Hall Street.

Exhibit for Illustration purposed only

Legend for Proposed Scope of work

- L** Hotel and shared common space with meeting space, food and beverage, fitness center, and pool area.
- A** Barrier free curb ramp and crosswalk call button
Improved sidewalks along Hall St. from Gaston to Swiss Ave
 - Pedestrian and ADA Accessible Improvements
- B** Burial of power and low voltage lines to create space for improved sidewalks
 - Pedestrian and Aesthetic Improvement
- C** Curb inlet on East Bound side of Gaston “Kiss and Drop”
 - Traffic and ROW improvement
- D** Improved Crosswalk Traffic Signal, striping and pavers at Crosswalk
 - Pedestrian and Public Safety Improvement

If budget allows other improvements including: crosswalks, sidewalks, barrier free ramps and other approved Improvements may be included.

All phases will include improvements of streetscape amenities to match campus throughout campus (Seating areas w/ benches, pedestrian lighting etc.)

*Note: Potential County participation is not tied to specific items but could be able to participate on the overall package of eligible items.

Exhibit B

Stage One Estimate (Business Case Cost Summary)

To: Wes Huff
From: Charles Shelburne
CC: Mark Vowell
Date: 6/2/2016
Re: Gaston Ave Public ROW Improvements

PROJECT DESCRIPTION: Construction of:

- A. Barrier free curb ramp and crosswalk call button with Improved sidewalks along Hall St. from Gaston to Swiss Ave**
- B. Burial of power and low voltage lines to create space for improved sidewalks**
- C. Curb inlet on East Bound side of Gaston**
- D. Improved Crosswalk Traffic Signal, striping and pavers at Crosswalk.**

Potential County participation is not tied to specific items but could be able to participate on the overall package of eligible items.

Cat Code	Phase I		Phase II		Total
	A	B	C	D	
150 Professional Services Fees 7%	\$4,550	\$34,860	\$5,250	\$10,500	\$55,160
01A Construction	\$65,000	\$498,000	\$75,000	\$150,000	\$788,000
11P Pedestrian Furnishings Allowance	\$10,000	\$0	\$10,000	\$5,000	\$25,000
17D Contingency 10%	\$7,955	\$53,286	\$9,025	\$16,550	\$86,816
C51 Project Management Allocation 5%	\$3,978	\$26,643	\$4,513	\$8,275	\$43,408
Total Value of Improvements	\$91,483	\$612,789	\$103,788	\$190,325	\$998,384
Total Project Cost	FY17	\$704,272	FY18	\$294,113	\$998,384
Anticipated County Reimbursed Cost	\$317,121		\$132,788		\$449,908
Capital Required	Total (FY17)	\$387,151	Total (FY18)	\$161,325	\$548,476

Exhibit D

Legend for Proposed Scope of work

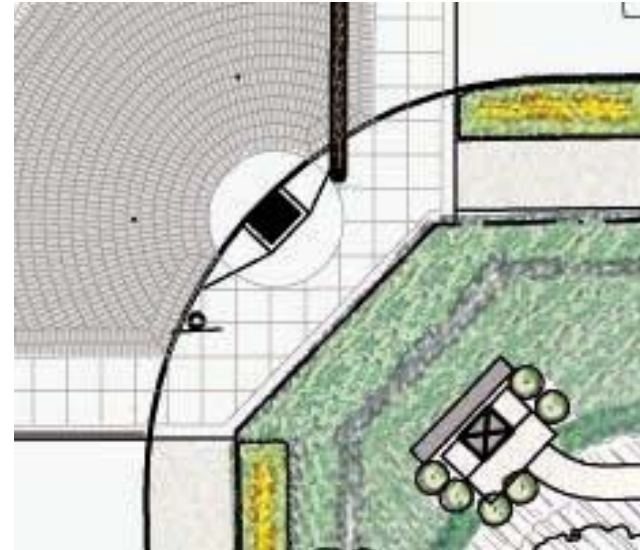
A

- Barrier free curb ramp and crosswalk call button
- Improved sidewalks along Hall St. from Gaston to Swiss Ave
- Pedestrian and ADA Accessible Improvements



Site plan for targeted pedestrian and public right of way (ROW) improvements on the Baylor Dallas Campus along Gaston Ave and Hall Street.

Exhibit for Illustration purposes only



Typical intersection ramp

Exhibit D

Legend for Proposed Scope of work

B

Burial of power and low voltage lines to create space for improved sidewalks

- Pedestrian and aesthetic Improvement



Site plan for targeted pedestrian and public right of way (ROW) improvements on the Baylor Dallas Campus along Gaston Ave and Hall Street.

Exhibit for Illustration purposes only



Before



After

Exhibit D

Legend for Proposed Scope of work



Curb inlet on East Bound side of Gaston “Kiss and Drop”

- Traffic and ROW improvement



Site plan for targeted pedestrian and public right of way (ROW) improvements on the Baylor Dallas Campus along Gaston Ave and Hall Street.

Exhibit for Illustration purposes only



Example Drop Off Inlet

Exhibit D

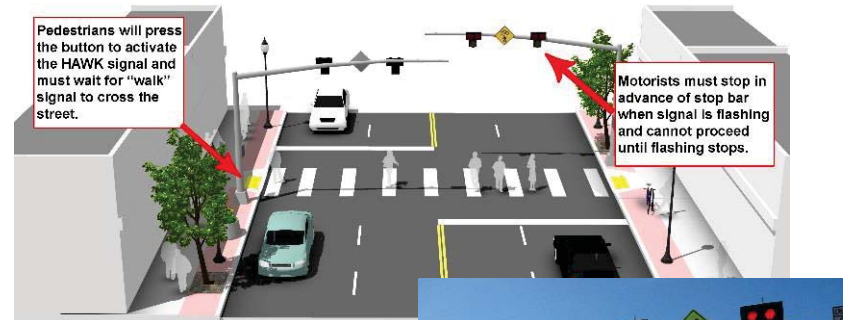
Legend for Proposed Scope of work



Site plan for targeted pedestrian and public right of way (ROW) improvements on the Baylor Dallas Campus along Gaston Ave and Hall Street.

Exhibit for Illustration purposes only

- D** Improved Crosswalk Traffic Signal, striping and pavers at Crosswalk
 - Pedestrian and Public Safety Improvement



Example Crosswalk Improvement



Exhibit E

City's Business Inclusion and Development Program

Policy Statement

It is the policy of the City of Dallas to involve Minority and Women-Owned Business Enterprises (M/WBEs) to the greatest extent feasible on the City's construction, procurement and professional services contracts. It is the policy of the City of Dallas to encourage the growth and development of M/WBEs that can successfully compete for contracting opportunities. The City and its contractors shall not discriminate on the basis of race, color, religion, national origin, or sex in the award and performance of contracts. In consideration of this policy, the City of Dallas has adopted the Business Inclusion and Development (BID) Plan for all City of Dallas contracts.

Scope of Business Inclusion and Development Plan

The BID Plan shall apply to all contracts for the purchase of goods or services over \$50,000 with special emphasis on those contracts with first tier subcontracting opportunities. The provision of the BID Plan takes precedence over any departmental plans or procedures in conflict herewith, except for specific requirements mandated by the terms or conditions of agreements in force between the City and the Federal Government or the State of Texas that require different procedures than those described in the BID Plan.

The BID Plan Goals

The BID Plan establishes standard requirements for all prospective City of Dallas bidders/proposers to ensure a reasonable degree of participation by M/WBEs in all City contracts. It is the goal of the City that a certain percentage of work under each contract be performed by one or more M/WBEs.

On March 24, 2004, the City Council approved the following M/WBE participation goals (Council Resolution #041033). These goals were adopted without consideration for ethnicity or gender.

- Construction: 25.00%
- Architectural & Engineering: 25.66%
- Other Professional: 36.30%
- Other Services: 23.80%
- Goods: 18.00%

Prospective bidders/proposers are required to make a "good faith effort" to meet the established participation goals and must document their good faith effort to include M/WBEs in the contract.