

8-12-14

ORDINANCE NO. 29424

An ordinance amending Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," and Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by amending Sections 51-6.101, 51-6.102, 51A-6.101, and 51A-6.102; providing that the exemption to the noise regulations for lawn maintenance, vehicle repair, and home repair is limited to the hours between 7:00 a.m. and 10:00 p.m. on weekdays and between 8:00 a.m. and 7:00 p.m. on weekends and legal holidays; 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 Section 51-6.101, "Definitions Applicable to the Environmental Performance Standards," of Article VI, "Environmental Performance Standards," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended by adding a new Paragraph (7.1) to read as follows:

"(7.1) LEGAL HOLIDAY means New Year's Day (January 1), Memorial Day (observed date), Fourth of July (July 4), Labor Day (observed date), Thanksgiving Day (observed date), and Christmas Day (December 25)."

SECTION 2. That Paragraph (5) of Subsection (a), "General Provisions," of Section 51-6.102, "Noise Regulations," of Article VI, "Environmental Performance Standards," of Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended to read as follows:

"(5) The requirements of this section do not apply to:

(A) the side yard placement of a unitary air conditioning unit which complies with the requirements in Section 51-4.402(a)(4);

(B) mobile sources;

(C) construction/demolition activities regulated by Chapter 30;

(D) special events for which a special events permit is issued under Chapter 42A;

(E) sound generating equipment or apparatus to warn the public of an emergency or for public safety;

(F) noise from use-related loading/unloading operations that impact residential areas when conducted during daytime hours; or

(G) the following activities, as long as they are conducted between the [in daytime] hours of 7:00 a.m. and 10:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 7:00 p.m. on Saturday, Sunday, and legal holidays as a normal function of a permitted use and the equipment is maintained in proper working condition:

(i) Lawn maintenance.

(ii) Repair of personal use vehicles.

(iii) Home repair of place of residence.”

SECTION 3. That Section 51A-6.101, “Definitions Applicable to the Environmental Performance Standards,” of Article VI, “Environmental Performance Standards,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended by adding a new Paragraph (7.1) to read as follows:

“(7.1) LEGAL HOLIDAY means New Year’s Day (January 1), Memorial Day (observed date), Fourth of July (July 4), Labor Day (observed date), Thanksgiving Day (observed date), and Christmas Day (December 25).”

SECTION 4. That Paragraph (5) of Subsection (a), “General Provisions,” of Section 51A-6.102, “Noise Regulations,” of Article VI, “Environmental Performance Standards,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(5) The requirements of this section do not apply to:

(A) the side yard placement of a unitary air conditioning unit which complies with the requirements in Section 51A-4.402(a)(4);

(B) mobile sources;

(C) construction/demolition activities regulated by Chapter 30;

(D) special events for which a special events permit is issued under Chapter 42A;

(E) sound generating equipment or apparatus to warn the public of an emergency or for public safety;

(F) noise from use-related loading/unloading operations that impact residential areas when conducted during daytime hours; or

(G) the following activities, as long as they are conducted between the [in daytime] hours of 7:00 a.m. and 10:00 p.m., Monday through Friday, and between the hours of 8:00 a.m. and 7:00 p.m. on Saturday, Sunday, and legal holidays as a normal function of a permitted use and the equipment is maintained in proper working condition:

(i) Lawn maintenance.

(ii) Repair of personal use vehicles.

(iii) Home repair of place of residence.”

SECTION 5. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

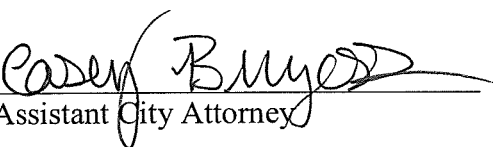
SECTION 6. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

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

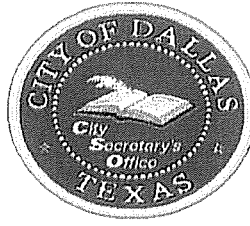
SECTION 8. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By 
Assistant City Attorney

Passed AUG 13 2014



PROOF OF PUBLICATION – LEGAL ADVERTISING

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

DATE ADOPTED BY CITY COUNCIL AUG 13 2014

ORDINANCE NUMBER 29424

DATE PUBLISHED AUG 16 2014

ATTESTED BY:

A handwritten signature in cursive script, appearing to read "Rose C. Liss".