

12-19-16

ORDINANCE NO. 30320

An ordinance amending Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code, as amended, by amending Sections 101, 102, 103, 104, 208, 301, 302, 303, 304, 306, 1001, 1003, 1101, 1102, 1103, and 1106; correcting temporary structure definition from 31 days to 30 days; providing that appeals of the building official's decisions be filed within 15 days; clarifying that defenses to permits include all types of reroofing work; providing that book exchange structures do not require a construction permit; clarifying that defenses to construction permits are not exemptions to the application process for work authorizations in conservation districts or for certificates of appropriateness in historic districts; requiring verification of a home repair license for one- and two-family dwelling remodeling work; clarifying that the most recent version of LEED standards must be followed in lieu of specific versions; adding additional factors to the board's list of considerations to suspend a person's ability to secure permits; restating a plan review fee for kitchen and equipment layout plans; clarifying when a reinspection fee is appropriate; requiring an application fee for all board actions in lieu of only appeals; clarifying fees associated with work performed without the required permit; restating the building official's authority to issue stop work orders; providing a requirement to have city approved plans available at job sites; deleting the practice of allowing a certificate of compliance in lieu of an inspection for water heater replacement and for inspection for single-family and duplex reroof projects; adding a requirement that email addresses be listed on applications for certificates of occupancy; deleting references to phasing of Green Building Program; deleting references to expedited plan review for Green Building Program; provides for a registration exemption for homeowners performing work on homestead property; clarifying details on contractor registration applications; requiring certain residential

contractors to provide a home repair license at renewal of registration; moving provisions and definitions from the construction codes to Chapter 52; 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 101, "Title; Scope," of Subchapter 1, "Title and Scope," of Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code is amended by adding a new Subsection 101.4, "Referenced Codes and Standards," to read as follows:

"101.4 Referenced codes and standards. The codes and standards referenced in this chapter are considered part of the requirements of this chapter to the prescribed extent of each such reference only when such codes and standards have been specifically adopted by the City of Dallas. Whenever amendments have been adopted to the referenced codes and standards, each reference to the codes and standards is considered to reference the amendments as well. Any reference made to NFPA 70 or the *ICC Electrical Code* means the *Dallas Electrical Code*, as amended. References made to the *International Building Code*, *International Mechanical Code*, the *International Plumbing Code*, the *International Fire Code*, the *International Energy Conservation Code*, the *International Fuel Gas Code*, the *International Existing Building Code*, the *International Residential Code* and the *International Green Construction Code* respectively mean the *Dallas Building Code*, the *Dallas Mechanical Code*, the *Dallas Plumbing Code*, the *Dallas Fire Code*, the *Dallas Energy Conservation Code*, the *Dallas Fuel Gas Code*, the *Dallas Existing Building Code*, the *Dallas One- and Two-Family Dwelling Code* and the *Dallas Green Construction Code*, as amended. Where differences occur between provisions of this chapter and referenced codes and standards, the provisions of this chapter apply.

101.4.1 Similar 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 chapter or the International Codes listed in Section 101.4, as applicable, the provisions of this chapter or the International Codes listed in Section 101.4 take precedence over the provisions in the referenced code or standard."

SECTION 2. That Subsection 102.3, "Definitions," of Section 102, "Purpose of the Codes," of Subchapter 1, "Title and Scope," of Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code is amended to read as follows:

"102.3 Definitions. For the purpose of the codes:

APARTMENT HOUSE means any multiple dwelling unit or portion thereof not defined as a multiple building townhouse.

BUILDING CODE means Chapter 53 of the *Dallas City Code* based on the *International Building Code* as adopted by this jurisdiction.

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

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

CHANGE OF OCCUPANCY means a change from one occupancy classification to another occupancy classification in a building or tenancy or portion thereof.

COMMERCIAL DWELLING SITE means three or more dwelling units on a lot.

DEVELOPMENT CODE means Chapters 51, 51A and 51P of the *Dallas City Code*.

ELECTRICAL CODE means Chapter 56 of the *Dallas City Code* based on the *National Electrical Code* as adopted by this jurisdiction.

ENERGY CODE means Chapter 59 of the *Dallas City Code* based on the *International Energy Conservation Code* as adopted by this jurisdiction.

EXISTING BUILDING CODE means Chapter 58 of the *Dallas City Code* based on the *International Existing Building Code* as adopted by this jurisdiction.

FIRE CODE means Chapter 16 of the *Dallas City Code* based on the *International Fire Code* as adopted by this jurisdiction.

FUEL GAS CODE means Chapter 60 of the *Dallas City Code* based on the *International Fuel Gas Code* as adopted by this jurisdiction.

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

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

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

GREEN CONSTRUCTION CODE means Chapter 61 of the *Dallas City Code* as adopted by this jurisdiction.

HOME REPAIR means the addition, improvement, remodeling, repair, or replacement to an existing single-family or duplex dwelling or to the fixtures, land, or other permanent structures that are part of the premises on which the dwelling is located, and includes, but is not limited to, addition, improvement, remodeling, repair, or replacement of driveways, swimming pools, porches, garages, landscaping, fences, roofs, floor covering, and central heat and air conditioning. Home repair does not include addition, improvement, remodeling, repair, or replacement of removable appliances or furnishings (as illustrated by, but not limited to, stoves, refrigerators, window air conditioners, and draperies).

HOME REPAIR LICENSE means a license issued under Article X, "Home Repair," of Chapter 50, "Consumer Affairs," of the *Dallas City Code*.

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

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

MECHANICAL CODE means Chapter 55 of the *Dallas City Code* based on the *International Mechanical Code* as adopted by this jurisdiction.

MULTIPLE DWELLING means any structure or portion thereof that contains more than one dwelling unit.

MULTIPLE BUILDING TOWNHOUSE means a *multiple dwelling unit* located on a *commercial dwelling site* and constructed with a maximum of two units located between exterior walls or fire walls complying with Section 706 of the *Dallas Building Code* in which each unit extends from foundation to roof and with a *yard* or public way on at least two sides.

PLUMBING CODE means Chapter 54 of the *Dallas City Code* based on the *International Plumbing Code* as adopted by this jurisdiction.

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

RESIDENTIAL CODE means Chapter 57 of the Dallas City Code based on the International Residential Code as adopted by this jurisdiction.

SINGLE BUILDING TOWNHOUSE means a multiple dwelling unit located on a commercial dwelling site and constructed with more than two units between exterior walls or fire walls complying with Section 706 with each unit extending from its foundation to its roof and that has a yard or public way on at least two sides.

TEMPORARY STRUCTURE means any new structure erected for 30 [34] days or less.

TENT means any structure, enclosure or shelter constructed of fabric or other pliable material supported by any manner except by air or the contents protected by the material.

TOWER STRUCTURE means a structure other than a building that has a height normally greater than its largest horizontal dimension. Examples of tower structures include antenna supports, chimneys, tank supports, sign supports, equipment supports, and other structures as determined by the building official.

TOWNHOME means a dwelling located on a single-family or duplex dwelling site and constructed in a group of abutting structures separated by property lines with each dwelling extending from its foundation to its roof and has a yard or public way on at least two sides.

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

VALUE OR VALUATION means the total value of all work, including materials and labor, for which a permit is issued, as well as all finish work, painting, roofing, electrical, gas, plumbing, heating, air conditioning, elevators, fire extinguishing systems, and any other permanent systems, and includes any work which does not require a permit under Section 301.2 and which is marked out on any submitted plans or applications as not included as part of the subject project.

WORK OF ART[-] means p[P]aintings, mural decorations, stained glass, statutes, bas-reliefs or other sculptures, monuments, fountains, arches or other structures of a permanent or temporary character intended for ornament or commemoration.”

SECTION 3. That Subsection 103.1, “General,” of Section 103, “Scope of the Codes,” of Subchapter 1, “Title and Scope,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

“**103.1 General.** The provisions of the codes apply to the construction, quality of materials,

alteration, installation, moving, demolition, repair, use, occupancy, location, relocation, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures. This includes the ~~[and]~~ maintenance of all structures and building service equipment. ~~[, except that industrialized structures shall be governed as follows:]~~

103.1.1 Detached one- and two-family dwellings no more than three stories. Detached one- and two-family dwellings and townhomes not more than three stories above grade plane in height with a separate means of egress and their accessory structures may comply with the Dallas One- and Two-Family Dwelling Code.

103.1.1.1 Live/work units. Live/work units located in townhouses and complying with the requirements of Section 419 of the Dallas Building Code shall be permitted to be constructed in accordance with the Dallas One- and Two-Family Dwelling Code. Fire suppression required by Section 419.5 of the Dallas Building Code where constructed under the Dallas One- and Two-Family Dwelling Code shall be permitted to conform to Section P2904 of the Dallas One- and Two-Family Dwelling Code.

103.1.1.2 Owner-occupied lodging houses. Owner-occupied lodging houses with five or fewer guestrooms shall be permitted to be constructed in accordance with the Dallas One- and Two-Family Dwelling Code where equipped with a fire sprinkler system in accordance with Section P2904 of the Dallas One- and Two-Family Dwelling Code.

Exception: A sprinkler system is not required for a lodging house which complies with Section 903.2.13 of the Dallas Building Code.

103.1.2 Detached one- and two-family dwellings more than three stories. Detached one- and two-family dwellings more than three stories above grade plane in height with a separate means of egress and their accessory structures must comply with the Dallas Building Code.

103.1.3 Single building townhouse. A single building townhouse must comply with the Dallas Building Code as an R-2 occupancy.

103.1.4 Industrialized structures. Industrial structures shall be governed as follows:

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

4. The use and occupancy of relocated residential industrialized structures (industrialized housing) shall comply with the *Dallas Existing Building Code*.”

SECTION 4. That Subsection 104.4, “Additions and Alterations to Existing Structures,” of Section 104, “Application of the Codes to Existing Structures and Building Service Equipment,” of Subchapter 1, “Title and Scope,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

“104.4 Additions and alterations to existing structures. No addition or alteration may be made to an existing structure when the existing structure is not in full compliance with the codes, unless the addition or alteration will result in the existing structure being no more hazardous, based on life safety, fire safety, and sanitation, than before the addition or alteration was undertaken. All newly constructed elements, components, structures, and portions thereof, systems, and spaces shall comply with the requirements of this code.”

SECTION 5. That Subsection 208.1, “General,” of Section 208, “Appeal Procedure,” of Subchapter 2, “Organization and Enforcement,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

“208.1 General. Any person aggrieved by a decision or ruling of the building official or a chief code administrator~~[, or by the action of a registered electrician under the provisions of the codes,]~~ may appeal to the board. An appeal must be made by filing with the building official a written notice specifying the grounds for the appeal and by paying the appropriate fee in accordance with Section 303.5.18. The appeal must be filed within 15 days of the decision or ruling of the building official or a chief code administrator. The building official shall transmit to the board all of the papers constituting the record of the action being appealed. The board shall, within a reasonable time, hold a public hearing on the matter and render a decision either sustaining, modifying, or reversing the action appealed. A decision of the board must be by a concurring vote of a majority of the members present. Every decision of the board must be in writing, indicate the record of the vote, and be promptly filed in the offices of the building official and the city secretary. A decision of the board will be open to public inspection.”

SECTION 6. That Subsection 301.2, “Defenses,” of Section 301, “Permits,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

“301.2 Defenses. It is a defense to prosecution under Section 301.1.1 that the act is included in one of the enumerated categories listed in this subsection. Each of the following separate

paragraphs - building, plumbing, mechanical, electrical, signs, moved structures, tents, demolitions, and other – must be consulted for the type of work involved. No permit is required for the following:

301.2.1 Building.

1. Painting, papering, paneling, floor coverings, cabinets, moldings, countertops, and similar finish work.
2. Erection of one-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, that are located on property that contains a single-family or duplex premises and that do not exceed 200 square feet (18.58 m²) in floor area.
3. Erection of one-story detached patio covers with an area less than 200 square feet (18.58 m²) on single-family or duplex premises.
4. Addition of storm windows, screens, shutters, rain gutters, or insulation to a building.
5. Addition of trim or siding to single-family or duplex premises.
6. Erection of fences not serving as a pool enclosure not over four feet high in a front yard, nor over six feet high elsewhere.
7. Reroofing [~~of single-family or duplex premises,~~] if the value of work does not exceed \$500.
8. Interior remodeling of nonload bearing components of single-family or duplex premises that does not add floor area.
9. Erection of movable cases, containers, and partitions not over 69 inches (1,752.6 mm) high.
10. Attaching window awnings to exterior walls of single-family homes or single-family garages where the awnings project not more than 54 inches (1,374.6 mm) from any wall.
11. Erection of structures, boots, sets, and scenery used for motion pictures, conventions, television shows, theater shows, and similar temporary uses.
12. Erection of retaining walls that are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless the walls are supporting a surcharge or impounding Class I, II, or IIIA liquids.
13. Construction of platforms and decks on property that contains a single-family or duplex premises that do not exceed 200 square feet (18.58 m²) in area, are not more than 30 inches (762 mm) in height above grade at any point, are not attached to a

dwelling, are not be located in violation of the clearance of overhead service drop conductors, and do not serve the exit door required by Section R311.4 of the *Dallas One- and Two-Family Dwelling Code*.

14. Book exchange structures as defined by Chapter 51A of the *Dallas City Code* [Reserved].
15. Paving or grading on a property that is less than two acres in size and that that is classified as a single-family or duplex premises.
16. Erection of freestanding detached carports of 200 square feet (18.58 m²) or less that are accessory to a single-family or duplex premises.
17. Excavations less than four feet (1,219 mm) in depth below existing grade.
18. Replacement of exterior or interior doors, hinges, hardware, and decorative trim, provided the following conditions are met:
 - 18.1. The replacement door is of the same size and required type.
 - 18.2. The replacement door does not require any modification to existing wall framing.
 - 18.3. The existing door is not a component of a fire-resistive rated construction element.
19. Replacement of exterior or interior windows, provided the following conditions are met:
 - 19.1. The replacement window is of the same size, required type, and thickness.
 - 19.2. The replacement window does not require any modification to the existing wall frame or window frames.
 - 19.3. The existing glazing is not a component of a fire-resistive rated construction element.
 - 19.4. The existing glazing is not required to be safety glazed.

Exception: 19.4 is omitted for single-family and duplex premises.
20. Erection or installation of shade cloth structures that are constructed for non-commercial nursery or agricultural purposes and that do not include building service equipment or systems.

21. Erection or installation of swings and other playground equipment accessory to single-family or duplex premises.
22. New construction or renovation work on county owned buildings or facilities if the work is done by county personnel or by county personnel acting as the general contractor. Documentation approved by the building official is required to use this defense. The construction work must comply with the codes and must be inspected by a registered professional engineer or architect licensed in the State of Texas. The population of Dallas County must equal or exceed 3.3 million as listed by the U.S. Census Bureau data for the application of this provision.
23. Work involving a structure, the title of which is vested in the United States or the State of Texas and that is devoted exclusively to governmental use.
24. Storage racks eight feet (2,438 mm) or less in height.
25. Freestanding satellite dishes not exceeding one meter in diameter that do not exceed 12 feet (3,657 mm) in height.
26. Installation of prefabricated swimming pools accessory to single-family or duplex premises in which the pool wall is completely above adjacent grade, the pool capacity does not exceed 5,000 gallons (18,927 L), and the pool depth is less than 24 inches (610 mm).
27. Erection of temporary structures in conjunction with a special events permit issued under Chapter 42A of the Dallas City Code that meets all of the following criteria:
 - 27.1. The temporary structures must cover an area of 120 square feet or less, including connecting areas and spaces with a common means of egress or entrance that are used or are intended to be used for a gathering of 10 persons or less.
 - 27.2. The temporary structures must not exceed 12 feet (3,657 mm) in height.
 - 27.3. The temporary structures, including stages, platforms, reviewing/observation stands or towers, must not be more than 30 inches (762 mm) above grade or over any basement or story, and cannot be part of an accessible route.
28. Conveyances or stages, platforms, or reviewing or observation stands or towers that are part of conveyance mounted equipment.
29. Temporary structures that could be considered equipment such as:
 - 29.1. Scaffolding for sound, lighting, or timers.
 - 29.2. Prefabricated platforms.

- 29.3. Prefabricated bleachers provided that all of the following are met:
 - 29.3.1. Must be less than 6 feet in height.
 - 29.3.2. The bleachers are unroofed.
 - 29.3.3. There are no enclosed spaces under or attached to the bleacher seating.
 - 29.3.4. An approved fire safety plan includes approval of evacuation of the bleacher seating.
- 29.4. Amusement rides.
- 30. Flagpoles that support an appurtenance weighing less than 150 pounds (68 kg), provided it is not more than 75 feet (22,680 mm) tall if mounted on the ground or not more than 25 feet (7620 mm) taller than the building if mounted on a building.
- 31. A tower under 75 feet (22,860 mm) in height that meets the following conditions:
 - 31.1. Tower structures used primarily for the support of amateur and citizen's band radio or private television antennae.
 - 31.2. Tower structures on real property owned, leased, held or used, or dedicated for use by a public utility for rendering its service, such as tower structures used primarily for the transmission of electrical power by a public utility or the conveyance of communications over a telephone wire-line system operated by a public utility.
 - 31.3. High mast tower structures or antennae built on land on, along, or adjacent to streets, roads, highways, and bridges maintained by the state or a political subdivision of the state.
 - 31.4. Tower structures constructed or placed on land or other structures owned, leased, held, or dedicated for use by the state or federal government or any political subdivision thereof, which land or other structures are used by the governmental entity primarily for rendering fire, police, or other public protection services or utility services whether or not the tower structure is used jointly by the governmental entity and another public or private person or entity for other and additional public or private purposes.
- 32. A work of art.
- 33. Installation of storm shelters accessory to single-family or duplex premises when less than 200 square feet in area with no utilities; not attached to any other structures; and not funded by the local, state or federal government.

34. Erection of structures used as tool and storage sheds that do not exceed 200 square feet, raised planting beds, bed covers, and similar structures that are located on property with an urban garden use as defined in the Dallas Development Code.

301.2.2 Plumbing.

1. Maintenance, repair, or replacement in kind of accessible p-traps or replacement in kind of plumbing fixtures where no change in “rough-in” is involved, except that a permit is required for the replacement of boilers and water heaters.
2. Repairs or repiping of any plumbing system on a single-family or duplex premises, which does not exceed \$1,000.00 - excluding gas piping.
3. Installation of storm water drains for one-family, two-family, or multifamily dwellings.
4. Installation of steam, hot, or chilled water piping within comfort heating or cooling equipment.
5. Replacement in kind of any fitting, valve, or plumbing fixture that does not change the number of fixtures or the location of a fixture “rough-in” except that a permit is required if a utility release is necessary.
6. Maintenance, alteration, repair or service in kind of an irrigation system downstream the discharge side of a zone control valve.
7. Installation of equipment for or by a public utility in the generation, transmission, sale, and use of energy or in the transmission of intelligence as outlined in its franchise.

301.2.3 Mechanical.

1. Installation of a portable heating appliance, portable ventilating equipment, portable evaporative cooler, or portable comfort cooling unit.
2. Replacement of any component part of assembly of an appliance that does not alter its original design and complies with other applicable requirements of the codes.
3. Installation of a unit refrigerating system or any refrigerating equipment that is a part of equipment for which a permit has been issued pursuant to the requirements of this chapter.
4. Maintenance or repair of permanent gas or solid-fuel furnaces where no change in ducts, flues, electrical, plumbing, or gas “rough-in” is involved.

5. Installation of bathroom exhaust fans in single-family or duplex premises.
6. Installation of kitchen exhaust fans and dryer exhaust fans in single-family or duplex premises.
7. Replacement in kind of the condensate piping to an approved condensate disposal system that does not change the “rough-in” of the condensate piping.
8. Replacement of permanent electric heating, ventilating, or air-conditioning equipment where no change in “rough-in” is required.
9. Relocation or addition of any outlet or associated connection to an existing heating, ventilating, or air-conditioning duct system in a single-family or duplex premises, if the value of the work does not exceed \$500.
10. Installation of approved fire-extinguishing equipment in a self-contained grease removal device and hood installed in accordance with the *Dallas Mechanical Code*.
11. Installation of self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

301.2.4 Electrical.

1. The restoration on a temporary basis of electrical service under emergency conditions when approval of the work is obtained from the building official before commencing the work, inspection of the work is made in accordance with this chapter, and a permit is obtained as soon as practicable.
2. Replacement of lamps, branch or feeder circuit breakers rated 30 amperes or less, or branch or feeder circuit fuses rated 30 amperes or less, or the connection of portable electrical equipment to permanently installed receptacles.
3. Installation of equipment for or by a public utility in the generation, transmission, sale, and use of energy or in the transmission of intelligence as outlined in its franchise.
4. Work involved in the manufacturing, repair, or testing of electrical equipment or apparatus in the course of manufacture.
5. Maintenance, repair, relocation, or replacement of any existing light fixture, receptacle, switch, ceiling fan, circuit breaker, or other electrical device or equipment where no change in electrical service or service disconnection is involved, if the value of work does not exceed \$1,000.
6. Installation of not more than six new 120-volt or one new 240-volt electrical outlets or devices for any lighting fixture, receptacle, switch, ceiling fan, or residential

appliance within an existing occupied single-tenant space or structure, by extension of an existing circuit or by installation of not more than one new circuit, provided that no change in electrical service or service disconnection is involved.

301.2.5 Signs.

1. The changing of words on a sign that is designed with interchangeable words.
2. Normal maintenance to replace worn parts and repainting deteriorated paint without word change.
3. Memorial signs or tablets, names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze or other noncombustible materials.
4. Government signs such as flags, insignia, legal notices or informational, directional or traffic signs that are legally required or necessary to the essential functions of government agencies.
5. Signs listed in the sign regulations of the *Dallas Development Code* as not requiring permits.

301.2.6 Moved structures.

1. A structure not more than 12 feet (3657 mm) in width, not more than 40 feet (12,192 mm) in length and not more than 13½ feet (4145.3 mm) in height when loaded, provided the truck, trailer or other vehicle on which the structure is transported is equipped with rubber tires and complies with the *Texas Transportation Code*.
2. A structure, or superheavy or oversized equipment, being moved over any state or federal highway within the city when:
 - 2.1. It is being moved under a Texas Highway Department permit;
 - 2.2. The moving route is confined to a state or federal highway; or
 - 2.3. The destination is outside the city.

301.2.7 Tents.

1. Tent with a floor area of less than 400 square feet (37.1612 m²), including all connecting areas or spaces with a common means of egress or entrance.
2. Tent with an occupant load of less than 10 persons.
3. Tent which is included as part of a special events permit.

301.2.8 Demolitions.

1. Demolition of a fence or swimming pool.
2. Demolition work performed in conjunction with remodeling, alteration or repair of a structure for which a building permit is obtained.
3. Demolition of a structure with a total floor area of less than 120 square feet (11.148 m²).

301.2.9 Other.

1. Repair or replacement in kind of any automatic fire-extinguishing system head that does not alter the existing system design or operation.
2. Installation, repair, or replacement of landscaping materials, except that a permit is required to authorize the installation of landscaping that is required by:
 - 2.1. A city ordinance.
 - 2.2. A city board as a condition to the granting of relief requested by an applicant.
 - 2.3. A deed restriction instrument accepted by city council resolution.”

SECTION 6. That Subsection 301.3, “Defense Does Not Authorize Violation of Codes or Ordinances,” of Section 301, “Permits,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

“301.3 Defense does not authorize violation of codes or ordinances. A defense to a permit requirement of this chapter does not grant authorization for any work to be done in a manner that violates the codes or any other law or ordinance of the city. A defense to a permit requirement of this chapter also does not grant authorization for any work that requires a work authorization or a certificate of appropriateness for work in a conservation district or historic district, respectively.”

SECTION 8. That Paragraph 301.4.1, “General,” of Subsection 301.4, “Application for Permits,” of Section 301, “Permits,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

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

1. Identification and description of the work to be covered by the permit.
2. Description of the land on which the proposed work is to be done, by street address or similar description that will readily identify and definitely locate the proposed structure or work.
3. Indication of the use or occupancy for which any proposed structure is intended.
4. Signature of the applicant or an authorized agent, who may be required to submit evidence to indicate such authority, together with a verification of the truth and correctness of the information in the application.
5. Attachment of plans, diagrams, computations, specifications, and other data as required.
6. The name, address, and telephone number of the industrialized builder, if applicable.
7. Documentation showing proof of a current home repair license in accordance with Article X, Chapter 50, “Consumer Affairs,” of the *Dallas City Code*, if applicable.
8. Other information required by the building official necessary for issuance of the permit.

301.4.1.1 Information on braced wall design. For buildings and structures utilizing braced wall design, and where required by the building official, braced wall lines shall be identified on the construction documents. Pertinent information including, but not limited to, bracing methods, location, and length of braced wall panels and foundation requirements of braced wall panels at top and bottom shall be provided.”

SECTION 9. That Paragraph 301.4.6, “Other Types of Work,” of Subsection 301.4, “Application for Permits,” of Section 301, “Permits,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

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

1. Move structures, see Chapter 37 of the *Dallas Building Code*; and
2. [~~Erect signs, see Chapter 36 of the *Dallas Building Code*; and~~

3-] Demolish structures, see Chapter 40 of the *Dallas Building Code*.

301.4.6.1 Sign permits. No person, firm or corporation may erect, construct, alter, rebuild, enlarge, extend, convert, maintain, replace, relocate, remove, or demolish a sign or alter or change words or rearrange neon tubing on a sign or cause the same to be done without first obtaining a separate sign permit for each sign. All work done under a sign permit shall be in conformity with all requirements of all applicable laws and ordinances.

301.4.6.1.1 Application. To obtain a sign permit, the applicant shall file an application in writing on a form furnished for that purpose. Every application shall:

1. Identify and describe the work to be covered by the permit for which application is made;
2. Describe the land on which the proposed work is to be done by lot, block, tract, and house and street address, or similar description that will readily identify and definitely locate the proposed work;
3. Be accompanied by plans and specifications as required in this code and all applicable laws and ordinances;
4. State the valuation of the proposed work;
5. Be signed by the owner of the property on which the sign is to be located; and
6. Give such other information as may reasonably be required.

301.4.6.1.2 Plans and specifications. With each application for a sign permit, not less than two sets of plans and specifications shall be submitted, and all drawings, specifications and accompanying data shall bear the name and address of the designer.

Drawings and specifications may be required to bear the official seal of an engineer duly qualified and registered under the laws of the State of Texas.

301.4.6.1.3 Fees. In addition to filing an application in accordance with Section 301.4.6.1.1, the applicant shall pay all applicable fees required by Section 303 before a sign permit is issued.

301.4.6.1.4 Expiration. Every sign permit issued under the provisions of this code shall expire by limitation and become null and void if the work authorized by the permit is not commenced within 120 days from the date the permit is issued, or if, at any time after the work has commenced, the work authorized by the permit is suspended or abandoned for a period of 120 days. Before work can be recommenced, another sign permit shall be obtained, and the permit fee shall be one half the amount

required for a new permit for the work, provided that no changes have been made or will be made in the original plans and specifications for such work and provided that suspension or abandonment of the work has not exceeded one year.

301.4.6.1.5 Suspension or revocation. The *building official* may, in writing, suspend or revoke a sign permit issued under provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any law or ordinance.

301.4.6.1.6 Inspections. All signs for which a permit is required are subject to inspection by the *building official*. A pier inspection and a final inspection are required for all detached signs.

301.4.6.2 Tent permits. A person who desires to erect and maintain a tent shall file a written application for a *tent* permit with the *building official* on a form furnished for that purpose.

301.4.6.2.1 Application. The application shall include all of the following:

1. Three copies of a plan drawn to scale showing the location of each *tent* and permanent improvement on the premises, the number of off-street parking spaces as required by the *Dallas Development Code*, and adequate details regarding the seating capacity and the location of exits in each *tent*.
2. If the *tent* is to be erected in or adjacent to a residentially zoned district, an approved petition, on a form provided by the building official, signed by all owners of land within 100 feet (30 480 mm), including streets and alleys, measured from the boundary of the premises on which the *tent* is to be erected.
3. A fee as specified in Section 303.
4. Any additional information required by the *building official* to ensure the provision of adequate safeguards for the preservation of public health, peace, comfort, and safety.

301.4.6.2.2 Issuance of permit.

301.4.6.2.2.1 Maximum duration of permit. The *building official* may issue a *tent* permit for a period not to exceed 30 consecutive days.

Exception: The *building official* may extend a *tent* permit for additional 30-day periods if the tent is located on public property and being used for a demonstrated public purpose and does not create a threat to the public safety. In no event may a *tent* permit be issued for more than a total of nine months within any 12-consecutive-month period. A fee in the amount of the initial

tent permit fee shall be paid for each 30-day period a tent permit is extended.

301.4.6.2.3 Limit on permits on same property within any 12-consecutive-month period. A tent permit may not be issued for the same property more than once in any 12-consecutive-month period.

Exception: More than one tent permit may be issued for the same property in a 12-consecutive-month period if the total time period for all tent permits issued on that property does not exceed 60 days in any 12-consecutive-month period.

301.4.6.2.4 Multiple tents under one permit. A tent permit may be issued for more than one tent if all tents are on the same property at the same time for the same event or purpose and meet the provisions of Section 3904.5 of the Dallas Building Code.

301.4.6.3 Reroofing permits. New roof coverings must not be applied without first obtaining a permit. An application for a permit to reroof must include a list of sites to be used for the disposal of reroofing debris. A final inspection and approval must be obtained from the building official when the reroofing is complete. No final inspection may be performed or approval of work given until proof of the disposal of the reroofing debris at a city of Dallas landfill or transfer station is submitted to the building official.

SECTION 10. That Subparagraph 301.4.7.1, "General," of Paragraph 301.4.7, "Plans and Specifications," of Subsection 301.4, "Application for Permits," of Section 301, "Permits," of Subchapter 3, "Permits and Inspections," of Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code is amended to read as follows:

"301.4.7.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical reports, and other data shall be submitted in two or more sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the state of Texas. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with the codes.

~~[Plans, engineering computations, diagrams, and other data shall be submitted on suitable material in two or more sets with each application for a permit. The building official may require plans, computations, and specifications to be prepared and designed by an engineer or architect licensed by the state of Texas. The building official may waive the~~

~~submission of plans and computations upon finding that the nature of the work applied for is such that a review of plans and computations is not necessary to obtain compliance with the codes.]”~~

SECTION 11. That Subparagraph 301.4.7.7, “Green Building Standard Documentation,” of Paragraph 301.4.7, “Plans and Specifications,” of Subsection 301.4, “Application for Permits,” of Section 301, “Permits,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

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

1. demonstrates the construction activity will comply with the requirements of Subchapter 10, and
2. includes any other documentation the building official deems necessary.

301.4.7.7.1 Acceptable standards. The building official may accept documentation from the most recent versions of any LEED NC (new construction) [~~version 2.2 to present~~], LEED CS (core and shell) [~~version 2.0 to present~~], LEED CI (commercial interiors) [~~version 2.0 to present~~], LEED for schools [~~version 2007~~], LEED for healthcare, LEED for retail [~~version 2~~], LEED for homes, Green Built Texas [~~version 2.0~~], or another approved equivalent.”

SECTION 12. That Subsection 302.1, “Expiration of Application,” of Section 302, “Application for and Issuance of Permit; Retention of Plans; Suspension or Revocation; Suspension of Permit Privileges,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

“302.1 Expiration of application.

302.1.1 General. An application for which no building permit is issued within 180 days following the date of application shall be void *ab initio* due to limitation of time, and plans submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action on the application due to circumstances beyond the control of the applicant which have prevented action from being taken.

The application may be extended for an additional 180 days upon a request in writing submitted to the building official. The application may be extended upon approval by the building official prior to the expiration of the building permit application. An expired application may only be reactivated by the filing of a new application, including plans and fees. An applicant's written request for voluntary withdrawal of the application shall be deemed to be the same as an expiration of the application. [An application for a permit shall expire and be void *ab initio* if:

- ~~1. by the 45th day after the date the application was filed:

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

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

~~**302.1.3] Written notice.** If the building official determines that an application for a permit has expired, he or she shall by United States or electronic mail provide a written notice of that determination to the applicant in accordance with Section 302.8.”~~

SECTION 13. That Subsection 302.9, “Suspension of Permit Privileges,” of Section 302, “Application for and Issuance of Permit; Retention of Plans; Suspension or Revocation; Suspension of Permit Privileges,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

“302.9 Suspension of permit privileges.

302.9.1 General. The building official may provide notice of intent to suspend a contractor’s permit privileges or registration for one or more of the causes listed in Sections 302.9.3 or

1106.1 for due cause. The contractor may appeal the suspension to [request that] the building inspection advisory, examining, and appeals board for [hold] a public hearing for the purpose of determining whether a person's ability to secure permits should be suspended. The contractor must file the appeal within 15 days of the date of the notice to suspend. Failure to timely file the appeal shall result in the suspension being final [for one or more of the causes listed in Section 302.9.3].

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

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

1. the person or person's agent has knowingly provided false or incorrect information on previous applications for permits;
2. the person or person's agent has failed to make reasonable and continuous progress to complete work authorized by an existing or previous permit; [ø]
3. the person or person's agent has been grossly negligent in the performance of work authorized by an existing or previous permit;
4. the person or person's agent failed to secure permits prior to commencement of work necessitating such permit;
5. the person or person's agent failed to request all inspections as may be established by Section 304;
6. the person or person's agent failed to provide the building official accurate revisions of registration information, including any change of address, email address, or telephone number and/or licensees.

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

SECTION 14. That Subsection 303.1, "General," of Section 303, "Fees," of Subchapter 3, "Permits and Inspections," of Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code is amended to read as follows:

"303.1 General. Fees required for permits and related activities under this chapter and the codes shall be assessed in accordance with this section. Unless otherwise authorized by the building official, applicable fees shall be paid upon the application for a permit."

SECTION 15. That Paragraph 303.5.1, "Plan Reviews," of Subsection 303.5, "Other Fees," of Section 303, "Fees," of Subchapter 3, "Permits and Inspections," of Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code is amended to read as follows:

"303.5.1 Plan reviews.

303.5.1.1 Plans check. In addition to any plan review fees required under Sections 303.5.1.2, 303.5.1.3, 303.5.1.4, 303.5.1.5, ~~303.5.1.6~~, or 303.5.1.7, a nonrefundable plans check fee of \$0.012 for each square foot of building area or \$150.00, whichever is greater, shall be paid upon application for any permit for which the building inspection division performs a plans check. After plans have been reviewed and a permit issued, a plans check addendum fee of \$25.00 an hour shall be paid for each substitution or addition to the plans that requires a separate review.

303.5.1.2 Fire sprinkler plans. In addition to any plan review fees required under Sections 303.5.1.1, 303.5.1.3, 303.5.1.4, 303.5.1.5, ~~303.5.1.6~~, or 303.5.1.7, a nonrefundable fire or sprinkler plan review fee of \$0.008 for each square foot of sprinklered building area or \$150.00, whichever is greater, shall be paid upon application for any permit for which the building inspection division performs a review of fire sprinkler plans that involve the installation of a new fire sprinkler system, the addition of 20 or more sprinkler heads to an existing fire sprinkler system, or the removal or relocation of 100 or more sprinkler heads in an existing fire sprinkler system.

303.5.1.3 Site plans. In addition to any plan review fees required under Sections 303.5.1.1, 303.5.1.2, 303.5.1.4, 303.5.1.5, ~~303.5.1.6~~, or 303.5.1.7, a nonrefundable site plan review fee of \$0.004 for each square foot of building area or area to be paved or graded, or \$50.00, whichever is greater, shall be paid for each site plan reviewed by the building inspection division.

303.5.1.4 Plan review fees for fire alarm systems. In addition to any plan review fees required under Sections 303.5.1.1, 303.5.1.2, 303.5.1.3, 303.5.1.5, ~~303.5.1.6~~, or

303.5.1.7, plans for fire alarm systems shall be accompanied by a nonrefundable review fee based on the following:

1. \$75 for each fire alarm system, per building, with 10 or fewer alarm initiating devices or signaling devices.
2. \$100 for each fire alarm system, per building, with 11 to 25 alarm initiating devices or signaling devices.
3. \$150 for each fire alarm system, per building, with 26 to 150 alarm initiating devices or signaling devices.
4. \$300 for each fire alarm system, per building, with more than 150 alarm initiating devices or signaling devices.

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

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

303.5.1.5 Irrigation permit fee. In addition to any plan review fees required under Sections 303.5.1.1, 303.5.1.2, 303.5.1.3, 303.5.1.4, [~~or~~] 303.5.1.6, or 303.5.1.7, a fee of \$120.00 shall be paid for review of the irrigation system design and required inspections per Title 30, *Texas Administrative Code* Chapter 344, Rules of Landscape Irrigation.

303.5.1.6 Other plan review fees. In addition to any plan review fees required under Sections 303.5.1.1, 303.5.1.2, 303.5.1.3, 303.5.1.4, [~~or~~] 303.5.1.5, or 303.5.1.7, a fee of \$150.00 shall be paid for review of underground firelines, dry chemical systems, gaseous systems, and the review of any other miscellaneous systems.

303.5.1.7 Health plan review fees. In addition to any plan review fees required under Sections 303.5.1.1, 303.5.1.2, 303.5.1.3, 303.5.1.4, 303.5.1.5, or 303.5.1.6, a nonrefundable plans check fee of \$200.00 shall be paid upon application for any permit for which the building inspection division performs a health plans review."

SECTION 16. That Paragraph 303.5.7, "Reinspection Fee," of Subsection 303.5, "Other Fees," of Section 303, "Fees," of Subchapter 3, "Permits and Inspections," of Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code is amended to read as follows:

“303.5.7 Reinspection fee. A reinspection fee will be assessed for each inspection or reinspection when the portion for which inspection is called is not complete, when corrections called for are not made, or when access to perform the inspection is not provided. The fee is \$75.00 for each reinspection. No fee is required for reinspection of work that is rejected the first time for failure to comply with the codes. A fee of \$75.00 may be charged for, but not limited to, the following reasons:

1. the inspection called for is not ready when the inspector arrives;
2. no building address or permit card is clearly posted;
3. city approved plans are not on the job site available to the inspector;
4. the building is locked or work otherwise not available for inspection when called;
5. the job site is red-tagged twice for the same item;
6. the original red tag has been removed from the job site; or
7. failure to maintain erosion control, trash control, or tree protection.

Any re-inspection fees assessed shall be paid before any more inspections are made on that job site.”

SECTION 17. That Paragraph 303.5.18, “Fee for Appeal to the Advisory, Examining, and Appeals Board,” of Subsection 303.5, “Other Fees,” of Section 303, “Fees,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

“303.5.18 Fee for appeal to the advisory, examining, and appeals board. A nonrefundable fee of \$600.00 must be paid when filing an appeal to or requesting any other decision by the advisory, examining, and appeals board.”

SECTION 18. That Subsection 303.7, “Beginning Work without a Permit,” of Section 303, “Fees,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

“303.7 [~~Beginning w~~]Work without a permit.

303.7.1 Investigation. Whenever work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a

permit may be issued for such work.

303.7.2 Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The payment of such investigation fee shall not exempt the applicant from compliance with all other provisions of either this chapter or the codes nor from penalty prescribed by law.

303.7.3 Stop work order. Whenever any work is being done contrary to the provisions of the codes, the building official may order the work stopped by written notice served on any persons engaged in the doing or causing such work to be done. No work may proceed until:

1. the building official authorizes the work to proceed; or
2. an appeal is perfected before the Building Inspection Advisory, Examining, and Appeals Board resolving the stop work order, or a finding that there is no cause for the continuation of the stop work order.

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

SECTION 19. That Subsection 304.1, “General,” of Section 304, “Inspections,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

“304.1 General.

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

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

304.1.3 Duty of permit applicant. It is the duty of the permit applicant to cause the work to

remain accessible and exposed for inspection purposes. Neither the building official nor the city shall be liable for any expense entailed in the removal or replacement of any material required to allow inspection.

304.1.3.1 City approved plans. The city approved plans, as required by this code, shall be available on the job site at the time of inspection.

304.1.3.2 Manufacturer's installation instructions. Manufacturer's or industrialized builder's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

304.1.4 Lot survey. A survey of the lot and its improvements may be required by the building official to verify that the structure and any of its components are [is] located in accordance with the approved plans.”

SECTION 20. That Subsection 304.4, “Approval Required,” of Section 304, “Inspections,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

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

~~**304.4.1 Water heater replacement.** On single family and duplex properties where the responsible master plumber finds the water heater installation to be in conformity with the *Dallas Plumbing Code*, the responsible master plumber may provide a certificate of compliance to the plumbing inspector in lieu of an inspection. Installation of the water heater will receive a green tag once the form has been received by the plumbing inspector.~~

~~**304.4.1.1 Plumbing code compliance.** The chief plumbing code administrator shall determine whether a plumbing installation complies with the *Dallas Plumbing Code*.~~

~~**304.4.2 Reroofing.** On single family and duplex properties where a registered contractor with a current home repair license finds the reroofing installation to be in conformity with the *Dallas Energy Conservation Code* and either the *Dallas Building Code*, the *Dallas One and Two Family Dwelling Code*, or the *Dallas Existing Building Code*, as applicable, the registered contractor may provide the building official with a certificate of compliance in lieu~~

of an inspection. The installation will receive a green tag once the form and a landfill receipt has been received by the building official.

~~**304.4.2.1 Building code compliance.** The chief building code administrator shall determine whether a reroofing installation complies with the *Dallas Energy Conservation Code* and either the *Dallas Building Code*, the *Dallas One and Two Family Dwelling Code*, or the *Dallas Existing Building Code*, as applicable.]”~~

SECTION 21. That Paragraph 306.3.1, “Application Requirements,” of Subsection 306.3, “Application for a Certificate of Occupancy,” of Section 306, “Certificate of Occupancy,” of Subchapter 3, “Permits and Inspections,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

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

1. The [~~name and~~] address of the use or occupancy.
2. The name (DBA) of the proposed use or occupancy.
3. The name, address, email address, and telephone number of the owner of the structure and land.
- 4[3]. The name, address, email address, and telephone number of the operator (tenant) of the use or occupancy.
5. The name, address, e-mail address, and telephone number of the applicant if different than the operator or tenant.
- 6[4]. A description of the use or occupancy that will be operated.
- 7[5]. Any other information, plans, diagrams, computations, specifications, or other data or supporting documents the building official deems necessary, including an affidavit containing a detailed description of the use or occupancy that will be operated, the goods or services offered or produced, the hours of operation, and whether a city, county, state, or federal license, permit, or registration is required to operate the use or occupancy.”

SECTION 22. That Paragraph 306.4.2, “Application Not Submitted in Conjunction with an Application for a Construction Permit,” of Subsection 306.4, “Expiration of Application,” of

Section 306, "Certificate of Occupancy," of Subchapter 3, "Permits and Inspections," of Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code is amended to read as follows:

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

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

SECTION 23. That Section 1001, "Purpose; Administration; Phases," of Subchapter 10, "Green Building Program," of Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code is amended to read as follows:

**"SECTION 1001
PURPOSE; ADMINISTRATION; COMPLIANCE [PHASES]**

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

1001.2 Administration. The green building program is administered by the division of building inspection.

1001.3 Compliance. ~~[Phases. The green building program consists of two phases.~~

~~**1001.3.1 Phase 1.** Phase 1 becomes effective October 1, 2009, and includes requirements for energy efficiency, water conservation, and cool roofs for proposed projects affecting less than 50,000 square feet of floor area in a single 12-month period. Proposed projects~~

affecting 50,000 or more square feet of floor area in a single 12 month period must meet the requirements of Section 4303.4 of the *Dallas Building Code*.

~~1001.3.2 Phase 2.~~ Phase 2 becomes effective October 1, 2013. Phase 2 applies to all proposed projects.] Proposed projects must:

1. Comply with the minimum requirements of the *Dallas Green Construction Code*;
2. Be LEED-certifiable;
3. Be Green Built Texas-certifiable; or
4. Be certifiable under an equivalent green building standard.”

SECTION 24. That Subsection 1002.1, “One- and Two-Family Dwellings,” of Section 1002, “Program Requirements,” of Subchapter 10, “Green Building Program,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

“**1002.1 One- and two-family dwellings.** Proposed projects must comply with the requirements in Section 328[6] of the *Dallas One- and Two-Family Dwelling Code*.”

SECTION 25. That Section 1003, “Expedited Plan Review,” of Subchapter 10, “Green Building Program,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

“SECTION 1003

RESERVED. [EXPEDITED PLAN REVIEW.]

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

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

~~1003.1.2 Phase 2. In order to receive an expedited plan review, an applicant must provide a checklist demonstrating the project:~~

- ~~1. Complies with the minimum requirements of the 2012 *International Green Construction Code* or ANSI/ASHRAE/USGBC/IES Standard 189.1-2011; or~~
- ~~2. Is eligible to obtain a LEED silver or higher certification, or an equivalent certification under another approved green building standard.]”~~

SECTION 26. That Subsection 1101.1, “Definitions,” of Section 1101, “Contractors Defined,” of Subchapter 11, “Registration of Miscellaneous Contractors,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code is amended to read as follows:

“**1101.1 Definitions.** In this subchapter, “contractor” means:

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

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

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

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

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

FOUNDATION CONTRACTOR means a person engaged in the business of pouring and finishing concrete foundations and structural elements. This also includes grout and shotcrete

work, concrete pouring and finishing, concrete pumping (i.e., placement), and mud-jacking, and includes gunite contractors and footing and foundation concrete contractors.

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

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

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

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

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

RESIDENTIAL GENERAL CONTRACTOR means a person engaged in the business of [who] constructing[s] residential structures, buildings, or other improvements on property that is not the contractor's homestead.

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

SIGN CONTRACTOR means a person engaged in the business of constructing, erecting, altering, and repairing non-electrical signs.

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

SECTION 27. That Subsection 1102.1, "General," of Section 1102, "Registration Required," of Subchapter 11, "Registration of Miscellaneous Contractors," of Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code is amended to read as follows:

1102.1 General. It is unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building, sign, or structure in the city, or cause the same to be done, unless such person, firm, or corporation is the holder of a valid registration with the city to perform such work. Such person, firm, or corporation shall be referred to as "registrant." A contractor listed in Section 1101 who is not registered by the city may not obtain any permit required by this chapter for work defined in Section 1101. In extending the rights and privileges of such registration, the city makes no statement of the technical competency of those so registered, and no manner of license is proffered.

1102.1.1 Exemption for homeowner. A homeowner's registration is required for work to be performed on an existing structure when the person performing the work is the owner of the structure who resides therein as his homestead, and is not assisted by any other person for remuneration. The homeowner shall be termed a "registrant" for the purposes of such a project after proper registration. All requirements for permits for the work and all other applicable provisions of the Dallas Construction Codes shall remain in force."

SECTION 28. That Subsection 1103.1, "General," of Section 1103, "Application for Registration," of Subchapter 11, "Registration of Miscellaneous Contractors," of Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code is amended to read as follows:

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

1. If the registrant is a firm or corporation, t[~~F~~]he [~~contractor's~~] name, mailing [~~local~~] address, email address, and telephone number of the firm or corporation;
2. The name, mailing [~~local~~] address, email address, and telephone number of the contractor or the contractor's agent who applies on behalf of the contractor, if applicable;
3. If the registrant is a firm or corporation, the name, mailing address, and e-mail address of a responsible person of the firm or corporation who is a person authorized to bind the firm or corporation in legal agreements;

4. If the registrant is an individual, the name, mailing address, e-mail address, and telephone number of the individual;

5. Any other information that may reasonably be required to properly identify the contractor or the contractor's agent; and

6[4]. The name, address, and telephone number of the contractor's place of business.

1103.1.1 Residential contractor. Except as provided in Section 50-135 of the *Dallas City Code*, to register or renew a registration with the city, residential contractors whose work includes any remodeling or additions to a single-family or duplex structure must have a current home repair license issued under Chapter 50 of the *Dallas City Code*."

SECTION 29. That Subsection 1106.2, "Appeal," of Section 1106, "Suspension; Revocation," of Subchapter 11, "Registration of Miscellaneous Contractors," of Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code is amended to read as follows:

"1106.2 Appeal. The contractor may appeal the decision of the building official to the advisory, examining, and appeals board. The appeal's process shall be in accordance with Section 302.9."

SECTION 30. 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 31. That Chapter 52 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.

SECTION 32. 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 32. That this ordinance shall take effect March 1, 2017 in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

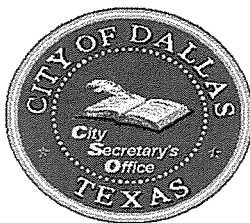
APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

JAN 25 2017

Passed _____



PROOF OF PUBLICATION – LEGAL ADVERTISING

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

DATE ADOPTED BY CITY COUNCIL JAN 25 2017

ORDINANCE NUMBER 30320

DATE PUBLISHED JAN 28 2017

ATTESTED BY: