

ORDINANCE NO. 28023

An ordinance amending Chapter 16, "Dallas Fire Code," of the Dallas City Code by amending Section 105; updating fees and permit schedules; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

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

SECTION 1. That Subsection 105.8, "Fees and Permits Schedule," of Section 105, "Permits and Fees," of Chapter 1, "Administration," of Chapter 16, "Dallas Fire Code," of the Dallas City Code is amended 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	<u>\$175.00</u> [\$150.00]
2.	Aerosol products, annual	<u>\$175.00</u> [\$160.00]
3.	Air curtain incinerator/pit burner, daily	<u>\$350.00</u> [\$94.00]
4.	Amusement building	<u>\$135.00</u> [\$129.00]
5.	Asphalt (tar) kettles	\$95.00
6.	Aviation facilities, annual	\$150.00
7.	Calcium carbide storage, annual	<u>\$175.00</u> [\$160.00]
8.	Candle and open flames	<u>\$95.00</u> [\$60.00]
9.	Carnivals and fairs, daily	<u>\$160.00</u> [\$108.00]
10.	Combustible storage (miscellaneous), annual	<u>\$150.00</u> [\$135.00]
11.	Commercial cooking fire-extinguishing system	<u>\$200.00</u> [\$160.00]
12.	Compressed gas filling/storage/use, annual	\$95.00
13.	Cryogenic fluids, annual	\$150.00
14.	Dry cleaning plant, annual	\$140.00
15.	Explosive/blasting, daily	<u>\$260.00</u> [\$255.00]

16.	Fireworks/explosive storage, daily	<u>\$160.00</u>	[\$140.00]
17.	Fireworks/explosive transportation, daily	<u>\$190.00</u>	[\$170.00]
18.	Fireworks display (initial)	<u>\$405.00</u>	[\$400.00]
19.	Fireworks display (subsequent)	<u>\$215.00</u>	[\$200.00]
20.	Flammable and combustible liquids, annual	<u>\$125.00</u>	
21.	Floor/wall finishing	<u>\$135.00</u>	[\$125.00]
22.	Fruit and crop ripening, annual	<u>\$175.00</u>	[\$125.00]
23.	Hazardous materials, annual	<u>\$175.00</u>	[\$160.00]
24.	Hazardous production material (HPM), annual	<u>\$175.00</u>	[\$150.00]
25.	High pile storage, annual	<u>\$160.00</u>	[\$150.00]
26.	Industrial oven	<u>\$175.00</u>	[\$150.00]
27.	Limited access gates		
	(1 to 3 gates)	<u>\$150.00</u>	[\$143.00]
	(4 to 7 gates)	<u>\$205.00</u>	[\$203.00]
	(8 or more gates)	<u>\$260.00</u>	[\$262.00]
28.	Liquid- or gas-fueled vehicles or equipment in assembly buildings, per event:		
	(1 to 10 vehicles or pieces of equipment)	\$63.00	
	(11 to 30 vehicles or pieces of equipment)	\$127.00	
	(31 or more vehicles or pieces of equipment)	\$191.00	
29.	LP-gas storage/use	<u>\$122.00</u>	[\$114.00]
30.	LP-gas/demonstration/portable cooking	<u>\$125.00</u>	[\$100.00]
31.	Lumber yards and woodworking plants, annual	<u>\$160.00</u>	
32.	Magnesium, annual	<u>\$175.00</u>	[\$150.00]
33.	Mobile fueling		
	(site survey), annual	<u>\$245.00</u>	[\$215.00]
	(vehicle inspection), annual	<u>\$100.00</u>	[\$80.00]
34.	Open burning/recreational fires	<u>\$230.00</u>	[\$150.00]
35.	Private fire hydrant and water supplies, annual	<u>\$105.00</u>	[\$75.00]
36.	Pyrotechnic special effects material, daily:		
	Initial performance	\$185.00	
	Subsequent performances	\$92.00	
37.	Refrigeration equipment	<u>\$160.00</u>	[\$150.00]
38.	[Repair garage, annual]	<u>\$125.00</u>	
39.]	Scrap tire storage, annual	<u>\$160.00</u>	[\$150.00]
39[40].	Spray painting/dipping	<u>\$135.00</u>	[\$129.00]
40[41].	State licensed facilities		
	(child care facility), annual	<u>\$150.00</u>	[\$132.00]
	(residential care facility), annual	<u>\$150.00</u>	[\$132.00]
	(small assisted living facility), annual	<u>\$150.00</u>	[\$132.00]
	(adult day care facility), annual	<u>\$150.00</u>	[\$132.00]
41[42].	Temporary membrane structures and tents, per event	<u>\$125.00</u>	[\$90.00]

<u>42</u> [43]. Tire-rebuilding plant	<u>\$160.00</u> [\$150.00]
<u>43</u> [44]. Torch and open flames	<u>\$120.00</u> [\$114.00]
<u>44</u> [45]. Trench burning (per day)	<u>\$350.00</u> [\$320.00]
<u>45</u> [46]. Waste handling, annual	<u>\$160.00</u> [\$150.00]
<u>46</u> [47]. Welding/cutting/hot works	<u>\$125.00</u> [\$80.00]

SECTION 2. That Paragraph 105.9.1, “When Required,” of Subsection 105.9, “Reinspection Fee,” of Section 105, “Permits and Fees,” of Chapter 1, “Administration,” of Chapter 16, “Dallas Fire Code,” of the Dallas City Code is amended to read as follows:

“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	\$00
2 ND	\$100 [\$80]
3 RD and each subsequent	\$105

Exception: No fee shall be charged for a reinspection of the following:

1. A Group R-3 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 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.”

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 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 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.

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SECTION 6. That this ordinance will take effect on October 1, 2010, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By _____
Assistant City Attorney

Passed SEP 22 2010