

ORDINANCE NO. 1765

An Ordinance amending provisions of the Dallas City Code Chapter 8, and adding new provisions relating to property maintenance regulations; and amending Dallas City Code section 5.590, relating to Chronic Nuisance Properties.

THE CITY OF DALLAS DOES ORDAIN AS FOLLOWS:

Section 1. The following provisions are hereby added to and made a part of Dallas City Code Chapter 8:

PROPERTY MAINTENANCE REGULATIONS

8.800 Title.

Sections 8.800 to 8.833 shall be known as the "property maintenance regulations." and is referred to herein as "this sub-chapter."

8.801 Purpose.

The purpose of this sub-chapter is to protect the health, safety and welfare of city citizens, to prevent deterioration of existing structures, and to contribute to vital neighborhoods by:

- (1) Regulating and abating dangerous and derelict buildings.
- (2) Establishing and enforcing minimum standards for buildings and other structures regarding basic equipment, facilities, sanitation, fire safety, and maintenance.

8.802 Scope; conflict with state law.

The provisions of this sub-chapter shall apply to all property in the city limits except as otherwise provided by law; however, the provisions of this sub-chapter do not apply to jails, institutions and similar occupancies as classified by the state-adopted structural specialty code. In the event that a provision of this sub-chapter conflicts with a licensing requirement of the state, the state licensing requirements shall be followed.

8.803 Application.

Any alterations to buildings, or changes of their use, which may be a result of the enforcement of this sub-chapter shall be done in accordance with applicable building codes as adopted by the city.

8.804 Inspections.

The building official and his or her designee, or code enforcement officer, or both, are authorized to conduct inspections to enforce the provisions of this sub-chapter.

8.806 Definitions.

(1) For the purpose of this sub-chapter:

- (a) Certain abbreviations, terms, phrases, words and their derivatives shall be construed as specified in this sub-chapter.
- (b) Words used in the singular include the plural and the plural the singular.
- (c) Words used in the masculine gender include the feminine and the feminine the masculine.
- (d) The term "and" indicates that all connected items or provisions apply.
- (e) The term "or" indicates that the connected items or provisions may apply singly or in combination.
- (f) Terms, words, phrases and their derivatives used, but not specifically defined, in this sub-chapter either shall have the meanings defined in other chapters of the Dallas City Code, as the context may indicate, or if not defined, shall have their commonly accepted meanings. If a conflict exists between a definition in other chapters and a definition in this section, the definitions in this section shall apply to actions taken pursuant to this sub-chapter.

(2) The following words, terms and phrases, when used in this sub-chapter, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Apartment house. See *Dwelling classifications.*

Approved means meets the standards set forth by applicable provisions of the Dallas City Code including any applicable regulations for electric, plumbing, building, mechanical or other sets of standards included by reference in this sub-chapter .

Basement means the usable portion of a building which is below the main entrance story and is partly or completely below grade.

Building means any structure used or intended to be used for supporting or sheltering any use or occupancy.

Building, existing, means a building constructed and legally occupied prior to the adoption of this sub-chapter , and one for which a building permit has been lawfully issued and has not been revoked or lapsed due to inactivity.

Building Official means the Building Official charged with the enforcement and administration of this sub-chapter .

Carbon monoxide alarm means a device that detects carbon monoxide; produces a distinctive audible alert when carbon monoxide is detected; is listed by Underwriters Laboratories as complying with ANSI/UL 2034 or ANSI/UL 2075 or any other nationally recognized testing laboratory or an equivalent organization; and operates as a distinct unit, as two or more single station units wired to operate in conjunction with each other, or as part of a system that includes carbon monoxide detectors.

Carbon monoxide source means a heater, fireplace, furnace, appliance, or cooking source that uses coal, wood, petroleum products, and other fuels that emit carbon monoxide as a by-product of combustion. Petroleum products include, but are not limited to, kerosene, natural gas, or propane.

Court means a space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.

Duplex. See *Dwelling classifications, Two-family dwelling.*

Dwelling means any structure containing dwelling units, including all dwelling classifications covered by this sub-chapter.

Dwelling classifications. Types of dwellings covered by this sub-chapter include:

Apartment house means any building or portion of a building containing three or more dwelling units, which is designed, built, rented, leased, let, or hired out to be occupied for residential living purposes.

Hotel means any structure containing dwelling units that are intended, designed, or used for renting or hiring out for sleeping purposes by residents on a daily, weekly, or monthly basis.

Manufactured dwelling. The term "manufactured dwelling" includes the following types of single-family dwellings:

Manufactured dwelling does not include any unit identified as a recreational vehicle by the manufacturer.

Manufactured home means a structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for, or is intended to be used for, residential purposes, and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations.

Mobile home means a structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for, or is intended to be used for, residential purposes, and that was constructed between January 1, 1962, and

June 15, 1976, and met the construction requirements of state mobile home law in effect at the time of construction.

Residential trailer means a structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for, or is intended to be used for, residential purposes, and that was constructed before January 1, 1962.

Single-family dwelling means a structure containing one dwelling unit, including adult foster care homes.

Single-room occupancy housing unit means a one-room dwelling unit in a hotel providing sleeping, cooking, and living facilities for one or two persons in which some or all sanitary or cooking facilities (toilet, lavatory, bathtub or shower, kitchen sink, or cooking equipment) may be shared with other dwelling units.

Social care facilities means any building or portion of a building which is designed, built, rented, leased, let, hired out or otherwise occupied for group residential living purposes, which is not an apartment house, single-family dwelling or two-family dwelling. Such facilities include, but are not limited to, retirement facilities, assisted living facilities, residential care facilities, halfway houses, youth shelters, homeless shelters and other group living residential facilities.

Two-family dwelling means a structure containing two dwelling units, also known as a "duplex."

Dwelling unit means one or more habitable rooms that are occupied by, or in the case of an unoccupied structure or portion of a structure, are designed or intended to be occupied by, one person or by a family or group living together as a single housekeeping unit that includes facilities for living and sleeping and, unless exempted by this sub-chapter .

Exit (means of egress) means a continuous, unobstructed means of escape to a public way, as defined in the building code in effect in the city.

Extermination means the elimination of insects, rodents, vermin, vector or other pests at or about the affected building.

Habitable room or space means a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

Hotel. See *Dwelling classifications.*

Infestation means the presence within or around a structure of insects, rodents, vermin, vector or other pests to a degree that is harmful to the structure or its occupants.

Inspection means the examination of a property by a person authorized by law for the purpose of evaluating its condition as provided by this sub-chapter.

Inspector means an authorized representative of the Building Official or Code Enforcement Officer whose primary function is the inspection of properties and the enforcement of this sub-chapter .

Kitchen means a room used or designed to be used for the preparation of food.

Lavatory means a fixed wash basin connected to hot and cold running water and the building drain and used primarily for personal hygiene.

Maintenance means the work of keeping property in proper condition to perpetuate its use.

Manufactured dwelling. See *Dwelling classifications.*

Occupancy means the lawful purpose for which a building or part of a building is used or intended to be used.

Occupant means any person (including an owner, tenant or operator) using a building, or any part of a building, for its lawful, intended use.

Occupied means used for an occupancy.

Operator means any person who has charge, care or control of a building or part of a building.

Owner means the person whose name and address is listed as the owner of the property by the County Tax Assessor in the county assessment and taxation records.

Permit means to suffer, allow, consent to, acquiesce by failure to prevent, or expressly assent or agree to an act, or failure to act.

Plumbing or *plumbing fixtures* means any water pipes, vent pipes, garbage or disposal units, waste lavatories, bathtubs, shower baths, installed clothes-washing machines or other similar equipment, catch basins, drains, vents, or other similarly supplied fixtures, together with all connection to water, sewer, or vent lines.

Property means real property and all improvements or structures on real property, from property line to property line.

Repair means the reconstruction or renewal of any part of an existing structure for the purpose of its maintenance.

Resident means any person (including owner, tenant or operator) hiring or occupying a room or dwelling unit for living or sleeping purposes.

Residential property means real property and all improvements or structures on real property used or, in the case of unoccupied property, intended to be used for residential purposes including any residential structure, dwelling, or dwelling unit as defined in this sub-chapter and any mixed-use structures which have one or more dwelling units.

Hotels that are used exclusively for transient occupancy, as defined in this section, are excluded from this definition of residential property.

Residential structure means any building or other improvement or structure containing one or more dwelling units as well as any accessory structure. The term "residential structure" includes any dwelling as defined in this section.

Responsible person means an agent, occupant, lessee, tenant, contract purchaser, owner, or other person having possession or control of property or the supervision of any construction project.

Shall, as used in this sub-chapter, is mandatory.

Single-family dwelling. See *Dwelling classifications*.

Single-room occupancy housing unit. See *Dwelling classifications*.

Sink means a fixed basin connected to hot and cold running water and a drainage system and primarily used for the preparation of food and the washing of cooking and eating utensils.

Sleeping room means any room designed, built, or intended to be used as a bedroom as well as any other room used for sleeping purposes.

Smoke alarm or detector means an approved detection device for products of combustion other than heat that is either a single station device or intended for use in conjunction with a central control panel and which plainly identifies the testing agency that inspected or approved the device.

Structure means that which is built or constructed, an edifice or building of any kind, or any piece or work artificially built up or composed of parts joined together in some definite manner, including but not limited to buildings.

Supplied means installed, furnished or provided by the owner or operator.

Swimming pool means an artificial basin, chamber, or tank constructed of impervious material, having a depth of 24 inches or more, and used or intended to be used for swimming, diving, or recreational bathing.

Toilet means a flushable plumbing fixture connected to running water and a drainage system and used for the disposal of human waste.

Toilet compartment means a room containing only a toilet or only a toilet and lavatory.

Transient occupancy means occupancy of a dwelling unit in a hotel where the following conditions are met:

- (a) Occupancy is charged on a daily basis and is not collected more than six days in advance;
- (b) The lodging operator provides maid and linen service daily or every two days as part of the regularly charged cost of occupancy; and

(c) The period of occupancy does not exceed 30 days.

Two-family dwelling. See *Dwelling classifications.*

Unoccupied means not used for occupancy.

Unsecured means any structure in which doors, windows, or apertures are open or broken so as to allow access by unauthorized persons.

Yard means an open, unoccupied space, other than a court, unobstructed from the ground to the sky, and located between a structure and the property line of the lot on which the structure is situated.

8.807 Maintenance.

No responsible person shall maintain or permit to be maintained any property which does not comply with the requirements of this sub-chapter. All properties shall be maintained to the building code requirements in effect at the time of construction, alteration, or repair and shall meet the minimum requirements described in this sub-chapter.

8.808 Accessory structures.

All accessory structures on residential property shall be maintained structurally safe and sound and in good repair. All accessory structures, including exterior steps and walkways, shall be maintained free of unsafe obstructions or hazardous conditions.

8.809 Roofs.

The roof of any structure shall be structurally sound, tight, and have no defects which might admit rain. Roof drainage shall be adequate to prevent rainwater from causing dampness in the walls or interior portion of the building and shall channel rainwater into approved receivers. Temporary use of tarps, sheet plastics and similar products shall be limited to a 30-day duration. Up to two, 60-day extensions may be granted upon request by the Building Official or his or her designee if needed because of inclement weather or other emergency conditions.

8.810 Chimneys.

Every masonry, metal, or other chimney shall remain adequately supported and free from obstructions and shall be maintained in a condition which ensures there will be no leakage or backup of noxious gases. Every chimney shall be reasonably plumb. Loose bricks or blocks shall be rebonded. Loose or missing mortar shall be replaced. Unused openings into the interior of the structure must be permanently sealed using approved materials.

8.811 Foundations and structural members.

Foundation elements shall adequately support the building and shall be free of rot, crumbling elements, or similar deterioration. The supporting structural members in every structure shall be maintained structurally sound, showing no evidence of deterioration or decay which would substantially impair their ability to carry imposed loads.

8.812 Exterior walls and exposed surfaces.

- (1) Every exterior wall and weather-exposed exterior surface or attachment shall be free of holes, breaks, loose or rotting boards or timbers and any other conditions which might admit rain or dampness to the interior portions of the walls or the occupied spaces of the building.
- (2) All exterior wood surfaces shall be made substantially impervious to the adverse effects of weather by periodic application of an approved protective coating of weather-resistant preservative, and be maintained in good condition. Wood used in construction of permanent structures and located nearer than six inches to the earth shall be treated wood or wood having a natural resistance to decay.
- (3) Exterior metal surfaces shall be protected from rust and corrosion.
- (4) Every section of exterior brick, stone, masonry, or other veneer shall be maintained structurally sound and be adequately supported and tied back to its supporting structure.

8.813 Stairs and porches.

Every stair, porch, and attachment to stairs or porches shall be so constructed as to be safe to use and capable of supporting the loads to which it is subjected and shall be kept in sound condition and good repair, including replacement as necessary of flooring, treads, risers, and stringers that evidence excessive wear and are broken, warped, or loose.

8.814 Handrails and guardrails.

Every handrail and guardrail shall be firmly fastened, and shall be maintained in good condition, capable of supporting the loads to which it is subjected. Handrails and guardrails required by building codes at the time of construction shall be maintained or, if removed, shall be replaced in accordance with current building code requirements with a permit.

8.815 Windows.

All windows shall be maintained in good condition and meet the following requirements or as required by building codes at the time of construction:

- (1) All windows within ten feet of the exterior grade that open must be able to be securely latched from the inside as well as be openable from the inside without the use of a key or any special knowledge or effort. This same requirement shall apply to all openable windows that face other locations that are easily accessible from the outside, such as balconies or fire escapes, regardless of height from the exterior grade.
- (2) Every window shall be substantially weather-tight, shall be kept in sound condition and repair for its intended use, and shall comply with the following:
 - a. Every window sash shall be fully supplied with glass window panes without open cracks and holes.
 - b. Every window sash shall be in good condition and fit weathertight within its frames.
 - c. Every window frame shall be constructed and maintained in relation to the adjacent wall construction so as to exclude rain as completely as possible and to substantially exclude wind from entering the dwelling.

8.816 Doors.

- (1) Every dwelling or dwelling unit shall have at least one door leading to an exterior yard or court, or in the case of a two-family dwelling or apartment, to an exterior yard or court or to an approved exit. All such doors shall be openable from the inside without the use of a key or any special knowledge or effort. All screen doors and storm doors must be easily openable from the inside without the use of a key or special knowledge or effort.
- (2) In hotels and apartment houses, exit doors in common corridors or other common passageways shall be openable from the inside with one hand in a single motion, such as pressing a bar or turning a knob, without the use of a key or any special knowledge or effort.
- (3) Every door to the exterior of a dwelling unit shall be equipped with a lock designed to discourage unwanted entry and to permit opening from the inside without the use of a key or any special knowledge or effort.
- (4) Every exterior door shall comply with the following:
 - (a) Every exterior door shall be able to be securely locked and every exterior door, door hinge, door lock, and strike plate shall be maintained in good condition.

- (b) Every exterior door, when closed, shall fit reasonably well within its frame and be weather-tight.
 - (c) Every door frame shall be constructed and maintained in relation to the adjacent wall construction so as to exclude rain as completely as possible, and to substantially exclude wind from entering the dwelling.
- (5) Every existing interior door and door frame shall be maintained in a sound condition for its intended purpose with the door fitting within the door frame.

8.817 Interior walls, floors, and ceilings.

- (1) Every interior wall, floor, ceiling, and cabinet shall be constructed and maintained in a safe and structurally sound condition, free of large holes and serious cracks, loose plaster or wallpaper, flaking or scaling paint, to permit the interior wall, floor, ceiling and cabinet to be kept in a clean and sanitary condition.
- (2) Every toilet compartment, bathroom, and kitchen floor surface shall be constructed and maintained to be substantially impervious to water and to permit the floor to be kept in a clean and sanitary condition.

8.818 Interior dampness.

Every structure, including basements and crawl spaces shall be maintained reasonably free from dampness to prevent conditions conducive to decay, mold growth, or deterioration of the structure.

8.819 Insect and rodent harborage.

Every structure shall be kept free from insect and rodent infestation, and where insects and rodents are found, they shall be promptly exterminated. After extermination, proper precautions shall be taken to prevent re-infestation.

8.820 Cleanliness and sanitation.

The interior and exterior of every structure shall be constructed in a safe and structurally sound condition to permit the interior and exterior to be maintained in a clean and sanitary condition. The interior and exterior of every structure shall be free from accumulation of rubbish, unused appliances, discarded furniture or garbage which is affording a breeding ground for insects and rodents, producing dangerous or offensive gases, odors and bacteria, or other unsanitary conditions, or a fire hazard.

8.821 Bathroom facilities.

- (1) Except as otherwise noted in this division, bathroom facilities shall be maintained in a safe and sanitary working condition.
 - (a) Every dwelling unit shall be provided with a toilet, lavatory, and a bathtub or shower.
 - (b) Every commercial building shall be provided with toilet and lavatory facilities. Exception: Toilet facilities may be located in an adjacent building on the same property for all commercial or industrial uses, except drinking and dining establishments.
- (2) In hotels, apartment houses and social care facilities where private toilets, lavatories, or baths are not provided, there shall be on each floor at least one toilet, one lavatory, and one bathtub or shower, each provided at the rate of one for every 12 residents. Required toilets, bathtubs, and showers shall be in a room, or rooms, that allow privacy.
- (3) When there are practical difficulties involved in carrying out the provisions of this section for hotels, apartment houses and social care facilities where private toilets, lavatories or baths are not provided, the Building Official may, upon application, grant modifications for individual cases. The Building Official shall first find that a special and individual reason makes the requirements of this section impractical and that the modification is in conformance with the intent of this section and that such modification does not result in the provision of inadequate bathroom facilities in the dwelling.

8.822 Kitchen facilities.

- (1) Every dwelling unit shall contain a kitchen sink apart from the lavatory basin required under section 8.821 and social care facilities complying with subsection (3) of this section.
- (2) Except as otherwise provided for in subsection (3) of this section, every dwelling unit shall have approved service connections for refrigeration and cooking appliances.
- (3) Social care facilities may be provided with a community kitchen with facilities for cooking, refrigeration, and washing utensils.

8.823 Plumbing facilities.

- (1) Every plumbing fixture or device shall be properly connected to a public or approved private water system and to a public or an approved private sewer system.

- (2) Commercial structures shall be served with plumbing systems that comply with the Oregon Structural Specialty Code.
- (3) All required sinks, lavatory basins, bathtubs and showers shall be supplied with both hot and cold running water. Every dwelling shall be supplied with water-heating facilities adequate for each dwelling unit which are installed in an approved manner, properly maintained, and properly connected with hot water lines to all sinks, lavatory basins, bathtubs and showers. Dwelling water-heating facilities shall be capable of heating enough water to permit an adequate amount of water to be drawn at every facility. Water capable of being drawn from bathtubs and showers shall not exceed 120 degrees Fahrenheit.
- (4) In every structure, all required plumbing or plumbing fixtures shall be:
 - (a) Properly installed, connected, and maintained in good working order;
 - (b) Kept free from obstructions, leaks, and defects;
 - (c) Capable of performing the function for which they are designed; and
 - (d) Installed and maintained so as to prevent structural deterioration or health hazards.
- (5) All plumbing repairs and installations shall be made in accordance with the provisions of the plumbing code adopted by the city.

8.824 Heating equipment and facilities.

- (1) All heating equipment, including that used for cooking, water heating, heat, and clothes drying shall be:
 - (a) Properly installed, connected, and maintained in safe condition and good working order;
 - (b) Free from leaks and obstructions and kept functioning properly so as to be free from fire, health, and accident hazards; and
 - (c) Capable of performing the function for which they are designed.
- (2) Every dwelling unit shall have a heating facility capable of maintaining a room temperature of 68 degrees Fahrenheit at a point three feet from the floor in all habitable spaces.
 - (a) Portable heating devices may not be used to meet the dwelling heat requirements of this section.
 - (b) No inverted or open flame fuel burning heater shall be permitted. All heating devices or appliances shall be of an approved type.

8.825 Electrical system, outlets, and lighting.

- (1) Any structure using power must be connected to an approved source of electric power. Every electric outlet and fixture shall be maintained and safely connected to an approved electrical system. The electrical system shall not constitute a hazard to the occupants of the building by reason of inadequate service, improper fusing, improper wiring or installation, deterioration or damage, or similar reasons.
- (2) In addition to other electrical system components that may be used to meet cooking, refrigeration, and heating requirements listed elsewhere in this section, the following outlets and lighting fixtures are required:
 - (a) Every habitable room shall contain at least two operable electric outlets or one outlet and one operable electric light fixture.
 - (b) Every toilet compartment or bathroom shall contain at least one supplied and operable electric light fixture and one outlet. Every laundry, furnace room, and all similar nonhabitable spaces shall have one supplied electric light fixture available at all times.
 - (c) Every public hallway, corridor, and stairway in apartment houses, hotels and social care facilities shall be adequately lighted at all times with an average intensity of illumination of at least one footcandle at principal points such as angles and intersections of corridors and passageways, stairways, landings of stairways, landings of stairs and exit doorways, and at least one-half footcandle at other points. Measurement of illumination shall be taken at points not more than four feet above the floor.

8.826 Sleeping room requirements.

Every room used for sleeping purposes:

- (1) Shall be a habitable room as defined in this sub-chapter; and
- (2) Shall have natural or approved artificial light, ventilation, and windows or other means for escape purposes as required by this sub-chapter.

8.827 Overcrowding.

No dwelling unit shall be permitted to be overcrowded. A dwelling unit shall be considered overcrowded if there are more than two residents for each bedroom and living or sleeping room in the dwelling unit.

8.828 Emergency exits.

- (1) Unless otherwise provided in accordance with the requirements applicable at the time of construction of the building, every sleeping room shall have at least one operable window or exterior door approved for emergency escape or rescue that is openable from the inside to a full, clear opening without the use of special knowledge, effort, or separate tools.
- (2) Required exit doors and other exits shall be free of encumbrances or obstructions that block access to the exit.
- (3) All doorways, windows and any device used in connection with the means of escape shall be maintained in good working order and repair.

8.829 Smoke alarms and carbon monoxide alarms.

- (1) Smoke alarms or detectors shall be maintained in accordance with the requirements applicable at the time of construction of the dwelling. Notwithstanding the provisions of the requirement at the time of construction, a single station smoke alarm or detector shall be located in all buildings where a room or area therein is designated for sleeping purposes either as a primary use or use on a casual basis. A single station smoke alarm or detector shall be installed in the immediate vicinity of the sleeping rooms and on each additional story of the dwelling, including basements, cellars and attics with habitable space. Required smoke alarms shall not be located within kitchens or garages, or in other spaces where temperatures can fall below 40 degrees Fahrenheit (38 degrees Celsius). All alarms and detectors shall be approved, shall comply with all applicable laws, shall be installed in accordance with the manufacturer's instructions and shall be operable.
- (2) A properly functioning carbon monoxide alarm shall be installed for all new dwelling construction and all dwelling units for sale, lease or rent. A carbon monoxide alarm shall be located:
 - (a) In each bedroom or within 15 feet outside of each bedroom door; and
 - (b) In any enclosed common area within the dwelling, if the common area is connected by door, ductwork or ventilation shaft to a carbon monoxide source located within or attached to the dwelling.
- (3) Allowable carbon monoxide alarm systems for the purposes of this section include:
 - (a) Single station alarms;
 - (b) Household carbon monoxide detection systems; or
 - (c) Combination smoke and carbon monoxide alarms.

8.830 Hazardous materials.

- (1) When paint is applied to any surface of a structure, it shall be lead-free.
- (2) Property shall be free of dangerous levels of hazardous or explosive materials, contamination by toxic chemicals, or other circumstances that would render the property unsafe or be detrimental to life or health.

8.831 Maintenance of facilities and equipment.

In addition to other requirements for the maintenance of facilities, such as bathrooms, kitchens, etc., and equipment described in this sub-chapter:

- (1) All facilities in structures shall be constructed and maintained to properly and safely perform their intended function; and
- (2) All facilities or equipment present in a structure shall be maintained to prevent structural damage to the building or hazards of health, sanitation, or fire.

8.832 Swimming pools.

A swimming pool may be located within a required rear yard or side yard provided that the pool meets the setback requirements for the zone in which the pool is located. Any pool installed shall be protected against accidental entry by meeting current building code barrier requirements.

8.833 Penalties.

- (1) A violation of any provision of sections 8.800 to 8.832 is a civil infraction.
- (2) Each day that a continuing violation of sections 8.800 to 8.832 exists shall be deemed a separate violation.

Section 2. Dallas City Code Section 5.590 is hereby amended as follows:

5.590. Definitions. In addition to those terms defined in section 5.500, for purposes of sections 5.590 through 5.597, the following definitions shall apply:

Chronic Nuisance Property. Property upon which three or more nuisance activities have occurred during any sixty (60) day period; or property upon which, or within 200 feet of which, any person associated with the property, including owners, tenants, occupants, guests, patrons, employees, or employers, has engaged in three or more nuisance activities during any sixty (60) day period.

Nuisance Activities. (1) Any commission, attempt to commit (as defined by ORS 161.405), or conspiracy to commit (as defined by ORS 161.455), the following activities, behaviors, or criminal conduct:

(a) Alcoholic liquor violations as provided in ORS 471.105 through ORS 471.482;

(b) Animal Abuse or Neglect as provided in ORS 167.315 through 167.330;

(c) Animal or Dog Fighting as provided in ORS 167.355 or ORS 167.365;

(d) Arson or related offences as provided in ORS 164.315 through 164.335;

(e) Assault as provided in ORS 163.160 through ORS 163.185, or in section 5.010 of this code;

(f) Criminal Mischief as provided in ORS 164.345 through 164.365, or in sections 5.120 and 5.122 of this code;

(g) Criminal Trespass as provided in ORS 164.243 through 164.265 or in sections 5.128 and 5.130 of this code;

(h) Discharging a Weapon as provided in section 5.102 of this code;

(i) Disorderly Conduct as provided in ORS 166.025 or in section 5.000 of this code;

(j) Harassment as provided in ORS 166.065 or in section 5.006 of this code;

(k) Illegal Gambling as provided in ORS 167.117, and ORS 167.122 through 167.127;

(L) Intimidation as provided in ORS 166.155 through 166.165;

(m) Menacing as provided in ORS 163.190 or in section 5.012 of this code;

(n) Offensive Littering as provided in ORS 164.805;

(o) Prohibited Exposure as provided in section 5.203 of this code;

(p) Prostitution or related offenses as provided in ORS 167.007, ORS 167.012, and ORS 167.017;

(q) Public Indecency as provided in ORS 163.465 or in section 5.202 of this code;

(r) Rape as provided in ORS 163.375;

(s) Sex Abuse, Contributing to the Delinquency of a Minor, or sexual misconduct as provided in ORS 163.415 through 163.445;

(t) Theft as provided in ORS 164.015 through 164.140 or in sections 5.132 through 5.136 of this code;

(u) Unlawful Entry into a Motor Vehicle as provided in ORS 164.272 or in section 5.142 of this code;

(v) Offenses involving firearms or destructive devices, including Unlawful Possession of a Firearm as provided in ORS 166.250 or in section 5.100 of this code, Possession of a Destructive Device as provided in ORS 166.382, Possession of a Hoax Destructive Device as provided in ORS 166.385, and Discharge of Weapons as provided in section 5.102 of this code;

(w) Unlawful Manufacture, Delivery, or Possession of a Controlled Substance or related offenses as provided in ORS 167.203, ORS 475.005 through 475.285, and ORS 475.940 through 475.995;

(x) Unnecessary Noise as provided in section 5.020 of this code.

(y) Maintenance of a Dangerous Building in violation of sections 8.400 through 8.455 of this code.

(z) A violation of the Property Maintenance Regulations in sections 8.800 through 8.833 of this code.

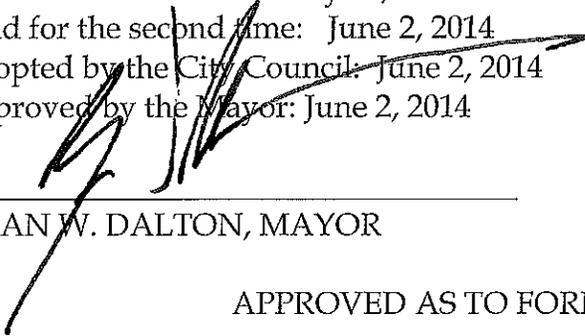
(aa) Any nuisance condition or activity in violation of sections 5.540, (Nuisances affecting public health), 5.550 (Creating a hazard), 5.552 (Attractive nuisance), 5.556 (Scattering rubbish), 5.562 (Surface waters, Drainage), 5.582 (Junk), 5.584 (Inoperable motor vehicles and recreational vehicles), 5.586 (Exterior lighting), 5.588 (Graffiti).

Read for the first time: May 19, 2014

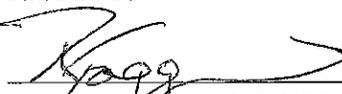
Read for the second time: June 2, 2014

Adopted by the City Council: June 2, 2014

Approved by the Mayor: June 2, 2014


BRIAN W. DALTON, MAYOR

ATTEST:


RONALD W. FOGGIN,
CITY MANAGER

APPROVED AS TO FORM:


LANE P. SHETTERLY, CITY
ATTORNEY