



REGULAR MEETING & WORK SESSION OF THE CITY COUNCIL

April 28, 2020

ADDISON TOWN HALL

**5300 BELT LINE RD., DALLAS, TX 75254
6:30 PM WORK SESSION & REGULAR MEETING**

Notice is hereby given that the Addison City Council, using electronic medium, will conduct its REGULARLY SCHEDULED MEETING on Tuesday, April 28, 2020. No meeting will be conducted at Town Hall. A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. These actions are being taken to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code. Telephonic or videoconferencing capabilities will be utilized to allow individuals to address the Council. Email comments may also be submitted to iparker@addisontx.gov by 3:00 pm the day of the meeting. Members of the public are entitled to participate remotely via Toll-Free Dial-in Number: 877.853.5247; Meeting ID: 409.327.0683#, Participant ID: #. For more detailed instructions on how to participate in this meeting visit our Agenda Page. The meeting will be live streamed on Addison's website at www.addisontexas.net.

1. Call Meeting to Order

WORK SESSION

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2. Present and Discuss **Any Action Necessary or New Information Regarding the COVID-19 Pandemic.**
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3. Present and Discuss a **Status Update on the Midway Road Reconstruction Project.**

REGULAR MEETING

Pledge of Allegiance

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

Public Comment.

The City Council invites citizens to address the City Council on any matter, including items on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing starts. Citizen comments are limited to three (3) minutes, unless otherwise required by law. To address the Council, please fill out a City Council Appearance Card and submit it to a staff member prior to the Public Comment item on the agenda. The Council is not permitted to take any action or discuss any item not listed on the agenda. The Council may choose to place the item on a future agenda.

Consent Agenda:

All items listed under the Consent Agenda are considered routine by the City Council and will be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be pulled from the Consent Agenda and discussed separately.

4. Consider Action to Approve the **Minutes for the April 14, 2020 Work Session and Regular Meeting.**
 5. Consider Action to Approve a **Resolution Denying Oncor Electric Delivery Company LLC's Application for Approval of a Distribution Cost Recovery Factor.**
 6. Consider Action to Approve a **Resolution to Appoint a Voting Member and Alternative Representative of the Advisory Committee for the Trinity River Authority's Central Wastewater Treatment System.**
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7. Consider Action to Approve a Resolution Supporting the Town of Addison's Application to the North Central Council of Governments 2020 Transportation Alternatives Call for Projects.
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8. Consider Action to Approve an Ordinance Repealing Article I "In General" of Chapter 18 "Buildings and Building Regulations" of the Addison Code of Ordinances, Renaming and Adopting a New Article I Entitled "General Provisions".
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9. Consider Action to Approve an Ordinance Amending Chapter 18 Article II "Building Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Building Code With Amendments Save and Except For Section 18-63 "Automatic Fire-Extinguishing Systems" Which Shall Be Renumbered to Section 18-22.
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10. Consider Action to Approve an Ordinance Amending Chapter 18 Article III "Existing Building Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Existing Building Code With Amendments.
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11. Consider Action to Approve an Ordinance Amending Chapter 18 To Add a New Article IV "Residential Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Residential Code With Amendments, Save and Except for the Requirement to Provide an Automatic Fire Sprinkler System In All Buildings of Any Area, Size, or Occupancy Built, Added To or Moved Into the Town Of Addison After December 8, 1992 And Excluding the Noted Exceptions.
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12. Consider Action to Approve an Ordinance Amending Chapter 18 Article V "Electrical Code" of the Addison Code of Ordinances, Adopting the 2017 Edition of the National Electrical Code With Amendments.
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13. Consider Action to Approve an Ordinance Amending Chapter 18 Article VI "Mechanical Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Mechanical Code With Amendments.

14. Consider Action to Approve an Ordinance Amending Chapter 18 Article VII "Plumbing Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Plumbing Code With Amendments.

15. Consider Action to Approve an Ordinance Amending Chapter 18 to Add a New Article VIII "Fuel Gas Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Fuel Gas Code With Amendments.

16. Consider Action to Approve an Ordinance Amending Chapter 18 to Add a New Article IX "Energy Conservation Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Energy Conservation Code With Amendments.

17. Consider Action to Approve an Ordinance Amending Chapter 18 to Add a New Article X "Solar Energy Provisions Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Solar Energy Provisions Code With Amendments.

18. Consider Action to Approve an Ordinance Amending Chapter 18 to Add a New Article XI "Swimming Pool and Spa Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Swimming Pool and Spa Code With Amendments.

19. Consider Action to Approve an Ordinance Amending Chapter 18 to Add a New Article XII "Building Numbers" of the Addison Code of Ordinances.

20. Consider Action to Approve an Ordinance Amending Chapter 18 to Add a New Article XIII "Satellite Earth Stations" of the Addison Code of Ordinances.

21. Consider Action to Approve an **Ordinance Amending Chapter 18 to Add a New Article XIV "Fences" of the Addison Code of Ordinances.**

22. Consider Action to Approve an **Ordinance Amending Chapter 34 "Environment", Article VII "Property Maintenance Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Property Maintenance Code With Amendments.**

23. Consider Action to Approve an **Ordinance Amending Chapter 34 "Environment", to Add a New Article VIII "Landlord-Tenant Affairs" of the Addison Code of Ordinances.**

24. Consider Action to Approve an **Ordinance Amending Chapter 38 "Fire and Fire Prevention", Article II "Fire Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Fire Code With Amendments.**

Regular Items

25. Present, Discuss and Consider Action on a **Resolution Updating the Adopted Addison Athletic Club Master Plan to Include Changing Suites.**

Adjourn Meeting

NOTE: The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.

Posted: _____

Irma Parker, City Secretary

Date: Thursday, April 23, 2020

Time: 5:00 pm

**THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS WITH
DISABILITIES. PLEASE CALL (972) 450-7090 AT LEAST
48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.**

Work Session and Regular Meeting

2.

Meeting Date: 04/28/2020

Department: City Manager

AGENDA CAPTION:

Present and Discuss **Any Action Necessary or New Information Regarding the COVID-19 Pandemic.**

BACKGROUND:

In December 2019, a novel (new) coronavirus known as SARS-CoV-2 ('the virus') was first detected and subsequently began causing outbreaks of the coronavirus disease COVID-19 that spread globally. The virus is easily transmitted through person to person contact, especially in group settings. As a result, the Federal Government, State of Texas, Dallas County, and the Town of Addison issued a series of declarations and orders to take measures to slow the spread of the virus and protect the ability of public and private health care providers to handle the influx of potential new patients and safeguard public health and safety.

The President of the United States issued a Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) on March 13, 2020.

The Texas Governor followed with a State of Disaster Declaration for the State of Texas on March 13, 2020.

On March 23, 2020 Dallas County Judge Clay Jenkins issued an amended order directing all non-essential businesses and activities to cease in-person operations and for all personnel of non-essential businesses to shelter-in-place.

On April 3, 2020:

- The Dallas County Commissioners Court voted to extend the county's declaration of a Local Public Health Emergency until May 20, 2020.

On April 16, 2020:

- The Dallas County Judge issued an amended order requiring persons over the age of two to wear some form of covering over their nose and mouth when patronizing an essential business or using public transportation. The order stated that a violation of the order may be punishable through criminal or civil enforcement.

On April 17, 2020

- The Dallas County Commissioners Court issued an amended order that; allows stores that sell fabric to operate for the sole purpose of selling school supplies and fabric and other supplies needed to make cloth coverings and masks, and added language stating that the failure to wear a cloth covering cannot result in any civil or criminal fines or penalties.

On April 21, 2020:

- The Dallas County Commissioners Court voted to extend the shelter-in-place order until May 15, 2020.

On April 23, 2020:

- The Dallas County Judge issued a revised order to be consistent with the Governor's Order, which removed elective surgery language, updates language on religious and worship services, and requires schools to be closed for the remainder of the 2019-2020 school year.

To date, the Town of Addison's orders have mirrored those of Dallas County. Because of the rapidly changing environment, Addison will no longer create its own amended orders and will rely on the Dallas County orders from this point forward. We anticipate additional changes in the upcoming days as both the State and County prepare to slowly reopen businesses.

The Town has taken the following actions:

- The closure of all Town facilities for public access has been extended to April 30, 2020.
- All in-person Addison Athletic Club camps and classes for April and May period have been canceled. Third-party outside exercise programs are being held at the discretion of the vendor.
- The Addison Conference and Theatre Centre (ACTC) will remain closed through Thursday, April 30, 2020.
- Special Events: The May Addison After Dark Event, Boots Brews & BBQ has been canceled.
- Taste Addison has been postponed. Staff is in the process of evaluating options for this and our other major special events.
- Parks and Public Works crews are continuing their work to maintain the Town's assets.
- The Town of Addison has taken (and will continue to take) actions to prevent the spread of the virus. Everyone is encouraged to follow Social Distancing recommendations.

For more information on the previous updates from the Town related to the COVID-19 pandemic, please visit the Town's website www.AddisonTexas.net/covid19.

RECOMMENDATION:

Information only, no action required.

Attachments

Social Distancing Recommendations

Dallas County Order Effective April 16, 2020

Dallas County Order Effective April 17, 2020

Dallas County Order Effective April 23, 2020

DCHHS Social Distancing Recommendations

1) Vulnerable Populations: Limit Outings

- Vulnerable populations include people who are:
 - 60 years old and older.
 - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to gatherings (of 10 people or more) unless it is essential. If you can telecommute, you should. Avoid people who are sick.

2) Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Minimize the number of employees working within arm's length of one another, including minimizing or canceling large in-person meetings and conferences.
- Urge employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Consider use of telecommuting options.
- Some people need to be at work to provide essential services of great benefit to the community. They can take steps in their workplace to minimize risk.

3) Large Gatherings: Cancel Non-essential Events

- Recommend cancelling or postponing large gatherings, such as concerts, sporting events, conventions or large community events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
 - Having hand washing capabilities, hand sanitizers and tissues available.
 - Frequently cleaning high touch surface areas like counter tops and hand rails.
 - Finding ways to create physical space to minimize close contact as much as possible.

4) Schools: Safety First

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling medium to large events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for potential closures.

5) Transit: Cleaning and Protection

- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.

6) Health Care Settings: Avoid as possible, protect the vulnerable

- Long term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long term care facilities should screen all staff and visitors for illness and turn away those with symptoms.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Visitors should not go to long-term care facilities unless absolutely essential.
- Follow guidance and directions of all facilities.

7) Everyone: Do your part

The best way for all Dallas County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.



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AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS

Safer At Home Order

DATE AMENDED ORDER ISSUED: April 16, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 12, 2020, Judge Jenkins issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of County Judge Clay Jenkins be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 30, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, this Emergency Order is necessary because of the propensity of the virus to spread person to person and also because the virus is physically causing property damage due to its proclivity to attach to surfaces for prolonged periods of time;

WHEREAS, this Emergency Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, the March 12, 2020, Order of County Judge Clay Jenkins is hereby AMENDED as follows:

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals anywhere in Dallas County to shelter in place – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This Order



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takes effect at 1:00 p.m. on April 16, 2020 and will continue through 11:59 p.m. on April 30, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:

1. Effective as of 1:00 p.m. on April 16, 2020, and continuing until 11:59 p.m. on April 30, 2020:
 - (a) All individuals currently living within Dallas County are ordered to shelter at their place of residence. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 2.
 - (b) All businesses operating within Dallas County, except Essential Businesses as defined in below in Section 2, are required to cease all activities at facilities located within the County except Minimum Basic Operations as defined in Section 2. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Rules attached, including maintaining six feet social distancing for both employees and the general public.
 - (c) Employees of Essential Businesses, whose physical presence at the workplace is not essential to operations, are directed to use telecommuting to the fullest extent possible.
 - (d) All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit.
 - (e) All elective medical, surgical, and dental procedures are prohibited anywhere in Dallas County. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response.
2. Definitions:
 - a. For purposes of this Order, individuals may leave their residence only to perform any of the following "**Essential Activities**":
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for



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example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home).

- ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, running, golfing, and tennis).
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
 - v. To care for a family member or pet in another household.
 - vi. To move to another residence either in or outside Dallas County.
 - vii. To engage in **"Essential Travel,"** which includes travel for any of the following purposes: (1) travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses Essential Critical Infrastructure, and Minimum Basic Operation; (2) travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons; (3) travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services; (4) travel to return to a place of residence from outside the jurisdiction; (5) travel required by law enforcement or court order; (6) travel by church staff or clergy for the purpose of production of remote delivery of religious services and other ministries requiring travel; (7) travel related to attending a funeral service; or (8) travel required for non-residents to return to their place of residence outside the County.
- b. For purposes of this Order, **"Essential Businesses"** means:
- i. **Essential Healthcare Operations.** Healthcare Operations includes but is not limited to hospitals, clinics, dentists, chiropractors, physical therapy, optometry offices, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, certified doulas, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms, personal training, gymnastics studios, and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with Subsection 1(e) of this Order.



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- ii. **Essential Governmental Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Each governmental body will determine its Essential Governmental Functions and identify the employees and/or contractors necessary to the performance of those functions. Further, nothing in this order shall prohibit any individual from performing or accessing “Essential Governmental Functions.” All Essential Governmental Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible. This Order does not apply to Federal or State Government.
- iii. **Essential Critical Infrastructure.** All public and private facilities and assets, including both physical and cyber systems, and other functions and sectors vital to the security, governance, and public health, safety of Dallas County. Critical infrastructure includes, but is not limited to, utilities such as electricity, gas, water and wastewater, roads and highways, public transportation, solid waste and recycle collection and removal, oil refining, roads and highways, public transportation, defense and national security-related operations, and manufacturing operations supplying essential items to Essential Businesses, Essential Governmental Functions, and Critical Infrastructure. All manufacturers and distributors shall comply with the Rules for Manufacturers and Distributors set out in Exhibit C. Critical Infrastructure employers should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached. For reference, the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, can be found here: <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>
- iv. **Stores that Sell Groceries and Other Essential Supplies.** Grocery stores, supermarkets, warehouse stores, big-box stores, bodegas, liquor stores, convenience stores, and farmers’ markets that sell food products and household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products. The sale of self-service food items is prohibited. Stores that sell groceries and other essential supplies shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- v. **Restaurants.** Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law. In-person service is prohibited. Customers may order and pay inside, but are prohibited from waiting inside the restaurant for their food. All food must be brought outside to customers. To allow for increased access to restaurants, this Order hereby suspends all laws and regulations prohibiting people from walking in a drive-through.



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- vi. **Food Cultivation.** Food cultivation, including farming, fishing, and livestock.
- vii. **Delivery of Groceries and Essential Supplies.** Businesses that ship or deliver groceries, food, hygiene products, and essential supplies directly to residences or essential businesses. All businesses that deliver groceries and essential supplies shall comply with the rules set out in Exhibit E.
- viii. **Transportation.** Operation, maintenance, and repair of airlines, taxis, and other private transportation providers (such as Uber and Lyft) that provide transportation services necessary for the performance of essential activities and essential travel.
- ix. **Gas Stations and Businesses Needed for Transportation.** Gas stations, auto-supply stores, auto-repair, and bicycle repair. Auto-dealerships, for in-person mechanical services or to complete an online transaction on an appointment basis only. Gas stations and convenience stores are prohibited from selling self-service food items. Gas stations and businesses needed for transportation shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- x. **Critical Trades.** Plumbers, electricians, exterminators, janitors, lawn care services, pool cleaners, maintenance and security, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences, Essential Businesses, Essential Government Functions, and Critical Infrastructure. Critical Trade does not include discretionary maintenance or improvements. Union representatives and their staff for the purpose of performing critical labor union functions, including the maintenance of health and welfare funds and checking on the well-being and safety of members.

Construction. Construction for public works, residential, commercial, and schools. Elective additions and maintenance are prohibited. Protecting construction worker from the spread of COVID19 is extremely important for their safety and for public health, all construction sites must follow the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including, but not limited to, the Rules for Construction Industry set out in Exhibit B. Failure to strictly comply with this Order can result in penalties described below. Additionally, the general contractor and non-compliant subcontractor can be removed from the essential business list.
- xi. **Professional Services.** Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities or services necessary to avoid imminent harm to a client. Real estate and inspection services, so long as they comply with the rules set out in Exhibit F.
- xii. **Financial Institutions.** Banks and related depository financial institutions, credit unions, insurance companies, title companies, payroll and accounting services. Check cashing businesses and pawnshops so long as they comply with the rules set out in Exhibit D. A copy of Exhibit D must be prominently



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displayed in each establishment in English and Spanish and a copy must also be provided to each customer in the customer's preferred language.

- xiii. **Information Technology Services/Telecommunications Services.** IT and IT services and their essential service vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services, and critical manufacturing, as well as telecommunications services, internet access and broadband/communications services.
- xiv. **Essential Retail.** Laundromats, dry cleaners, and laundry service providers, hardware stores, and related facilities. Firearm and ammunition suppliers and retailers for purposes of safety and security. Hardware stores and business that sell electrical, plumbing, and other materials necessary to support Essential Businesses, and Essential Government Functions, and Critical Infrastructure. Essential retail establishments shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xv. **Hotels and Motels.** Hotels and motels, to the extent used for lodging or delivery or carry-out food services.
- xvi. **Short-Term Rentals.** Short-term rental of all or part of a residential property to a person who is not a permanent resident is prohibited. Within the meaning of this Order, a "permanent resident" is a person who has the right to use or possess a room at the residential property for at least 30 consecutive days, so long as there is no interruption of payment for the period. This Order does not prohibit short-term rental to hospital employees or other licensed healthcare professionals, military personnel, law enforcement personnel, government employees, or Dallas County residents who need a place to self-quarantine away from their family and/or roommates. Renters currently occupying short-term rental properties shall be permitted to complete the current rental contract but are required to follow the requirements of this order
- xvii. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses or organizations that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- xviii. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** . Businesses or services that supply other Essential Businesses, Essential Government Services, and Critical Infrastructure with the support or supplies needed to operate; including but not limited to mail, shipping and delivery services, warehouse/distribution and fulfillment, storage, moving services, janitorial services, laundry services, computer, audio or video electronics, sanitary equipment, and medical equipment.. To the extent possible, services shall be provided in compliance with Social Distancing Rules attached, including distancing of six feet and routine use of hand sanitizer. All employers that are common carriers, motor carriers, private carriers,



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shippers, delivery services, moving companies and contract carriers that load or unload cargo, supplies, equipment or goods at any point located in Dallas County shall comply with the rules set out in Exhibit E.

- xix. **Supplies to Work From Home.** Businesses that supply products needed for people to work from home.
- xx. **Public and Private Education.** Public and private educational institutions, only for the purposes of facilitating distance learning or performing essential functions, provided compliance with the Social Distancing Rules is maintained
- xxi. **News Media.** Newspapers, television, radio, and other media services.
- xxii. **Childcare Services.** Childcare facilities providing services or community service providers offering childcare services under the following mandatory conditions:
 - 1. Childcare services shall only be provided to employees of Essential Businesses;
 - 2. Childcare must be carried out in stable groups of 12 or fewer ("stable" means that the same 12 or fewer children are in the same group each day);
 - 3. Children shall not change from one group to another;
 - 4. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other;
 - 5. Childcare providers shall remain solely with one group of children.
- xxiii. **Animal Care Services.** Animal shelters, veterinary care, and pet food and supply stores. Grooming, if necessary for the health and wellbeing of the animal. Pet daycare, but only for employees of Essential Businesses. To the greatest extent possible, all services must be performed in compliance with social distancing requirements of six feet. Pet food and supply stores shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xxiv. **Religious and Worship Services.** Religious and worship services may only be provided by audio, video, and teleconference. Religious institutions must limit in-person staff to ten (10) people or less at one time, and twenty-five (25) people total per day, when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Rules including the six feet social distancing.
- xxv. **Funeral Services.** Funeral, mortuary, cremation, burial, cemetery, and related services, provided that social distancing of six feet per person is maintained to the greatest extent possible.
- c. For purposes of this Order, **Minimum Basic Operations** means the following, provided that employees comply with the Social Distancing Rules:
 - i. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.



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- ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- d. **Covering of Nose and Mouth:** Because an infected person can transmit the COVID-19 virus to others before showing any symptoms, the covering of a person's nose and mouth is necessary to help slow the spread of the virus. Effective at 11:59 p.m. on April 17, 2020, to the greatest extent possible all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when patronizing an Essential Business or using public transportation pursuant to the rules outlined in Exhibit G. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order. To the greatest extent possible, all non-medical employees who work at an Essential Businesses or perform services that are exempt under this Order must wear face coverings over their noses and mouths while performing their work. An owner or operator of an Essential Business may refuse admission or service to any individual who fails to wear face covering. Wearing a face covering is not a substitute for maintaining 6-foot social distancing and hand washing, as these remain important steps to slowing the spread of the virus.
3. The Dallas County Sheriff's Office, the Dallas County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days.
4. Any manufacturer who retools their business for the purpose of manufacturing and producing ventilators, masks, personal protective equipment, or any supply necessary for Essential Healthcare Operations may apply for an "essential business" exemption under this Order. Apply for a business exemption at <https://www.dallascounty.org/covid-19/ways-to-help.php> under the "Apply for an Essential Business Exemption" tab.
5. All public, private, and commercial laboratories operating within Dallas County and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period:
 - a. The number of COVID-19 tests performed; and
 - b. The number of positive COVID-19 tests.

Reports shall be made to Dallas County Judge Clay Jenkins at Clay.Jenkins@dallascounty.org and Dallas County Health and Human Services Director Dr. Philip Huang at Philip.Huang@dallascounty.org. Reporting laboratories shall not provide names or any other identifiable health information that could be used to identify an individual patient.

6. Door-to-door solicitation creates an unnecessary face-to-face situation for residents who are home in greater numbers due to the closure of schools and businesses, potentially endangering the health of residents. Under this Order, door-to-door solicitation is prohibited, including the leaving of written materials on the door or mailbox of a



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residence. This provision does not apply to any business in the grocery supply chain or any non-profit providing community resources for those effected by the coronavirus. Nothing in this Order prohibits utility companies or government agencies from contacting individuals at their residences to perform their normal business functions.

7. Employers shall not implement any rules making a negative COVID-19 test or a note from a healthcare provider a requirement before a COVID-19 recovered employee can return to work.
8. Under this Order, no person shall sell any of the following goods or services for more than the regular retail price the person charged for the goods or services on March 16, 2020, except where an increased retail price is the result of increased supplier or other costs (including the loss of supplier supporting funds):
 - a. groceries, beverages, toilet articles, and ice;
 - b. restaurant, cafeteria, and boarding-house meals; and
 - c. medicine, pharmaceutical and medical equipment, and supplies.
9. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Dallas County for the next 60 days.
10. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in Dallas County are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase. This provision does not apply to the sale of bath or tissue paper to a government organization or essential business.
11. Due to the public health emergency, the Office of the Dallas County Judge hereby advises the Dallas County Justices of the Peace to suspend eviction hearings and writs of possession for at least the next 60 days to prevent renters from being displaced. Nothing in the moratorium relieves tenants of liability for unpaid rent. Landlords should cap late fees for delayed payment of rent at fifteen dollars (\$15) per month.
12. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
13. Nursing homes, retirement, and long-term care facilities are instructed by this Order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
14. Public and private schools and institutions of higher education are instructed by this Order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.



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15. Additionally, the Office of the Dallas County Judge and the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in the City of Dallas can use their paid sick leave when they are sick or to care for sick family members.
16. This Order shall be in effect until 11:59 p.m. on April 30, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
17. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

IT IS SO ORDERED

CLAY JENKINS
DALLAS COUNTY JUDGE



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EXHIBIT A

Rules for Essential Retailers

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus and protective measures to be taken in all establishments.

Definition of Essential Retailers.

1. Stores that Sell Groceries and Other Essential Supplies. Grocery stores, supermarkets, warehouse stores, big-box stores, bodegas, liquor stores, convenience stores, and farmers' markets that sell food products and household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products.
2. Gas Stations and Businesses Needed for Transportation. Gas stations, auto-supply stores, auto-repair, and bicycle repair. Auto-dealerships, for in-person mechanical services or to complete an online transaction on an appointment basis only.
3. Other Essential Retailers. Pet food and supply stores. Laundromats, dry cleaners, and laundry service providers, hardware stores, and related facilities. Firearm and ammunition suppliers and retailers for purposes of safety and security. Hardware stores and business that sell electrical, plumbing, and other materials necessary to support Essential Businesses, and Essential Government Functions, and Critical Infrastructure.

Safety Rules for All Essential Retailers. All employers involved in essential retail activity must follow the requirements set forth in the rules below:

1. All employees must take their temperature at their residence before going to an Essential Retailer. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible and as equipment becomes available, an Essential Retailer must implement a system whereby supervisors must check the temperature of all employees with a forehead thermometer before the employee begins work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are not permitted to work and must be sent home immediately;
3. Gatherings during meals or breaks are prohibited;
4. Employees must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the employees;
5. Employers must allow non-essential personnel to work from home when possible;
6. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas. Ensure that adequate supplies are maintained;



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7. Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift.
8. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so employees may follow hygiene guidelines;
9. There shall be no adverse action taken against an employee who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to work because the employee has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
10. Employers must designate both a member of management as the COVID-19 Safety Monitor and a senior hourly worker (that is not a member of management) as the COVID-19 Vice Safety Monitor at each store to have the authority to work together to enforce these rules. Employers in unionized workplaces should consult with the employee's representatives on this designation.

General Rules for Essential Retailers.

1. Employers shall implement an organized line system where employees, customers, and other persons are not less than six feet apart at all times;
2. To the greatest extent practicable, designate shopping times for at risk populations (seniors, pregnant people, and people with underlying health conditions);
3. To the greatest extent possible, implement a system to restrict the number of customers who are physically present at an Essential Retailer so that six foot spacing may be maintained;
4. Employers shall implement purchase limits on high-demand items (toilet paper, soap, hand sanitizer). These purchase limits do not apply to a government organization or essential business;
5. To the greatest extent possible, employers shall offer pick up services or delivery services of grocery items and other essential supplies; and
6. Self-service food stations are prohibited. Self-service stations are defined as items that customers use common serving utensils to serve themselves, including but not limited to, salad bars, hot dog stands, self-service bulk food items, and other related food items. This section does not apply to self-checkout stations, so long as the checkout stations are cleaned at least every 30 minutes.

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any essential retailer who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT B

Rules for the Construction Industry

Reason for Construction Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Construction as Critical Infrastructure. The Order classified construction for public works, residential, commercial, and schools as critical infrastructure. Elective additions and maintenance are prohibited.

Requirements for Construction. All employers involved in construction activity must follow the requirements set forth in the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including the rules below:

1. All workers and contractors (hereafter referred to as “workers”) must take their temperature at their residence. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible, implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker or contractor has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
3. To the greatest extent possible, shift work must be implemented such that each shift shall have no more than fifty percent (50%) of the workers who were on shift on March 16, 2020. Once assigned to a shift, workers shall not change from one shift to another;
4. To the greatest extent possible, limit crossover of subcontractors;
5. Gatherings during meals or breaks are prohibited;
6. Workers must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
7. Workers must not use a common water cooler. Employers shall provide individual water bottles or instruct workers to bring their own;
8. Employers must allow non-essential personnel to work from home when possible;
9. Employers must provide soap and water and hand sanitizer in the workplace, including all restrooms. Ensure that adequate supplies are maintained;
10. If running water is available at the site, workers must wash their hands for at least twenty (20) seconds before beginning work, when they remove gloves, and before and after the use of shared items such as tools or multi-user devices, before and after any meal or restroom breaks, and when their shift or work time ends.
11. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines;
12. Employers must provide one (1) working flushing toilet for every fifteen (15) workers on site or one (1) outdoor portable toilet for every 10 workers on site;
13. There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not



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- reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
14. Employers must designate a COVID-19 safety monitor on each site who has the authority to enforce these rules;

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any general contractor or subcontractor who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT C

Rules for Manufacturers and Distributors

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Definition of Critical Manufacturers and Distributors. This Order defines Critical Manufacturing and Distribution as the industries listed in the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0.

Rules for Manufacturers and Distributors. All employers involved in critical manufacturing and distribution activity must follow the requirements set forth in the rules below:

1. All employees must take their temperature at their residence before going to work at a manufacturing or distribution center. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors check the temperature of all employees before the employee begins work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are not permitted to work and must be sent home immediately;
3. Gatherings during meals or breaks are prohibited;
4. Employees must keep a six (6) foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the employees;
5. To the extent practicable, employers shall adjust shift timing to allow for greater physical distance between employees;
6. Employers must allow non-essential personnel to work from home when possible;
7. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms. Employers shall ensure that adequate supplies of soap and hand sanitizer are maintained;
8. Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to departing the work site.
9. Employers shall discourage employees from sharing work tools when possible.
10. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so employees may follow hygiene guidelines;
11. There shall be no adverse action taken against an employee who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
12. Employers must designate both a member of management as the COVID-19 Safety Monitor and a senior hourly employee (that is not a member of management), or a non-management



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employee if an hourly employee is not available, as the COVID-19 Vice Safety Monitor at each site to have the authority to work together to enforce these rules. Employers in unionized workplaces should consult with the employee's representatives on this designation.

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any manufacturer and distributor who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT D

Rules for Financial Institutions

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

1. Check Cashing Businesses

Application. For the purpose of this Order, "Check Cashing Business" means a person or entity that for compensation engages, in whole or in part, in the business of cashing checks, drafts, money orders, traveler's checks or other instruments for the transmission or payment of money. This Order does not apply to a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cash checks or issue money orders as a service to its customers that is incidental to its main purpose or business.

Interest and Fees. Fees shall not exceed 2% of the amount of the check, draft, or money order, or \$2, whichever is greater. Interest on a loan or advance of money shall not exceed 15% per annum of the total amount of the advance, provided that total fees associated with the loan do not exceed \$75, regardless of the name or type of charge. A check cashing business may charge only those charges expressly authorized in this Order in connection with a loan or advance issued.

Safety Rules. All check cashing businesses must follow the requirements set forth in the rules below:

- a) All employees must take their temperature at their residence before going to work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
- b) To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
- c) Employees must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
- d) Employers shall restrict the number of customers physically present in the store to only those people necessary to complete the transaction as determined by the customer. All other individuals must remain outside the store while the transaction is completed;
- e) Employers must allow non-essential personnel to work from home when possible;
- f) Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas. Employers must ensure that adequate supplies are maintained;
- g) Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift;



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- h) Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines; and
- i) There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy.

2. Pawnshops

Application. These rules apply to all locations or premises at which a pawnbroker regularly conducts business.

Interest and Fees. Interest on a loan of money extended pursuant to a pawn transaction shall not exceed 15% per annum of the total amount of the advance, provided that total fees associated with the loan do not exceed \$75, regardless of the name or type of charge. A pawnshop may charge only those charges expressly authorized in this Order in connection with a pawnshop loan.

Minimum Term Length. A pawnshop shall hold the goods pledged as collateral for at least 120 days after the end of the Emergency Declaration issued by Judge Jenkins or the end of the Emergency Declaration issued by Governor Abbott, whichever is later.

Safety Rules. All pawnshops must follow the requirements set forth in the rules below:

- a) All employees must take their temperature at their residence before going to work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
- b) To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
- c) Employees must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
- d) Employers shall restrict the number of customers so that only one customer is physically present in the store at a time;
- e) Employers must allow non-essential personnel to work from home when possible;
- f) Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas. Employers must ensure that adequate supplies are maintained;
- g) Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift;
- h) Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines; and
- i) There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to



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work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy.

3) **Enforcement**

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any financial institution who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT E

Rules for Common Carriers, Shipper, Delivery Services, and Related Companies

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Definition of Common Carriers. All employers which are common carriers, motor carriers, private carriers, shippers, delivery services, moving companies and contract carriers which load or unload cargo, supplies, equipment or goods at any point located in Dallas County.

Rules for Common Carriers. All employers involved in trucking, shipping, delivery and moving services, and related industries must follow the requirements set forth in the rules below:

1. All employees must take their temperature at their residence before going to work. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors check the temperature of all employees before the employee begins work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are not permitted to work and must be sent home immediately;
3. Gatherings during meals or breaks are prohibited;
4. Employees must keep a six (6) foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the employees;
5. To the extent practicable, employers shall adjust shift timing to allow for greater physical distance between employees, including coordination between dispatch and scheduling so that there is no overlap between crews traveling to different locations;
6. Employers must allow non-essential personnel to work from home when possible;
7. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms. Employers shall ensure that adequate supplies of soap and hand sanitizer are maintained. Hand sanitizer must be available in each vehicle;
8. Workers must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift;
9. Employers must ensure that employees use gloves when handling shared tools or equipment (such as dollies, dock plates, and controls) and that employees wash their hands for at least 20 seconds after handling such tools or equipment;
10. To the greatest extent possible, drivers and other personnel should stay in their vehicles while the vehicles are being loaded and unloaded, unless required for employee safety;



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11. To the greatest extent possible, receipts, bills of lading, acknowledgements and other such documentation should be electronic so as minimize the need for personnel to physically sign and exchange documents;
12. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines;
13. There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) has not reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
14. Employers must designate both a member of management and an employee who is not a member of management COVID-19 safety monitors at each of the business's warehouses, yards or other locations who have the authority to work together to enforce these rules. Employers in unionized workplaces should consult with the employee's representatives on this designation.

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any common carrier or related business who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT F

Rules for Real Estate Agents

Reason for Rules. The purpose of these rules is to outline the steps that every Agent/Employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent exposure to coronavirus and protective measures to be taken in all real estate showing.

Definition of Real Estate Activity. For the purposes of this Order, real estate activity includes any activity governed by the Texas Real Estate License Act, the Inspector Act, the Residential Service Company Act, and the Timeshare Act.

Safety Rules for All Real Estate Agents/Employees. All realtors and their employees involved in essential real estate activity must follow the requirements set forth in the rules below:

1. Open Houses are prohibited;
2. All realtors and their employees (hereafter referred to as "realtors") must take their temperature at their residence prior to any real estate showing. If an agent has a temperature above 99.6 degrees Fahrenheit, they are prohibited from participating in any real estate showings and must remain at their residence;
3. Realtors and clients must travel to showings in separate vehicles;
4. Realtors, clients, and homeowners must follow the six-foot social distancing rule at all times;
5. Realtors and staff should limit in person contact and conduct business remotely as much as possible;
6. Realtors must wear a protective mask and provide new, unused protective masks to clients when touring a site;
7. Employers must designate a COVID-19 safety monitor at each real estate office who has the authority to enforce these rules;

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any realtor who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT G

Guidance on Covering Nose and Mouth

A significant percentage of individuals with the COVID-19 virus lack symptoms. Because an infected person can transmit the virus to others before showing any symptoms, the covering of a person's nose and mouth when visiting an Essential Business is necessary to help prevent the spread of COVID-19. This is consistent with the findings of the CDC and Dallas County Health Authority.

Staying home is the best way to help reduce the spread of the virus, but if an individual must leave their place of residence to visit an Essential Business, wearing a fabric face mask shall be used as outlined in this Order. Wearing a face covering is not a substitute for maintaining 6-feet social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The face coverings recommended are not surgical masks or N-95 respirators, which are critical supplies that must continue to be reserved for healthcare workers and first responders.

The public in general and Essential Business employees shall comply with the following:

- A. To the greatest extent possible, all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when:
 - 1) patronizing an Essential Business; and
 - 2) using public transportation, taxis, or ride shares.
- B. This section shall not apply to persons that are:
 - 1) riding in a personal vehicle;
 - 2) engaging in outdoor activity;
 - 3) eating; or
 - 4) when wearing a covering poses a greater mental or physical health, safety or security risk such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance.

Children under the age of two (including infants) should not wear cloth face coverings. Those between the ages of two and nine should use them but under adult supervision to ensure that the child can breathe safely and avoid choking or suffocation. Children with breathing problems should not wear a face covering. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order.

All COVID-19 Suspected Positives, those currently being tested, and untested individuals with cough and/or fever, and household members of same category of individuals shall not leave their residence without a mask or cloth face covering to prevent the spread to others.

To the greatest extent possible, all individuals working for an Essential Business must wear a mask or cloth face covering whenever in public and whenever performing job duties in the presence of



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others. To the greatest extent possible, employers shall provide employees with a mask or face covering. An owner or operator of an Essential Business may refuse admission or service to any individual who fails to wear face covering.

Medical grade (N95) and surgical masks should be reserved and used only by medical professionals and first responders. Cloth face coverings are not intended for use by healthcare workers, first responders, and others whose work requires close contact with people who are ill.

Cloth coverings should be made in accordance with CDC Guidance, which can be found here: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>



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DCHHS Social Distancing Rules

1) Vulnerable Populations: Limit Outings

- Vulnerable populations include people who are:
 - 60 years old and older.
 - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

2) Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Ensure employees practice social distancing and do not work within six feet of one another.
- Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Maximize telecommuting options.
- Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.

3) Cancel Non-essential Events

- Cancel non-essential events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
 - Having hand washing capabilities, hand sanitizers and tissues available.
 - Frequently cleaning high touch surface areas like counter tops and hand rails.
 - Finding ways to implement social distancing..

4) Schools: Safety First

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for further closures.

5) Transit: Cleaning and Protection

- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
- Ensure social distancing practices are implemented to the full extent possible.



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6) Health Care Settings: Avoid as possible, protect the vulnerable

- Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Follow guidance and directions of all facilities.

7) Everyone: Do your part

The best way for all Dallas County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.

You can also prepare for the disruption caused by an outbreak. Preparedness actions include:

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a child care plan if you or a caregiver are sick.
- Make arrangements about how your family will manage school closures.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.



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AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS

Safer At Home Order

DATE AMENDED ORDER ISSUED: April 17, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 12, 2020, Judge Jenkins issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of County Judge Clay Jenkins be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 30, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, this Emergency Order is necessary because of the propensity of the virus to spread person to person and also because the virus is physically causing property damage due to its proclivity to attach to surfaces for prolonged periods of time;

WHEREAS, this Emergency Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, the March 12, 2020, Order of County Judge Clay Jenkins is hereby AMENDED as follows:

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals anywhere in Dallas County to shelter in place – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This Order



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takes effect at 11:59 p.m. on April 17, 2020 and will continue through 11:59 p.m. on April 30, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:

1. Effective as of 11:59 p.m. on April 17, 2020, and continuing until 11:59 p.m. on April 30, 2020:
 - (a) All individuals currently living within Dallas County are ordered to shelter at their place of residence. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 2.
 - (b) All businesses operating within Dallas County, except Essential Businesses as defined in below in Section 2, are required to cease all activities at facilities located within the County except Minimum Basic Operations as defined in Section 2. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Rules attached, including maintaining six feet social distancing for both employees and the general public.
 - (c) Employees of Essential Businesses, whose physical presence at the workplace is not essential to operations, are directed to use telecommuting to the fullest extent possible.
 - (d) All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit.
 - (e) All elective medical, surgical, and dental procedures are prohibited anywhere in Dallas County. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response.
2. Definitions:
 - a. For purposes of this Order, individuals may leave their residence only to perform any of the following "**Essential Activities**":
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for



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example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home).

- ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, running, golfing, and tennis).
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
 - v. To care for a family member or pet in another household.
 - vi. To move to another residence either in or outside Dallas County.
 - vii. To engage in **"Essential Travel,"** which includes travel for any of the following purposes: (1) travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses Essential Critical Infrastructure, and Minimum Basic Operation; (2) travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons; (3) travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services; (4) travel to return to a place of residence from outside the jurisdiction; (5) travel required by law enforcement or court order; (6) travel by church staff or clergy for the purpose of production of remote delivery of religious services and other ministries requiring travel; (7) travel related to attending a funeral service; or (8) travel required for non-residents to return to their place of residence outside the County.
- b. For purposes of this Order, **"Essential Businesses"** means:
- i. **Essential Healthcare Operations.** Healthcare Operations includes but is not limited to hospitals, clinics, dentists, chiropractors, physical therapy, optometry offices, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, certified doulas, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms, personal training, gymnastics studios, and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with Subsection 1(e) of this Order.



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- ii. **Essential Governmental Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Each governmental body will determine its Essential Governmental Functions and identify the employees and/or contractors necessary to the performance of those functions. Further, nothing in this order shall prohibit any individual from performing or accessing “Essential Governmental Functions.” All Essential Governmental Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible. This Order does not apply to Federal or State Government.
- iii. **Essential Critical Infrastructure.** All public and private facilities and assets, including both physical and cyber systems, and other functions and sectors vital to the security, governance, and public health, safety of Dallas County. Critical infrastructure includes, but is not limited to, utilities such as electricity, gas, water and wastewater, roads and highways, public transportation, solid waste and recycle collection and removal, oil refining, roads and highways, public transportation, defense and national security-related operations, and manufacturing operations supplying essential items to Essential Businesses, Essential Governmental Functions, and Critical Infrastructure. All manufacturers and distributors shall comply with the Rules for Manufacturers and Distributors set out in Exhibit C. Critical Infrastructure employers should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached. For reference, the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, can be found here: <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>
- iv. **Stores that Sell Groceries and Other Essential Supplies.** Grocery stores, supermarkets, warehouse stores, big-box stores, bodegas, liquor stores, convenience stores, and farmers’ markets that sell food products and household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products. The sale of self-service food items is prohibited. Stores that sell groceries and other essential supplies shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- v. **Restaurants.** Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law. In-person service is prohibited. Customers may order and pay inside, but are prohibited from waiting inside the restaurant for their food. All food must be brought outside to customers. To allow for increased access to restaurants, this Order hereby suspends all laws and regulations prohibiting people from walking in a drive-through.



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- vi. **Food Cultivation.** Food cultivation, including farming, fishing, and livestock.
- vii. **Delivery of Groceries and Essential Supplies.** Businesses that ship or deliver groceries, food, hygiene products, and essential supplies directly to residences or essential businesses. All businesses that deliver groceries and essential supplies shall comply with the rules set out in Exhibit E.
- viii. **Transportation.** Operation, maintenance, and repair of airlines, taxis, and other private transportation providers (such as Uber and Lyft) that provide transportation services necessary for the performance of essential activities and essential travel.
- ix. **Gas Stations and Businesses Needed for Transportation.** Gas stations, auto-supply stores, auto-repair, and bicycle repair. Auto-dealerships, for in-person mechanical services or to complete an online transaction on an appointment basis only. Gas stations and convenience stores are prohibited from selling self-service food items. Gas stations and businesses needed for transportation shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- x. **Critical Trades.** Plumbers, electricians, exterminators, janitors, lawn care services, pool cleaners, maintenance and security, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences, Essential Businesses, Essential Government Functions, and Critical Infrastructure. Critical Trade does not include discretionary maintenance or improvements. Union representatives and their staff for the purpose of performing critical labor union functions, including the maintenance of health and welfare funds and checking on the well-being and safety of members.

Construction. Construction for public works, residential, commercial, and schools. Elective additions and maintenance are prohibited. Protecting construction worker from the spread of COVID19 is extremely important for their safety and for public health, all construction sites must follow the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including, but not limited to, the Rules for Construction Industry set out in Exhibit B. Failure to strictly comply with this Order can result in penalties described below. Additionally, the general contractor and non-compliant subcontractor can be removed from the essential business list.
- xi. **Professional Services.** Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities or services necessary to avoid imminent harm to a client. Real estate and inspection services, so long as they comply with the rules set out in Exhibit F.
- xii. **Financial Institutions.** Banks and related depository financial institutions, credit unions, insurance companies, title companies, payroll and accounting services. Check cashing businesses and pawnshops so long as they comply with the rules set out in Exhibit D. A copy of Exhibit D must be prominently



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displayed in each establishment in English and Spanish and a copy must also be provided to each customer in the customer's preferred language.

- xiii. **Information Technology Services/Telecommunications Services.** IT and IT services and their essential service vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services, and critical manufacturing, as well as telecommunications services, internet access and broadband/communications services.
- xiv. **Essential Retail.** Laundromats, dry cleaners, and laundry service providers, hardware stores, and related facilities. Firearm and ammunition suppliers and retailers for purposes of safety and security. Hardware stores and business that sell electrical, plumbing, and other materials necessary to support Essential Businesses, and Essential Government Functions, and Critical Infrastructure. Essential retail establishments shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xv. **Fabric Stores.** Stores that sell fabric, for the sole purpose of selling fabric and supplies necessary for the creation of fabric cloth coverings and masks and supplies necessary for home schooling students. Stores that sell fabric shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xvi. **Hotels and Motels.** Hotels and motels, to the extent used for lodging or delivery or carry-out food services.
- xvii. **Short-Term Rentals.** Short-term rental of all or part of a residential property to a person who is not a permanent resident is prohibited. Within the meaning of this Order, a "permanent resident" is a person who has the right to use or possess a room at the residential property for at least 30 consecutive days, so long as there is no interruption of payment for the period. This Order does not prohibit short-term rental to hospital employees or other licensed healthcare professionals, military personnel, law enforcement personnel, government employees, or Dallas County residents who need a place to self-quarantine away from their family and/or roommates. Renters currently occupying short-term rental properties shall be permitted to complete the current rental contract but are required to follow the requirements of this order
- xviii. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses or organizations that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- xix. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** . Businesses or services that supply other Essential Businesses, Essential Government Services, and Critical Infrastructure with the support or supplies needed to operate; including but not limited to mail, shipping and delivery services, warehouse/distribution and fulfillment, storage, moving services, janitorial



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services, laundry services, computer, audio or video electronics, sanitary equipment, and medical equipment.. To the extent possible, services shall be provided in compliance with Social Distancing Rules attached, including distancing of six feet and routine use of hand sanitizer. All employers that are common carriers, motor carriers, private carriers, shippers, delivery services, moving companies and contract carriers that load or unload cargo, supplies, equipment or goods at any point located in Dallas County shall comply with the rules set out in Exhibit E.

- xx. **Supplies to Work From Home.** Businesses that supply products needed for people to work from home.
- xxi. **Public and Private Education.** Public and private educational institutions, only for the purposes of facilitating distance learning or performing essential functions, provided compliance with the Social Distancing Rules is maintained
- xxii. **News Media.** Newspapers, television, radio, and other media services.
- xxiii. **Childcare Services.** Childcare facilities providing services or community service providers offering childcare services under the following mandatory conditions:
 - 1. Childcare services shall only be provided to employees of Essential Businesses;
 - 2. Childcare must be carried out in stable groups of 12 or fewer ("stable" means that the same 12 or fewer children are in the same group each day);
 - 3. Children shall not change from one group to another;
 - 4. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other;
 - 5. Childcare providers shall remain solely with one group of children.
- xxiv. **Animal Care Services.** Animal shelters, veterinary care, and pet food and supply stores. Grooming, if necessary for the health and wellbeing of the animal. Pet daycare, but only for employees of Essential Businesses. To the greatest extent possible, all services must be performed in compliance with social distancing requirements of six feet. Pet food and supply stores shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xxv. **Religious and Worship Services.** Religious and worship services may only be provided by audio, video, and teleconference. Religious institutions must limit in-person staff to ten (10) people or less at one time, and twenty-five (25) people total per day, when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Rules including the six feet social distancing.
- xxvi. **Funeral Services.** Funeral, mortuary, cremation, burial, cemetery, and related services, provided that social distancing of six feet per person is maintained to the greatest extent possible.



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- c. For purposes of this Order, **Minimum Basic Operations** means the following, provided that employees comply with the Social Distancing Rules:
 - i. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
 - d. **Covering of Nose and Mouth:** Because an infected person can transmit the COVID-19 virus to others before showing any symptoms, the covering of a person's nose and mouth is necessary to help slow the spread of the virus. Effective at 11:59 p.m. on April 17, 2020, to the greatest extent possible all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when patronizing an Essential Business or using public transportation pursuant to the rules outlined in Exhibit G. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order. To the greatest extent possible, all non-medical employees who work at an Essential Businesses or perform services that are exempt under this Order must wear face coverings over their noses and mouths while performing their work. An owner or operator of an Essential Business may refuse admission or service to any individual who fails to wear face covering. Wearing a face covering is not a substitute for maintaining 6-foot social distancing and hand washing, as these remain important steps to slowing the spread of the virus. Violation of this provision is not subject to the civil or criminal penalties of Section 3 of this Order.
3. The Dallas County Sheriff's Office, the Dallas County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days.
4. Any manufacturer who retools their business for the purpose of manufacturing and producing ventilators, masks, personal protective equipment, or any supply necessary for Essential Healthcare Operations may apply for an "essential business" exemption under this Order. Apply for a business exemption at <https://www.dallascounty.org/covid-19/ways-to-help.php> under the "Apply for an Essential Business Exemption" tab.
5. All public, private, and commercial laboratories operating within Dallas County and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period:
 - a. The number of COVID-19 tests performed; and
 - b. The number of positive COVID-19 tests.

Reports shall be made to Dallas County Judge Clay Jenkins at Clay.Jenkins@dallascounty.org and Dallas County Health and Human Services Director Dr. Philip Huang at Philip.Huang@dallascounty.org. Reporting laboratories shall not



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provide names or any other identifiable health information that could be used to identify an individual patient.

6. Door-to-door solicitation creates an unnecessary face-to-face situation for residents who are home in greater numbers due to the closure of schools and businesses, potentially endangering the health of residents. Under this Order, door-to-door solicitation is prohibited, including the leaving of written materials on the door or mailbox of a residence. This provision does not apply to any business in the grocery supply chain or any non-profit providing community resources for those effected by the coronavirus. Nothing in this Order prohibits utility companies or government agencies from contacting individuals at their residences to perform their normal business functions.
7. Employers shall not implement any rules making a negative COVID-19 test or a note from a healthcare provider a requirement before a COVID-19 recovered employee can return to work.
8. Under this Order, no person shall sell any of the following goods or services for more than the regular retail price the person charged for the goods or services on March 16, 2020, except where an increased retail price is the result of increased supplier or other costs (including the loss of supplier supporting funds):
 - a. groceries, beverages, toilet articles, and ice;
 - b. restaurant, cafeteria, and boarding-house meals; and
 - c. medicine, pharmaceutical and medical equipment, and supplies.
9. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Dallas County for the next 60 days.
10. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in Dallas County are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase. This provision does not apply to the sale of bath or tissue paper to a government organization or essential business.
11. Due to the public health emergency, the Office of the Dallas County Judge hereby advises the Dallas County Justices of the Peace to suspend eviction hearings and writs of possession for at least the next 60 days to prevent renters from being displaced. Nothing in the moratorium relieves tenants of liability for unpaid rent. Landlords should cap late fees for delayed payment of rent at fifteen dollars (\$15) per month.
12. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other



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community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.

13. Nursing homes, retirement, and long-term care facilities are instructed by this Order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
14. Public and private schools and institutions of higher education are instructed by this Order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.
15. Additionally, the Office of the Dallas County Judge and the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in the City of Dallas can use their paid sick leave when they are sick or to care for sick family members.
16. This Order shall be in effect until 11:59 p.m. on April 30, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
17. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

IT IS SO ORDERED

CLAY JENKINS
DALLAS COUNTY JUDGE



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EXHIBIT A

Rules for Essential Retailers

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus and protective measures to be taken in all establishments.

Definition of Essential Retailers.

1. Stores that Sell Groceries and Other Essential Supplies. Grocery stores, supermarkets, warehouse stores, big-box stores, bodegas, liquor stores, convenience stores, and farmers' markets that sell food products and household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products.
2. Gas Stations and Businesses Needed for Transportation. Gas stations, auto-supply stores, auto-repair, and bicycle repair. Auto-dealerships, for in-person mechanical services or to complete an online transaction on an appointment basis only.
3. Other Essential Retailers. Pet food and supply stores. Laundromats, dry cleaners, and laundry service providers, hardware stores, and related facilities. Firearm and ammunition suppliers and retailers for purposes of safety and security. Hardware stores and business that sell electrical, plumbing, and other materials necessary to support Essential Businesses, and Essential Government Functions, and Critical Infrastructure.

Safety Rules for All Essential Retailers. All employers involved in essential retail activity must follow the requirements set forth in the rules below:

1. All employees must take their temperature at their residence before going to an Essential Retailer. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible and as equipment becomes available, an Essential Retailer must implement a system whereby supervisors must check the temperature of all employees with a forehead thermometer before the employee begins work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are not permitted to work and must be sent home immediately;
3. Gatherings during meals or breaks are prohibited;
4. Employees must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the employees;
5. Employers must allow non-essential personnel to work from home when possible;
6. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas. Ensure that adequate supplies are maintained;



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7. Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift.
8. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so employees may follow hygiene guidelines;
9. There shall be no adverse action taken against an employee who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to work because the employee has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
10. Employers must designate both a member of management as the COVID-19 Safety Monitor and a senior hourly worker (that is not a member of management) as the COVID-19 Vice Safety Monitor at each store to have the authority to work together to enforce these rules. Employers in unionized workplaces should consult with the employee's representatives on this designation.

General Rules for Essential Retailers.

1. Employers shall implement an organized line system where employees, customers, and other persons are not less than six feet apart at all times;
2. To the greatest extent practicable, designate shopping times for at risk populations (seniors, pregnant people, and people with underlying health conditions);
3. To the greatest extent possible, implement a system to restrict the number of customers who are physically present at an Essential Retailer so that six foot spacing may be maintained;
4. Employers shall implement purchase limits on high-demand items (toilet paper, soap, hand sanitizer). These purchase limits do not apply to a government organization or essential business;
5. To the greatest extent possible, employers shall offer pick up services or delivery services of grocery items and other essential supplies; and
6. Self-service food stations are prohibited. Self-service stations are defined as items that customers use common serving utensils to serve themselves, including but not limited to, salad bars, hot dog stands, self-service bulk food items, and other related food items. This section does not apply to self-checkout stations, so long as the checkout stations are cleaned at least every 30 minutes.

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any essential retailer who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT B

Rules for the Construction Industry

Reason for Construction Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Construction as Critical Infrastructure. The Order classified construction for public works, residential, commercial, and schools as critical infrastructure. Elective additions and maintenance are prohibited.

Requirements for Construction. All employers involved in construction activity must follow the requirements set forth in the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including the rules below:

1. All workers and contractors (hereafter referred to as “workers”) must take their temperature at their residence. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible, implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker or contractor has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
3. To the greatest extent possible, shift work must be implemented such that each shift shall have no more than fifty percent (50%) of the workers who were on shift on March 16, 2020. Once assigned to a shift, workers shall not change from one shift to another;
4. To the greatest extent possible, limit crossover of subcontractors;
5. Gatherings during meals or breaks are prohibited;
6. Workers must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
7. Workers must not use a common water cooler. Employers shall provide individual water bottles or instruct workers to bring their own;
8. Employers must allow non-essential personnel to work from home when possible;
9. Employers must provide soap and water and hand sanitizer in the workplace, including all restrooms. Ensure that adequate supplies are maintained;
10. If running water is available at the site, workers must wash their hands for at least twenty (20) seconds before beginning work, when they remove gloves, and before and after the use of shared items such as tools or multi-user devices, before and after any meal or restroom breaks, and when their shift or work time ends.
11. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines;
12. Employers must provide one (1) working flushing toilet for every fifteen (15) workers on site or one (1) outdoor portable toilet for every 10 workers on site;
13. There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not



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- reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
14. Employers must designate a COVID-19 safety monitor on each site who has the authority to enforce these rules;

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any general contractor or subcontractor who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT C

Rules for Manufacturers and Distributors

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Definition of Critical Manufacturers and Distributors. This Order defines Critical Manufacturing and Distribution as the industries listed in the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0.

Rules for Manufacturers and Distributors. All employers involved in critical manufacturing and distribution activity must follow the requirements set forth in the rules below:

1. All employees must take their temperature at their residence before going to work at a manufacturing or distribution center. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors check the temperature of all employees before the employee begins work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are not permitted to work and must be sent home immediately;
3. Gatherings during meals or breaks are prohibited;
4. Employees must keep a six (6) foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the employees;
5. To the extent practicable, employers shall adjust shift timing to allow for greater physical distance between employees;
6. Employers must allow non-essential personnel to work from home when possible;
7. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms. Employers shall ensure that adequate supplies of soap and hand sanitizer are maintained;
8. Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to departing the work site.
9. Employers shall discourage employees from sharing work tools when possible.
10. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so employees may follow hygiene guidelines;
11. There shall be no adverse action taken against an employee who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
12. Employers must designate both a member of management as the COVID-19 Safety Monitor and a senior hourly employee (that is not a member of management), or a non-management



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employee if an hourly employee is not available, as the COVID-19 Vice Safety Monitor at each site to have the authority to work together to enforce these rules. Employers in unionized workplaces should consult with the employee's representatives on this designation.

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any manufacturer and distributor who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT D

Rules for Financial Institutions

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

1. Check Cashing Businesses

Application. For the purpose of this Order, "Check Cashing Business" means a person or entity that for compensation engages, in whole or in part, in the business of cashing checks, drafts, money orders, traveler's checks or other instruments for the transmission or payment of money. This Order does not apply to a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cash checks or issue money orders as a service to its customers that is incidental to its main purpose or business.

Interest and Fees. Fees shall not exceed 2% of the amount of the check, draft, or money order, or \$2, whichever is greater. Interest on a loan or advance of money shall not exceed 15% per annum of the total amount of the advance, provided that total fees associated with the loan do not exceed \$75, regardless of the name or type of charge. A check cashing business may charge only those charges expressly authorized in this Order in connection with a loan or advance issued.

Safety Rules. All check cashing businesses must follow the requirements set forth in the rules below:

- a) All employees must take their temperature at their residence before going to work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
- b) To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
- c) Employees must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
- d) Employers shall restrict the number of customers physically present in the store to only those people necessary to complete the transaction as determined by the customer. All other individuals must remain outside the store while the transaction is completed;
- e) Employers must allow non-essential personnel to work from home when possible;
- f) Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas. Employers must ensure that adequate supplies are maintained;
- g) Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift;



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- h) Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines; and
- i) There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy.

2. Pawnshops

Application. These rules apply to all locations or premises at which a pawnbroker regularly conducts business.

Interest and Fees. Interest on a loan of money extended pursuant to a pawn transaction shall not exceed 15% per annum of the total amount of the advance, provided that total fees associated with the loan do not exceed \$75, regardless of the name or type of charge. A pawnshop may charge only those charges expressly authorized in this Order in connection with a pawnshop loan.

Minimum Term Length. A pawnshop shall hold the goods pledged as collateral for at least 120 days after the end of the Emergency Declaration issued by Judge Jenkins or the end of the Emergency Declaration issued by Governor Abbott, whichever is later.

Safety Rules. All pawnshops must follow the requirements set forth in the rules below:

- a) All employees must take their temperature at their residence before going to work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
- b) To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
- c) Employees must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
- d) Employers shall restrict the number of customers so that only one customer is physically present in the store at a time;
- e) Employers must allow non-essential personnel to work from home when possible;
- f) Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas. Employers must ensure that adequate supplies are maintained;
- g) Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift;
- h) Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines; and
- i) There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to



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work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy.

3) **Enforcement**

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any financial institution who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT E

Rules for Common Carriers, Shipper, Delivery Services, and Related Companies

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Definition of Common Carriers. All employers which are common carriers, motor carriers, private carriers, shippers, delivery services, moving companies and contract carriers which load or unload cargo, supplies, equipment or goods at any point located in Dallas County.

Rules for Common Carriers. All employers involved in trucking, shipping, delivery and moving services, and related industries must follow the requirements set forth in the rules below:

1. All employees must take their temperature at their residence before going to work. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors check the temperature of all employees before the employee begins work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are not permitted to work and must be sent home immediately;
3. Gatherings during meals or breaks are prohibited;
4. Employees must keep a six (6) foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the employees;
5. To the extent practicable, employers shall adjust shift timing to allow for greater physical distance between employees, including coordination between dispatch and scheduling so that there is no overlap between crews traveling to different locations;
6. Employers must allow non-essential personnel to work from home when possible;
7. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms. Employers shall ensure that adequate supplies of soap and hand sanitizer are maintained. Hand sanitizer must be available in each vehicle;
8. Workers must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift;
9. Employers must ensure that employees use gloves when handling shared tools or equipment (such as dollies, dock plates, and controls) and that employees wash their hands for at least 20 seconds after handling such tools or equipment;
10. To the greatest extent possible, drivers and other personnel should stay in their vehicles while the vehicles are being loaded and unloaded, unless required for employee safety;



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11. To the greatest extent possible, receipts, bills of lading, acknowledgements and other such documentation should be electronic so as minimize the need for personnel to physically sign and exchange documents;
12. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines;
13. There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) has not reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
14. Employers must designate both a member of management and an employee who is not a member of management COVID-19 safety monitors at each of the business's warehouses, yards or other locations who have the authority to work together to enforce these rules. Employers in unionized workplaces should consult with the employee's representatives on this designation.

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any common carrier or related business who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT F

Rules for Real Estate Agents

Reason for Rules. The purpose of these rules is to outline the steps that every Agent/Employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent exposure to coronavirus and protective measures to be taken in all real estate showing.

Definition of Real Estate Activity. For the purposes of this Order, real estate activity includes any activity governed by the Texas Real Estate License Act, the Inspector Act, the Residential Service Company Act, and the Timeshare Act.

Safety Rules for All Real Estate Agents/Employees. All realtors and their employees involved in essential real estate activity must follow the requirements set forth in the rules below:

1. Open Houses are prohibited;
2. All realtors and their employees (hereafter referred to as “realtors”) must take their temperature at their residence prior to any real estate showing. If an agent has a temperature above 99.6 degrees Fahrenheit, they are prohibited from participating in any real estate showings and must remain at their residence;
3. Realtors and clients must travel to showings in separate vehicles;
4. Realtors, clients, and homeowners must follow the six-foot social distancing rule at all times;
5. Realtors and staff should limit in person contact and conduct business remotely as much as possible;
6. Realtors must wear a protective mask and provide new, unused protective masks to clients when touring a site;
7. Employers must designate a COVID-19 safety monitor at each real estate office who has the authority to enforce these rules;

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any realtor who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT G

Guidance on Covering Nose and Mouth

A significant percentage of individuals with the COVID-19 virus lack symptoms. Because an infected person can transmit the virus to others before showing any symptoms, the covering of a person's nose and mouth when visiting an Essential Business is necessary to help prevent the spread of COVID-19. This is consistent with the findings of the CDC and Dallas County Health Authority.

Staying home is the best way to help reduce the spread of the virus, but if an individual must leave their place of residence to visit an Essential Business, wearing a fabric face mask shall be used as outlined in this Order. Wearing a face covering is not a substitute for maintaining 6-feet social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The face coverings recommended are not surgical masks or N-95 respirators, which are critical supplies that must continue to be reserved for healthcare workers and first responders.

The public in general and Essential Business employees shall comply with the following:

- A. To the greatest extent possible, all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when:
 - 1) patronizing an Essential Business; and
 - 2) using public transportation, taxis, or ride shares.
- B. This section shall not apply to persons that are:
 - 1) riding in a personal vehicle;
 - 2) engaging in outdoor activity;
 - 3) eating; or
 - 4) when wearing a covering poses a greater mental or physical health, safety or security risk such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance.

Children under the age of two (including infants) should not wear cloth face coverings. Those between the ages of two and nine should use them but under adult supervision to ensure that the child can breathe safely and avoid choking or suffocation. Children with breathing problems should not wear a face covering. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order.

All COVID-19 Suspected Positives, those currently being tested, and untested individuals with cough and/or fever, and household members of same category of individuals shall not leave their residence without a mask or cloth face covering to prevent the spread to others.

To the greatest extent possible, all individuals working for an Essential Business must wear a mask or cloth face covering whenever in public and whenever performing job duties in the presence of



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others. To the greatest extent possible, employers shall provide employees with a mask or face covering. An owner or operator of an Essential Business may refuse admission or service to any individual who fails to wear face covering.

Medical grade (N95) and surgical masks should be reserved and used only by medical professionals and first responders. Cloth face coverings are not intended for use by healthcare workers, first responders, and others whose work requires close contact with people who are ill.

Cloth coverings should be made in accordance with CDC Guidance, which can be found here: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>



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DCHHS Social Distancing Rules

1) Vulnerable Populations: Limit Outings

- Vulnerable populations include people who are:
 - 60 years old and older.
 - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

2) Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Ensure employees practice social distancing and do not work within six feet of one another.
- Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Maximize telecommuting options.
- Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.

3) Cancel Non-essential Events

- Cancel non-essential events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
 - Having hand washing capabilities, hand sanitizers and tissues available.
 - Frequently cleaning high touch surface areas like counter tops and hand rails.
 - Finding ways to implement social distancing..

4) Schools: Safety First

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for further closures.

5) Transit: Cleaning and Protection

- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
- Ensure social distancing practices are implemented to the full extent possible.



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6) Health Care Settings: Avoid as possible, protect the vulnerable

- Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Follow guidance and directions of all facilities.

7) Everyone: Do your part

The best way for all Dallas County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.

You can also prepare for the disruption caused by an outbreak. Preparedness actions include:

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a child care plan if you or a caregiver are sick.
- Make arrangements about how your family will manage school closures.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.



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AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS

Safer At Home Order

DATE AMENDED ORDER ISSUED: April 23, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 12, 2020, Judge Jenkins issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of County Judge Clay Jenkins be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on May 15, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, this Emergency Order is necessary because of the propensity of the virus to spread person to person and also because the virus is physically causing property damage due to its proclivity to attach to surfaces for prolonged periods of time;

WHEREAS, this Emergency Order is necessary to protect the lives, health, welfare, and safety of the County's residents from the devastating impacts of this pandemic;

THEREFORE, the March 12, 2020, Order of County Judge Clay Jenkins is hereby AMENDED as follows:

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals anywhere in Dallas County to shelter in place – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This Order



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takes effect Noon on April 23, 2020 and will continue through 11:59 p.m. on May 15, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:

1. Effective as of Noon on April 23, 2020, and continuing until 11:59 p.m. on May 15, 2020:
 - (a) All individuals currently living within Dallas County are ordered to shelter at their place of residence. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, Reopened Services, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 2.
 - (b) All businesses operating within Dallas County, except Essential Businesses and Reopened Services as defined in below in Section 2, are required to cease all activities at facilities located within the County except Minimum Basic Operations as defined in Section 2. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Rules attached, including maintaining six feet social distancing for both employees and the general public.
 - (c) Employees of Essential Businesses and Reopened Services, whose physical presence at the workplace is not essential to operations, are directed to use telecommuting to the fullest extent possible.
 - (d) All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit.
2. Definitions:
 - a. For purposes of this Order, individuals may leave their residence only to perform any of the following “**Essential Activities**”:
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home).
 - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences).



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- iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, running, golfing, and tennis).
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
 - v. To care for a family member or pet in another household.
 - vi. To move to another residence either in or outside Dallas County.
 - vii. To engage in **"Essential Travel,"** which includes travel for any of the following purposes: (1) travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, Reopened Services, Essential Critical Infrastructure, and Minimum Basic Operation; (2) travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons; (3) travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services; (4) travel to return to a place of residence from outside the jurisdiction; (5) travel required by law enforcement or court order; (6) travel by church staff or clergy for the purpose of production of remote delivery of religious services and other ministries requiring travel; (7) travel related to attending a funeral service; or (8) travel required for non-residents to return to their place of residence outside the County.
- b. For purposes of this Order, **"Reopened Services"** means:
- i. Retail services that are not "Essential Businesses" under this Order.
 - ii. Effective 12:01 a.m. on Friday, April 24, 2020, Reopened Services shall be provided only through pickup, delivery by mail, or delivery to the customer's doorstep. Customers may not enter the premises.
 - iii. All Reopened Services shall comply with the following requirements:
 - 1. All employees must be trained on environmental cleaning and disinfection, hand hygiene, and respiratory etiquette.
 - 2. All employees must be screened before coming into the business for new or worsening cough; shortness of breath; sore throat; loss of taste or smell; feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit; or known close contact with a person who is lab-confirmed to have COVID-19. Any employee who meets any of these criteria must be sent home.
 - 3. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas.
 - 4. Employees must wash their hands for at least twenty (20) seconds before beginning work, after each interaction with a customer, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift.
 - 5. All employees must wear face coverings.



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6. Employees must maintain at least 6 feet separation from one another.
- iv. All Reopened Services providing services through Retail-to-Go shall comply with the following conditions:
 1. All payments shall be done over the phone or internet if possible, and contact shall be minimized if remote payment is not available.
 2. Purchased items shall be delivered by the employee to the backseat or trunk of the customer's vehicle whenever possible to minimize physical contact with the customer.
 3. Employees must wash or sanitize their hands after each interaction with a customer, and whenever possible, must disinfect any item that came into contact with the customer.
- v. All Reopened Services providing services through delivery to a customer's residence or business shall comply with the following conditions:
 1. All payments shall be done over the phone or internet if possible, and contact shall be minimized if remote payment is not available.
 2. Purchased items shall be delivered by an employee or third-party carrier and delivered to the customer's residence or business. The employee or third-party carrier may not enter the customer's house or business.
- vi. All Reopened Services providing services through delivery by mail shall comply with the following conditions:
 1. All payments must be done over the phone or internet.
 2. Purchased items shall be delivered by mail without customer contact.
- c. For purposes of this Order, "**Essential Businesses**" means:
 - i. **Essential Healthcare Operations.** Healthcare Operations includes but is not limited to hospitals, clinics, dentists, chiropractors, physical therapy, optometry offices, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, certified doulas, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms, personal training, gymnastics studios, and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with Subsection 1(e) of this Order.
 - ii. **Essential Governmental Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Each governmental body will determine its Essential Governmental Functions



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and identify the employees and/or contractors necessary to the performance of those functions. Further, nothing in this order shall prohibit any individual from performing or accessing "Essential Governmental Functions." All Essential Governmental Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible. This Order does not apply to Federal or State Government.

- iii. **Essential Critical Infrastructure.** All public and private facilities and assets, including both physical and cyber systems, and other functions and sectors vital to the security, governance, and public health, safety of Dallas County. Critical infrastructure includes, but is not limited to, utilities such as electricity, gas, water and wastewater, roads and highways, public transportation, solid waste and recycle collection and removal, oil refining, roads and highways, public transportation, defense and national security-related operations, and manufacturing operations supplying essential items to Essential Businesses, Essential Governmental Functions, and Critical Infrastructure. All manufacturers and distributors shall comply with the Rules for Manufacturers and Distributors set out in Exhibit C. Critical Infrastructure employers should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached. For reference, the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, can be found here: <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>
- iv. **Stores that Sell Groceries and Other Essential Supplies.** Grocery stores, supermarkets, warehouse stores, big-box stores, bodegas, liquor stores, convenience stores, and farmers' markets that sell food products and household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products. The sale of self-service food items is prohibited. Stores that sell groceries and other essential supplies shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- v. **Restaurants.** Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law. In-person service is prohibited. Customers may order and pay inside, but are prohibited from waiting inside the restaurant for their food. All food must be brought outside to customers. To allow for increased access to restaurants, this Order hereby suspends all laws and regulations prohibiting people from walking in a drive-through.
- vi. **Food Cultivation.** Food cultivation, including farming, fishing, and livestock.
- vii. **Delivery of Groceries and Essential Supplies.** Businesses that ship or deliver groceries, food, hygiene products, and essential supplies directly to



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residences or essential businesses. All businesses that deliver groceries and essential supplies shall comply with the rules set out in Exhibit E.

- viii. **Transportation.** Operation, maintenance, and repair of airlines, taxis, and other private transportation providers (such as Uber and Lyft) that provide transportation services necessary for the performance of essential activities and essential travel.
- ix. **Gas Stations and Businesses Needed for Transportation.** Gas stations, auto dealers, auto-supply stores, auto-repair, and bicycle repair. Gas stations and convenience stores are prohibited from selling self-service food items. Gas stations and businesses needed for transportation shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- x. **Critical Trades.** Plumbers, electricians, exterminators, janitors, lawn care services, pool cleaners, maintenance and security, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences, Essential Businesses, Essential Government Functions, and Critical Infrastructure. Critical Trade does not include discretionary maintenance or improvements. Union representatives and their staff for the purpose of performing critical labor union functions, including the maintenance of health and welfare funds and checking on the well-being and safety of members.
- xi. **Construction.** Construction for public works, residential, commercial, and schools. Elective additions and maintenance are prohibited. Protecting construction worker from the spread of COVID19 is extremely important for their safety and for public health, all construction sites must follow the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including, but not limited to, the Rules for Construction Industry set out in Exhibit B. Failure to strictly comply with this Order can result in penalties described below. Additionally, the general contractor and non-compliant subcontractor can be removed from the essential business list.
- xii. **Professional Services.** Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities or services necessary to avoid imminent harm to a client. Real estate and inspection services, so long as they comply with the rules set out in Exhibit F.
- xiii. **Financial Institutions.** Banks and related depository financial institutions, credit unions, insurance companies, title companies, payroll and accounting services. Check cashing businesses and pawnshops so long as they comply with the rules set out in Exhibit D. A copy of Exhibit D must be prominently displayed in each establishment in English and Spanish and a copy must also be provided to each customer in the customer's preferred language.
- xiv. **Information Technology Services/Telecommunications Services.** IT and IT services and their essential service vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services, and



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critical manufacturing, as well as telecommunications services, internet access and broadband/communications services.

- xv. **Essential Retail.** Laundromats, dry cleaners, and laundry service providers, hardware stores, and related facilities. Firearm and ammunition suppliers and retailers for purposes of safety and security. Hardware stores and business that sell electrical, plumbing, and other materials necessary to support Essential Businesses, and Essential Government Functions, and Critical Infrastructure. Essential retail establishments shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xvi. **Fabric Stores.** Stores that sell fabric, for the sole purpose of selling fabric and supplies necessary for the creation of fabric cloth coverings and masks and supplies necessary for home schooling students. Stores that sell fabric shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
- xvii. **Hotels and Motels.** Hotels and motels, to the extent used for lodging or delivery or carry-out food services.
- xviii. **Short-Term Rentals.** Short-term rental of all or part of a residential property to a person who is not a permanent resident is prohibited. Within the meaning of this Order, a “permanent resident” is a person who has the right to use or possess a room at the residential property for at least 30 consecutive days, so long as there is no interruption of payment for the period. This Order does not prohibit short-term rental to hospital employees or other licensed healthcare professionals, military personnel, law enforcement personnel, government employees, or Dallas County residents who need a place to self-quarantine away from their family and/or roommates. Renters currently occupying short-term rental properties shall be permitted to complete the current rental contract but are required to follow the requirements of this order
- xix. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses or organizations that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- xx. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** . Businesses or services that supply other Essential Businesses, Essential Government Services, and Critical Infrastructure with the support or supplies needed to operate; including but not limited to mail, shipping and delivery services, warehouse/distribution and fulfillment, storage, moving services, janitorial services, laundry services, computer, audio or video electronics, sanitary equipment, and medical equipment.. To the extent possible, services shall be provided in compliance with Social Distancing Rules attached, including distancing of six feet and routine use of hand sanitizer. All employers that are common carriers, motor carriers, private carriers, shippers, delivery services, moving companies and contract carriers that



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load or unload cargo, supplies, equipment or goods at any point located in Dallas County shall comply with the rules set out in Exhibit E.

- xxi. **Supplies to Work From Home and Home School Students.** Businesses that supply products needed for people to work from home and stores that sell supplies necessary for home schooling students. Stores that sell supplies for people to work from home shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
 - xxii. **Public and Private Education.** All schools are closed to in-person classroom attendance and shall not recommence before the end of the 2019-2020 school year. Public and private educational institutions may operate in-person only for the purposes of facilitating distance learning or performing essential functions, provided compliance with the Social Distancing Rules is maintained.
 - xxiii. **News Media.** Newspapers, television, radio, and other media services.
 - xxiv. **Childcare Services.** Childcare facilities providing services or community service providers offering childcare services under the following mandatory conditions:
 - 1. Childcare services shall only be provided to employees of Essential Businesses;
 - 2. Childcare must be carried out in stable groups of 12 or fewer ("stable" means that the same 12 or fewer children are in the same group each day);
 - 3. Children shall not change from one group to another;
 - 4. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other;
 - 5. Childcare providers shall remain solely with one group of children.
 - xxv. **Animal Care Services.** Animal shelters, veterinary care, and pet food and supply stores. Grooming, if necessary for the health and wellbeing of the animal. Pet daycare, but only for employees of Essential Businesses. To the greatest extent possible, all services must be performed in compliance with social distancing requirements of six feet. Pet food and supply stores shall comply with the Rules for Essential Retail Establishments set out in Exhibit A.
 - xxvi. **Religious and Worship Services.** The Office of the Dallas County Judge and the Health Authority strongly encourage religious and worship services be provided by audio, video, and teleconference whenever possible and that all individuals follow all CDC and County Social Distancing Guidelines including the six feet social distancing rule.
 - xxvii. **Funeral Services.** Funeral, mortuary, cremation, burial, cemetery, and related services, provided that social distancing of six feet per person is maintained to the greatest extent possible.
- d. For purposes of this Order, **Minimum Basic Operations** means the following, provided that employees comply with the Social Distancing Rules:



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- i. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
 - e. **Covering of Nose and Mouth:** Because an infected person can transmit the COVID-19 virus to others before showing any symptoms, the covering of a person's nose and mouth is necessary to help slow the spread of the virus. Effective at 11:59 p.m. on April 17, 2020, to the greatest extent possible all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when patronizing an Essential Business or using public transportation pursuant to the rules outlined in Exhibit G. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order. To the greatest extent possible, all non-medical employees who work at an Essential Businesses or perform services that are exempt under this Order must wear face coverings over their noses and mouths while performing their work. An owner or operator of an Essential Business may refuse admission or service to any individual who fails to wear face covering. Wearing a face covering is not a substitute for maintaining 6-foot social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The enforcement provisions set forth in Section 3 of this Order shall not apply to any violation of this provision or Exhibit G and no law enforcement officer shall stop, detain, or arrest any person based on any such violation.
3. The Dallas County Sheriff's Office, the Dallas County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days.
4. Any manufacturer who retools their business for the purpose of manufacturing and producing ventilators, masks, personal protective equipment, or any supply necessary for Essential Healthcare Operations may apply for an "essential business" exemption under this Order. Apply for a business exemption at <https://www.dallascounty.org/covid-19/ways-to-help.php> under the "Apply for an Essential Business Exemption" tab.
5. All Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Recovery Payments to individuals shall be exempt from "garnishment" as that term is described in Chapter 63 of the Texas Civil Practice and Remedies Code, except for garnishment for child support payments. All CARE Act Payments shall remain exempt from garnishment when deposited into an account in a financial institution. This provision is enacted to ensure Dallas County residents can use their CARES Act Recovery Payments for their housing, food, medical and other essential needs during the COVID-19 emergency period.
6. All public, private, and commercial laboratories operating within Dallas County and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period:



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- a. The number of COVID-19 tests performed; and
- b. The number of positive COVID-19 tests.

Reports shall be made to Dallas County Judge Clay Jenkins at Clay.Jenkins@dallascounty.org and Dallas County Health and Human Services Director Dr. Philip Huang at Philip.Huang@dallascounty.org. Reporting laboratories shall not provide names or any other identifiable health information that could be used to identify an individual patient.

7. Door-to-door solicitation creates an unnecessary face-to-face situation for residents who are home in greater numbers due to the closure of schools and businesses, potentially endangering the health of residents. Under this Order, door-to-door solicitation is prohibited, including the leaving of written materials on the door or mailbox of a residence. This provision does not apply to any business in the grocery supply chain or any non-profit providing community resources for those effected by the coronavirus. Nothing in this Order prohibits utility companies or government agencies from contacting individuals at their residences to perform their normal business functions.
8. Employers shall not implement any rules making a negative COVID-19 test or a note from a healthcare provider a requirement before a COVID-19 recovered employee can return to work.
9. Under this Order, no person shall sell any of the following goods or services for more than the regular retail price the person charged for the goods or services on March 16, 2020, except where an increased retail price is the result of increased supplier or other costs (including the loss of supplier supporting funds):
 - a. groceries, beverages, toilet articles, and ice;
 - b. restaurant, cafeteria, and boarding-house meals; and
 - c. medicine, pharmaceutical and medical equipment, and supplies.
10. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Dallas County for the next 60 days.
11. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in Dallas County are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase. This provision does not apply to the sale of bath or tissue paper to a government organization or essential business.
12. Due to the public health emergency, the Office of the Dallas County Judge hereby advises the Dallas County Justices of the Peace to suspend eviction hearings and writs of



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possession for at least the next 60 days to prevent renters from being displaced. Nothing in the moratorium relieves tenants of liability for unpaid rent. Landlords should cap late fees for delayed payment of rent at fifteen dollars (\$15) per month.

13. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
14. Nursing homes, retirement, and long-term care facilities are instructed by this Order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
15. Public and private schools and institutions of higher education are instructed by this Order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.
16. Additionally, the Office of the Dallas County Judge and the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in the City of Dallas can use their paid sick leave when they are sick or to care for sick family members.
17. This Order shall be in effect until 11:59 p.m. on April 30, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
18. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

IT IS SO ORDERED

CLAY JENKINS
DALLAS COUNTY JUDGE



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EXHIBIT A

Rules for Essential Retailers

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus and protective measures to be taken in all establishments.

Definition of Essential Retailers.

1. Stores that Sell Groceries and Other Essential Supplies. Grocery stores, supermarkets, warehouse stores, big-box stores, bodegas, liquor stores, convenience stores, and farmers' markets that sell food products and household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products.
2. Gas Stations and Businesses Needed for Transportation. Gas stations, auto dealerships, auto-supply stores, auto-repair, and bicycle repair.
3. Other Essential Retailers. Stores that sell supplies necessary for the creation of fabric cloth coverings and masks and supplies necessary for home schooling students. Pet food and supply stores. Laundromats, dry cleaners, and laundry service providers, hardware stores, and related facilities. Firearm and ammunition suppliers and retailers for purposes of safety and security. Hardware stores and business that sell electrical, plumbing, and other materials necessary to support Essential Businesses, and Essential Government Functions, and Critical Infrastructure.

Safety Rules for All Essential Retailers. All employers involved in essential retail activity must follow the requirements set forth in the rules below:

1. All employees must take their temperature at their residence before going to an Essential Retailer. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible and as equipment becomes available, an Essential Retailer must implement a system whereby supervisors must check the temperature of all employees with a forehead thermometer before the employee begins work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are not permitted to work and must be sent home immediately;
3. Gatherings during meals or breaks are prohibited;
4. Employees must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the employees;
5. Employers must allow non-essential personnel to work from home when possible;
6. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas. Ensure that adequate supplies are maintained;



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7. Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift.
8. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so employees may follow hygiene guidelines;
9. There shall be no adverse action taken against an employee who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to work because the employee has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
10. Employers must designate both a member of management as the COVID-19 Safety Monitor and a senior hourly worker (that is not a member of management) as the COVID-19 Vice Safety Monitor at each store to have the authority to work together to enforce these rules. Employers in unionized workplaces should consult with the employee's representatives on this designation.

General Rules for Essential Retailers.

1. Employers shall implement an organized line system where employees, customers, and other persons are not less than six feet apart at all times;
2. To the greatest extent practicable, designate shopping times for at risk populations (seniors, pregnant people, and people with underlying health conditions);
3. To the greatest extent possible, implement a system to restrict the number of customers who are physically present at an Essential Retailer so that six foot spacing may be maintained;
4. Employers shall implement purchase limits on high-demand items (toilet paper, soap, hand sanitizer). These purchase limits do not apply to a government organization or essential business;
5. To the greatest extent possible, employers shall offer pick up services or delivery services of grocery items and other essential supplies; and
6. Self-service food stations are prohibited. Self-service stations are defined as items that customers use common serving utensils to serve themselves, including but not limited to, salad bars, hot dog stands, self-service bulk food items, and other related food items. This section does not apply to self-checkout stations, so long as the checkout stations are cleaned at least every 30 minutes.

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any essential retailer who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT B

Rules for the Construction Industry

Reason for Construction Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Construction as Critical Infrastructure. The Order classified construction for public works, residential, commercial, and schools as critical infrastructure. Elective additions and maintenance are prohibited.

Requirements for Construction. All employers involved in construction activity must follow the requirements set forth in the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including the rules below:

1. All workers and contractors (hereafter referred to as “workers”) must take their temperature at their residence. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible, implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker or contractor has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
3. To the greatest extent possible, shift work must be implemented such that each shift shall have no more than fifty percent (50%) of the workers who were on shift on March 16, 2020. Once assigned to a shift, workers shall not change from one shift to another;
4. To the greatest extent possible, limit crossover of subcontractors;
5. Gatherings during meals or breaks are prohibited;
6. Workers must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
7. Workers must not use a common water cooler. Employers shall provide individual water bottles or instruct workers to bring their own;
8. Employers must allow non-essential personnel to work from home when possible;
9. Employers must provide soap and water and hand sanitizer in the workplace, including all restrooms. Ensure that adequate supplies are maintained;
10. If running water is available at the site, workers must wash their hands for at least twenty (20) seconds before beginning work, when they remove gloves, and before and after the use of shared items such as tools or multi-user devices, before and after any meal or restroom breaks, and when their shift or work time ends.
11. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines;
12. Employers must provide one (1) working flushing toilet for every fifteen (15) workers on site or one (1) outdoor portable toilet for every 10 workers on site;
13. There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not



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- reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
14. Employers must designate a COVID-19 safety monitor on each site who has the authority to enforce these rules;

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any general contractor or subcontractor who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT C

Rules for Manufacturers and Distributors

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Definition of Critical Manufacturers and Distributors. This Order defines Critical Manufacturing and Distribution as the industries listed in the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0.

Rules for Manufacturers and Distributors. All employers involved in critical manufacturing and distribution activity must follow the requirements set forth in the rules below:

1. All employees must take their temperature at their residence before going to work at a manufacturing or distribution center. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors check the temperature of all employees before the employee begins work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are not permitted to work and must be sent home immediately;
3. Gatherings during meals or breaks are prohibited;
4. Employees must keep a six (6) foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the employees;
5. To the extent practicable, employers shall adjust shift timing to allow for greater physical distance between employees;
6. Employers must allow non-essential personnel to work from home when possible;
7. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms. Employers shall ensure that adequate supplies of soap and hand sanitizer are maintained;
8. Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to departing the work site.
9. Employers shall discourage employees from sharing work tools when possible.
10. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so employees may follow hygiene guidelines;
11. There shall be no adverse action taken against an employee who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
12. Employers must designate both a member of management as the COVID-19 Safety Monitor and a senior hourly employee (that is not a member of management), or a non-management



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employee if an hourly employee is not available, as the COVID-19 Vice Safety Monitor at each site to have the authority to work together to enforce these rules. Employers in unionized workplaces should consult with the employee's representatives on this designation.

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any manufacturer and distributor who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



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EXHIBIT D

Rules for Financial Institutions

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

1. Check Cashing Businesses

Application. For the purpose of this Order, "Check Cashing Business" means a person or entity that for compensation engages, in whole or in part, in the business of cashing checks, drafts, money orders, traveler's checks or other instruments for the transmission or payment of money. This Order does not apply to a retail seller engaged primarily in the business of selling consumer goods, including consumables, to retail buyers that cash checks or issue money orders as a service to its customers that is incidental to its main purpose or business.

Interest and Fees. Fees shall not exceed 2% of the amount of the check, draft, or money order, or \$2, whichever is greater. Interest on a loan or advance of money shall not exceed 15% per annum of the total amount of the advance, provided that total fees associated with the loan do not exceed \$75, regardless of the name or type of charge. A check cashing business may charge only those charges expressly authorized in this Order in connection with a loan or advance issued.

Safety Rules. All check cashing businesses must follow the requirements set forth in the rules below:

- a) All employees must take their temperature at their residence before going to work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
- b) To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
- c) Employees must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
- d) Employers shall restrict the number of customers physically present in the store to only those people necessary to complete the transaction as determined by the customer. All other individuals must remain outside the store while the transaction is completed;
- e) Employers must allow non-essential personnel to work from home when possible;
- f) Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas. Employers must ensure that adequate supplies are maintained;
- g) Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift;



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- h) Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines; and
- i) There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy.

2. Pawnshops

Application. These rules apply to all locations or premises at which a pawnbroker regularly conducts business.

Interest and Fees. Interest on a loan of money extended pursuant to a pawn transaction shall not exceed 15% per annum of the total amount of the advance, provided that total fees associated with the loan do not exceed \$75, regardless of the name or type of charge. A pawnshop may charge only those charges expressly authorized in this Order in connection with a pawnshop loan.

Minimum Term Length. A pawnshop shall hold the goods pledged as collateral for at least 120 days after the end of the Emergency Declaration issued by Judge Jenkins or the end of the Emergency Declaration issued by Governor Abbott, whichever is later.

Safety Rules. All pawnshops must follow the requirements set forth in the rules below:

- a) All employees must take their temperature at their residence before going to work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
- b) To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
- c) Employees must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
- d) Employers shall restrict the number of customers so that only one customer is physically present in the store at a time;
- e) Employers must allow non-essential personnel to work from home when possible;
- f) Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms and food preparation areas. Employers must ensure that adequate supplies are maintained;
- g) Employees must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift;
- h) Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines; and
- i) There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) have not reported to



DALLAS COUNTY

work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy.

3) **Enforcement**

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any financial institution who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



DALLAS COUNTY

EXHIBIT E

Rules for Common Carriers, Shipper, Delivery Services, and Related Companies

Reason for Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Definition of Common Carriers. All employers which are common carriers, motor carriers, private carriers, shippers, delivery services, moving companies and contract carriers which load or unload cargo, supplies, equipment or goods at any point located in Dallas County.

Rules for Common Carriers. All employers involved in trucking, shipping, delivery and moving services, and related industries must follow the requirements set forth in the rules below:

1. All employees must take their temperature at their residence before going to work. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. To the greatest extent possible and as equipment becomes available, employers must implement a system whereby supervisors check the temperature of all employees before the employee begins work. If an employee has a temperature above 99.6 degrees Fahrenheit, then they are not permitted to work and must be sent home immediately;
3. Gatherings during meals or breaks are prohibited;
4. Employees must keep a six (6) foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the employees;
5. To the extent practicable, employers shall adjust shift timing to allow for greater physical distance between employees, including coordination between dispatch and scheduling so that there is no overlap between crews traveling to different locations;
6. Employers must allow non-essential personnel to work from home when possible;
7. Employers must provide soap and water, or hand sanitizer if no soap or water is available, in the workplace, including all restrooms. Employers shall ensure that adequate supplies of soap and hand sanitizer are maintained. Hand sanitizer must be available in each vehicle;
8. Workers must wash their hands for at least twenty (20) seconds before beginning work, before any food preparation, before and after the use of shared items, after any meal or restroom breaks, and immediately prior to the end of the work shift;
9. Employers must ensure that employees use gloves when handling shared tools or equipment (such as dollies, dock plates, and controls) and that employees wash their hands for at least 20 seconds after handling such tools or equipment;
10. To the greatest extent possible, drivers and other personnel should stay in their vehicles while the vehicles are being loaded and unloaded, unless required for employee safety;



DALLAS COUNTY

11. To the greatest extent possible, receipts, bills of lading, acknowledgements and other such documentation should be electronic so as minimize the need for personnel to physically sign and exchange documents;
12. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines;
13. There shall be no adverse action taken against a worker who has, due to possible exposure to coronavirus, (1) been quarantined or advised to self-quarantine; (2) has not reported to work because the worker has a temperature of 99.6 degrees or higher; and (3) requested to use paid sick leave under the employer's policy; and
14. Employers must designate both a member of management and an employee who is not a member of management COVID-19 safety monitors at each of the business's warehouses, yards or other locations who have the authority to work together to enforce these rules. Employers in unionized workplaces should consult with the employee's representatives on this designation.

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any common carrier or related business who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



DALLAS COUNTY

EXHIBIT F

Rules for Real Estate Agents

Reason for Rules. The purpose of these rules is to outline the steps that every Agent/Employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent exposure to coronavirus and protective measures to be taken in all real estate showing.

Definition of Real Estate Activity. For the purposes of this Order, real estate activity includes any activity governed by the Texas Real Estate License Act, the Inspector Act, the Residential Service Company Act, and the Timeshare Act.

Safety Rules for All Real Estate Agents/Employees. All realtors and their employees involved in essential real estate activity must follow the requirements set forth in the rules below:

1. Open Houses are prohibited;
2. All realtors and their employees (hereafter referred to as "realtors") must take their temperature at their residence prior to any real estate showing. If an agent has a temperature above 99.6 degrees Fahrenheit, they are prohibited from participating in any real estate showings and must remain at their residence;
3. Realtors and clients must travel to showings in separate vehicles;
4. Realtors, clients, and homeowners must follow the six-foot social distancing rule at all times;
5. Realtors and staff should limit in person contact and conduct business remotely as much as possible;
6. Realtors must wear a protective mask and provide new, unused protective masks to clients when touring a site;
7. Employers must designate a COVID-19 safety monitor at each real estate office who has the authority to enforce these rules;

Enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days. Additionally, any realtor who fails to strictly comply with these rules can be removed from the essential business list and prohibited from operating in Dallas County.



DALLAS COUNTY

EXHIBIT G

Guidance on Covering Nose and Mouth

A significant percentage of individuals with the COVID-19 virus lack symptoms. Because an infected person can transmit the virus to others before showing any symptoms, the covering of a person's nose and mouth when visiting an Essential Business is necessary to help prevent the spread of COVID-19. This is consistent with the findings of the CDC and Dallas County Health Authority.

Staying home is the best way to help reduce the spread of the virus, but if an individual must leave their place of residence to visit an Essential Business, wearing a fabric face mask shall be used as outlined in this Order. Wearing a face covering is not a substitute for maintaining 6-feet social distancing and hand washing, as these remain important steps to slowing the spread of the virus. The face coverings recommended are not surgical masks or N-95 respirators, which are critical supplies that must continue to be reserved for healthcare workers and first responders.

The public in general and Essential Business employees shall comply with the following:

- A. To the greatest extent possible, all persons over the age of two (2) shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when:
 - 1) patronizing an Essential Business; and
 - 2) using public transportation, taxis, or ride shares.
- B. This section shall not apply to persons that are:
 - 1) riding in a personal vehicle;
 - 2) **that are alone in a separate single space;**
 - 3) **that are in the presence only of other members of their household or residence;**
 - 4) engaging in outdoor activity;
 - 5) eating; or
 - 6) when wearing a covering poses a greater mental or physical health, safety or security risk such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance.

Children under the age of two (including infants) should not wear cloth face coverings. Those between the ages of two and nine should use them but under adult supervision to ensure that the child can breathe safely and avoid choking or suffocation. Children with breathing problems should not wear a face covering. Parents and Guardians of children under 10 shall be responsible for appropriately masking children pursuant to this Order.

All COVID-19 Suspected Positives, those currently being tested, and untested individuals with cough and/or fever, and household members of same category of individuals shall not leave their residence without a mask or cloth face covering to prevent the spread to others.



DALLAS COUNTY

To the greatest extent possible, all individuals working for an Essential Business must wear a mask or cloth face covering whenever in public and whenever performing job duties in the presence of others. To the greatest extent possible, employers shall provide employees with a mask or face covering. An owner or operator of an Essential Business may refuse admission or service to any individual who fails to wear face covering.

Medical grade (N95) and surgical masks should be reserved and used only by medical professionals and first responders. Cloth face coverings are not intended for use by healthcare workers, first responders, and others whose work requires close contact with people who are ill.

Cloth coverings should be made in accordance with CDC Guidance, which can be found here: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>



DALLAS COUNTY

DCHHS Social Distancing Rules

1) Vulnerable Populations: Limit Outings

- Vulnerable populations include people who are:
 - 60 years old and older.
 - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

2) Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Ensure employees practice social distancing and do not work within six feet of one another.
- Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Maximize telecommuting options.
- Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.

3) Cancel Non-essential Events

- Cancel non-essential events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
 - Having hand washing capabilities, hand sanitizers and tissues available.
 - Frequently cleaning high touch surface areas like counter tops and hand rails.
 - Finding ways to implement social distancing.

4) Schools: Safety First

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for further closures.

5) Transit: Cleaning and Protection

- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
- Ensure social distancing practices are implemented to the full extent possible.



DALLAS COUNTY

6) Health Care Settings: Avoid as possible, protect the vulnerable

- Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Follow guidance and directions of all facilities.

7) Everyone: Do your part

The best way for all Dallas County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.

You can also prepare for the disruption caused by an outbreak. Preparedness actions include:

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a child care plan if you or a caregiver are sick.
- Make arrangements about how your family will manage school closures.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.

Work Session and Regular Meeting

3.

Meeting Date: 04/28/2020

Department: Infrastructure- Development Services

Pillars: Excellence in Transportation Systems

Milestones: All roads in an acceptable condition and well maintained

AGENDA CAPTION:

Present and Discuss a **Status Update on the Midway Road Reconstruction Project.**

BACKGROUND:

In 2012, Addison voters approved \$16 million in General Obligation bonds for the revitalization of Midway Road from Spring Valley Road to Keller Springs Road. In April 2018, Council authorized staff to proceed with including the newly adopted Master Transportation Plan that includes wider medians and an off-street trail.

On November 12, 2019 Staff presented an update on the Midway Road Reconstruction Project. This included investigating the possibility of using Archer Western Herzog (AWH), DART's contractor who is designing and building the Silver Line Rail Project, as the construction contractor for the reconstruction of Midway Road.

This presentation will update Council on the activities that have occurred since that time. This includes project design, property acquisition activities, the evaluation and selection of a general contractor for the project, and the updated project budget and timeline.

RECOMMENDATION:

Information only, no action required.

Attachments

Presentation - Midway Road Reconstruction Project Update

Midway Road Reconstruction Project Update

City Council

April 28, 2020

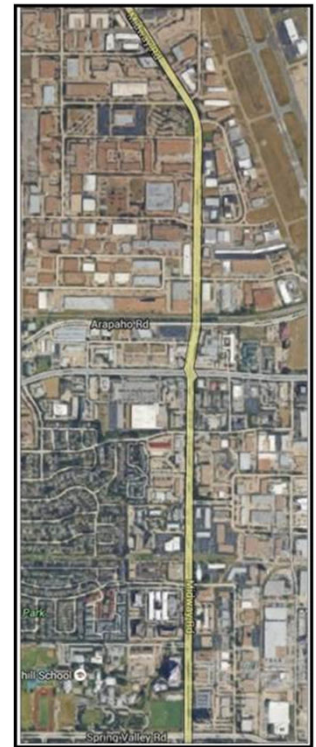
The logo for the City of Addison, featuring a blue square with a white circle in the center. The word "ADDISON" is written in blue capital letters inside the white circle. The square has dark gray triangular corners.

ADDISON

Project Scope, Timeline, and Cost Estimate

ADDISON

- Reconstruction of Midway Road from Spring Valley Road to Keller Springs Road
 - Paving improvements
 - Drainage, water, and sanitary sewer line improvements
 - Traffic signal and lighting upgrades
 - 10' sidepath on westside from Spring Valley to Belt Line Road
 - Connection to Cotton Belt Trail at Wheeler Bridge at Arapaho Road
- Final plans received November 25, 2019
- Total project budget - \$41 million



Project Funds

ADDISON

- 2012 Bond Program
 - \$16,000,000 approved
- November 2018
 - Council gave direction to the City Manager to pursue the issuance of \$25M in Certificates of Obligation.
- July 2019
 - Council gave notice of their intention to issue \$15M in Certificates of Obligation.
- Dallas County Trail Grant \$2,781,873.50
- Major Expenditures as of April 28, 2020:

■ Design Management	\$543,816
■ Design	\$2,935,359
■ Geotechnical analysis	\$46,985

Property Acquisition

The logo for Addison, featuring the word "ADDISON" in white capital letters inside a blue circle.

- 25 parcels are to be acquired – fee simple and easement acquisitions
 - Ranging from 100 square feet to 7,734 square feet
- All appraisals have been completed and received by staff
- Negotiations with property owners are on-going
- Acquisition status as of April 21, 2020:
 - Closed: 6
 - Documents Signed: 6
 - In Negotiation: 6
 - Eminent Domain: 7
- Current estimated cost is \$3.8M. Will vary some based upon negotiations.

Procurement Options Activities

The logo for Addison, featuring the word "ADDISON" in white capital letters inside a blue circle.

- Under the State of Texas purchasing requirements, for most projects over \$50,000 cities must procure goods and services through a competitive bid process.
- Municipalities may procure goods and services in cooperation with another governmental entity that has procured that good or service through the competitive process.
- Addison could use DART's contractor for the reconstruction of Midway Road using an Interlocal Agreement with DART.
- Addison could independently procure the construction services through a traditional bid process.

Procurement Options Activities

A blue circular logo with the word "ADDISON" in white capital letters.

- Final 100% design plans were sent to DART for a price proposal from Archer Western Herzog (AWH).
- AWH submitted a price for the reconstruction of the roadway not in line with Addison's Engineer's Opinion of Probable Cost (OPC) or DART's independent review.
 - AWH \$37M construction cost
 - DART/RSMMeans \$42M construction cost
- Initiated a validation process on the items with largest disparity.
 - Mobilization, Paving and Paving Removal
- Resulted in an increased estimated construction cost from Engineers OPC of \$26.6M to \$28.5M.

Procurement Options Activities

ADDISON

- Teague Nall and Perkins (TNP) analyzed the cost and schedule implications of splitting the project into two bidding packages.
 - Single Phase:
 - Estimated construction duration 36 months
 - Construction cost estimate \$28.5M
 - Two Phase:
 - Estimated construction duration 42 months
 - Construction cost estimate \$29.5M
- Due to the increase in total cost and construction time, recommend bidding the project as single package.

Procurement Options Activities

ADDISON

- Two Main Bidding Processes
 - Traditional
 - Project awarded mostly based upon low bid.
 - Competitive Sealed Proposal (CSP)
 - Utilizes the following factors to determine best value.
 - Construction time
 - Price
 - Experience of company and key personnel
- CSP provides the benefits of low pricing coupled with the ability to evaluate other parameters.

Construction Management

ADDISON

- Originally conceived as outsourced and estimated at \$3M
- In reviewing the needs of this and other bond funded projects, costs were evaluated to perform these duties in-house.
- Three full time positions are needed for Public Works & Engineering Department managed bond projects
 - Project Manager
 - Contracts Administrator
 - Inspector
- Estimated 3-year cost \$1.5M
 - This includes all salary and benefits, equipment and other ancillary costs

Available Funding vs. Total Project Costs

ADDISON

Authorized / Available Funding	
2012 Bonds	\$16,000,000
2019 Bonds	\$25,000,000
Dallas County Trails Grant	\$2,700,000

Authorized / Expended To Date	
	\$3,526,160

Estimated Total Project Costs	
Project Costs Expended / Committed to Date	\$3,526,160
Construction OPCC	\$28,510,000
Construction Contingency (5%)	\$1,500,000
Materials Testing	\$400,000
Right-of-Way Acquisition	\$3,800,000
Construction Management	\$1,500,000
Construction Administration	\$900,000
	\$39,216,489

Project Budget	\$41,000,000	\$40,136,160
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Path Forward

ADDISON

- Staff recommends bidding the project as one package utilizing CSP after the lifting of the shelter-in-place order and material availability is confirmed.
 - Currently anticipated sometime this summer
- Staff recommends hiring the project management team beginning with the Project Manager.

Questions / Discussion

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ADDISON

Work Session and Regular Meeting

4.

Meeting Date: 04/28/2020

Department: City Secretary

AGENDA CAPTION:

Consider Action to Approve the **Minutes for the April 14, 2020 Work Session and Regular Meeting.**

BACKGROUND:

The Minutes for the April 14, 2020 Work Session and Regular Meeting have been prepared for consideration.

RECOMMENDATION:

Administration recommends approval.

Attachments

Minutes - April 14, 2020 Work Session and Regular Meeting

DRAFT

OFFICIAL ACTIONS OF THE ADDISON CITY COUNCIL WORK SESSION & REGULAR SESSION

April 14, 2020

**Addison Town Hall,
5300 Belt Line Rd., Dallas, TX 75254
6:30 p.m. Work Session and Regular Meeting**

The Addison City Council, using electronic medium, conducted its Regularly Scheduled Meeting on Tuesday, April 14, 2020. The meeting was not conducted at Town Hall. A temporary suspension of the Open Meetings Act to allow telephone or videoconference public meetings has been granted by Governor Greg Abbott. Members of the public were entitled to participate, detailed instructions were provided and the meeting was live streamed on Addison's website at www.addisontexas.net.

Present: Mayor Joe Chow; Mayor Pro-Tempore Tom Braun; Deputy Mayor Pro-Tempore Lori Ward; Council Member Ivan Hughes; Council Member Guillermo Quintanilla; Council Member Paul Walden; Council Member Marlin Willesen.

Mayor Chow led the Pledge of Allegiance.

1. **Call Meeting to Order:** Mayor Chow called the meeting to order.

WORK SESSION

2. **Present and Discuss Any Action Necessary or New Information Regarding the COVID-19 Pandemic.**

City Manager Wes Pierson reported the Dallas County Commissioners Court voted on April 3rd to extend the county's declaration of a Local Public Health Emergency until May 20, 2020. This action enables the County Judge to issue certain orders, such as the 'stay at home' order. On April 6, 2020 Dallas County Judge Clay Jenkins issued an amended shelter-in-place order to extend the order until April 30th. The State's 'stay at home' order is also in place until April 30, 2020.

Mr. Pierson advised that the Town will no longer create its own amended orders and will rely on the Dallas County orders from this point forward. He advised this is because it is difficult to keep

up with the constantly changing orders, and because it is difficult to enforce the County's orders. If the Town is unable to enforce the orders, then the Town may seek assistance from the County.

Mr. Pierson reviewed the Town's actions to date:

- The closure of all Town facilities for public access has been extended to April 30, 2020.
- All in-person Addison Athletic Club camps and classes for the months of April and May have been canceled. Third-party outside exercise programs are being held at the discretion of the vendor.
- The Addison Conference and Theatre Centre (ACTC) will remain closed through Thursday, April 30, 2020.
- Special Events: The May Addison After Dark Event, Boots Brews & BBQ, has been canceled.
- Taste Addison has been postponed. Staff is in the process of evaluating options for this and our other major special events.
- Parks and Public Works crews are continuing their work to maintain the Town's assets.
- The Town has taken (and will continue to take) actions to prevent the spread of the virus. Everyone is encouraged to follow social distancing recommendations.

For more information on the previous updates from the Town related to the COVID-19 pandemic, please visit the Town's website www.AddisonTexas.net/covid19. Updates are also being provided in the Town's newsletter and through social media channels.

Deputy City Manager John Crawford reviewed the efforts being taken by the Town Staff in support of local restaurants and businesses. These efforts include but are not limited to the creation of a webpage on the www.visitaddison.com site listing the restaurants that are open, the use of two billboards in the area to advertise for local restaurants, advertisements on Addison's social media channels, public service announcements running on Spectrum Cable Television. are among some of the Mr. Crawford also mentioned small business resources available through local chambers of commerce and mentioned that there is a list of local, state, and federal resources, and an employment section for hospitality employment openings on the visitaddison.com web page. Mr. Crawford mentioned that Town Staff is maintaining regular contact with our hospitality industry partners.

Mayor Chow provided information for small business owners regarding the federal Payroll Protection Program available through the banks.

3. Present and Discuss Initial Projections of the Potential Financial Impacts to the Town of Addison Due to the Economic Disruption Related to the COVID-19 Pandemic.

City Manager Pierson introduced the item related to the initial projections of the potential financial impact of COVID-19 economic situation to the Town. He said that the analysis represents a point in time beginning October 1, 2019 through February 29, 2020. The projections are estimates based on available data and staff's best conservative assumptions. Mr. Pierson further advised that this presentation is focused on revenues through the end of Fiscal Year (FY) 2020 and for FY2021, and that the information is subject to change. As new information is available, the assumptions and data will be updated.

Chief Financial Officer Steven Glickman presented this item. Mr. Glickman advised the Council that staff analyzed the Town's major funds including: The General Fund, Airport Fund, Hotel Fund, and the Utility Fund. He explained that effects of other periods of economic stress (9-11 and the Great Recession) were analyzed and the impacts to Town revenue from those events were used to inform Staff's projections for the COVID-19 situation.

Mr. Glickman explained that Staff's projections assumed a recovery time of between 18-36 months for economic activity to return to pre-COVID-19 levels and that revenue assumptions were presented as ranges to illustrate future uncertainty. Mr. Glickman described the assumptions that Staff were using to project the revenue impacts to the Town's operating Funds for the remainder of FY2020 and FY 2021.

Mr. Glickman provided a summary of each operating fund focusing on projected revenues and year-end fund balances or reserves. Mr. Glickman identified projected revenue shortfalls and Staff's recommendations to reduce expenditures to cover any shortfalls for the remainder of FY2020. Staff's plans for how to address the balance of revenues and expenditures for FY2021 will be shared in detail as the FY2021 budget is developed.

Mr. Glickman explained that generally the Town's General Fund, Airport Fund, and Utility Fund will be able to adjust to the current economic situation in the short-term. However, the Hotel Fund will experience revenue losses that are so great in FY 2020 that the shortfall will not be able to be addressed by simply reducing expenditures; reserves in the Hotel Fund will need to be used to cover the losses. It was stated that while the Town is in a strong financial position, difficult decisions that will likely need to be made starting in FY2021 to respond to any prolonged economic recovery.

Councilmember Hughes inquired about the Town's Pension Fund. Council Member Quintanilla inquired as to what the hotel occupancy rate typically is for this time of year (this time last year hotel occupancy was at 78 percent; same time this year it is 13 percent). A question was also asked about the status of planned capital improvement projects. Council Member Hughes inquired whether DART is making any changes to the Silver Line schedule and Mr. Pierson advised that DART has not announced any changes to the Silver Line project at this time. Mayor Chow requested an updated analysis following the third quarter of the budget year (end of June). Mr. Pierson advised the models will be updated when new information is available.

4. Present and Discuss the Findings of the Facility Utilization Study and Consider Three Broad Concepts to Meet the Current and Future Town of Addison Facility Needs.

City Manager Pierson advised that in the FY2019 budget Council approved a facility utilization study and the process began in September 2019. He noted that this agenda item is the start of a long-term discussion regarding the Town's aging facilities and future needs. He added that there will be questions asked at the end of the presentation for Council feedback.

Director of General Services Rob Bourestom reviewed that in July of 2019, through a Request for Proposal, LPA, Inc. (LPA) was engaged to help the Town conduct a facility utilization study. This study looked at eight facilities that could be considered for modifications. The process involved extensive interviews with staff on how they use the facilities currently, what departments they

interact with and, what they see as future needs for their departments. Additionally, LPA conducted an in-depth review of the selected facilities to create to scale floor plans.

LPA collected and analyzed the data and was asked to develop broad concepts to present for initial discussion. The goal is to begin a data driven discussion to find a solution that will provide improved functionality for staff and the public, accommodate future growth, and address the facility deficiencies that currently exist with the current facilities.

Brian Graham, Project Manager with LPA, presented the findings of the study. He reviewed LPA's scope of work for this phase of the project. This included:

- A phased, long-term plan with an actionable first phase.
- Provide recommendations for repurposing existing facilities.
- Improve delivery of city services to the community.
- Improve space usage to lower long-term operating costs.
- Improve functional department adjacencies and efficiencies.
- Address the issue of aging facilities and deferred maintenance costs.
- Implement current occupancy standards.
- Consider a strategic location for city services in a central facility or adjacent facilities.

Mr. Graham explained their methodology that included analyzing current facility configurations, creating concepts to maximize use of existing facilities, developing preliminary workplace typologies to study building efficiencies, and identifying personnel and equipment growth over 10 years. Mr. Graham presented, as part of the study work, several concepts for discussion related to the future utilization of Town facilities. Details of each concept were reviewed as well as potential costs for each option.

The questions below were posed to Council help start a long-term discussion of the Town's facilities.

- 1) What are your initial thoughts related to the use and condition of existing Town facilities?
- 2) What are your thoughts related to balancing the ideas of facility consolidation and preserving separate facilities throughout the Town?
- 3) Given already identified priorities, what are your thoughts related to where this specific topic would rank on the Town's list of priorities?
- 4) Do any of the broad concepts presented provide you with enough information to begin to create a vision for the future of Town facilities? If not, then: What additional information would you like Staff to research to help develop a vision?

City Manager Pierson advised that a Public Comment had been received by email from Allen Then who resides on Lake Forrest Drive. Mr. Pierson read Mr. Then's comment into the public record. It reads as follows: "Given the unprecedented events on-going in our world, and the

likely enormous negative impact on our town and its finances, I am disappointed that the council has seen fit to leave in place the agenda item for the:

Findings of the Facility Utilization Study and Consider Three Broad Concepts to Meet the Current and Future Town of Addison Facility Needs.

For my family, it is remarkable that a proposal in consideration of spending unto \$100 million dollars to upgrade facilities is being considered at this time. Respectively, I would like the council to put forward a motion to table such this item for the foreseeable future and until circumstance surrounding the health and welfare of our community is assured and clarified.”

There was brief Council discussion on topics raised by Mr. Then’s comments.

In response to the questions, several Council members expressed that while most of the Town’s facilities were considered in “fair” condition, more information on each facility is needed regarding a cost/benefit analysis of maintaining these buildings in the future versus replacing them. Council Member Walden added that the transit-oriented development, including potential public/private partnerships, should be considered. He also expressed that his vision would be to make the most use of the Town’s resources whether that means renovating existing buildings or new buildings. Mayor Chow expressed that he had concerns about potentially locating important buildings (Town Hall, Police Department) near the Airport fuel storage tanks. He also noted that the Town needs to make the buildings ADA compliant. Deputy Mayor Pro-Tempore Ward stated that while this matter is important it is not urgent. Council Member Quintanilla stated the Asset Management Plan should be utilized when considering the options.

Council requested a financial analysis and strategy for existing buildings. Mr. Pierson added that future planning efforts for the transit-oriented development at Addison Circle will explore the possibility of public/private partnerships for Town buildings.

REGULAR MEETING

Announcements and Acknowledgements regarding Town and Council Events and Activities

Discussion of Events/Meetings

Public Comment: *The City Council invites citizens to address the City Council on any matter, including items on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing starts. Citizen comments are limited to **three (3) minutes**, unless otherwise required by law. To address the Council, please fill out a **City Council Appearance Card** and submit it to a staff member prior to the Public Comment item on the agenda. The Council is not permitted to take any action or discuss any item not listed on the agenda. The Council may choose to place the item on a future agenda.*

City Secretary Parker advised that no citizens had requested to address the City Council via telephonic means and no emails or other written correspondence was submitted.

Consent Agenda: *All items listed under the Consent Agenda are considered routine by the City Council and will*

be enacted by one motion with no individual consideration. If individual consideration of an item is requested, it will be pulled from the Consent Agenda and discussed separately.

5. **Consider Action to Approve the Minutes for the March 20, 2020 Special Emergency Meeting and the March 24, 2020 Work Session and Regular Meeting.**
6. **Consider Action on a Resolution to Approve Amending the Town of Addison's Authorized Representatives for the TexSTAR Short Term Asset Revenue Fund.**
7. **Consider Action on a Resolution to Approve Amending the Town of Addison's Authorized Representatives to the Texas Local Government Investment Pool - TexPool/Texpool Prime.**
8. **Consider Action on a Resolution to Approve Amending the Town of Addison's Authorized Representatives for the Local Government Investment Cooperative ("LOGIC").**
9. **Consider Action on a Resolution to Approve a Contract Agreement with Nouveau Technology Services L.P., D.B.A Nouveau Construction and Technology Services L.P. for the Fire Station Apparatus Bay Doors Replacement Project and Authorize the City Manager to Execute the Agreement in an Amount Not to Exceed \$171,225.**
(Item 9 removed from Consent Agenda for separate discussion.)
10. **Consider Action to Approve the Purchase of Traffic Signal Controllers, Traffic Signal Lights, Traffic Signal Backup Batteries, and Associated Components and the Renewal of Traffic Signal Software, Maintenance, and Testing of the Back-Up Battery System from Paradigm Traffic Systems, Inc. in an Amount not to Exceed \$86,575.**

Mayor Chow asked if there were any requests to remove an item from the Consent Agenda for separate discussion. Council Member Quintanilla requested to remove Item Number 9 for separate discussion. Mayor Chow called for a motion to approve Consent Items 5,6,7,8 and 10 as submitted.

MOTION: Council Member Hughes moved to approve Consent Items 5,6,7,8 and 10. Deputy Mayor Pro Tempore Ward seconded the motion. Motion carried unanimously.

Resolution No. R20-029: Amend TexSTAR Authorized Representatives

Resolution No. R20-030: Amend TexPool/TexPool Prime Authorized Representatives

Resolution No. R20-031: Amend LOGIC Authorized Representatives

* * * * *

Regarding Consent Agenda Item Number 9: Council Member Quintanilla requested to add the additional information (2 pages regarding the Scope of Work and 1 page of contractor references) that was provided to Council but not included on the agenda.

MOTION: Council Member Quintanilla moved to approve Item 9 with the addition of the 3 pages referenced above that were not provided in the agenda packet. Council Member Walden seconded the motion. Motion carried unanimously.

Resolution No. R20-032: Nouveau Technology Services L.P. contract for the Fire Station Apparatus Bay Doors Replacement Project

Regular Items

11. Present, Discuss and Consider Action on an Ordinance Amending Ordinance No. 020-04 to Postpone the May 2, 2020 Special Charter Amendment Election.

City Secretary Irma Parker reviewed that on February 13, 2020 the City Council adopted Ordinance No. O20-04 ordering a Special Election to be held on May 2, 2020 for the purpose of amending the Home Rule Charter with twenty-six (26) Propositions. On March 13, 2020, Governor Greg Abbott certified that the novel coronavirus (COVID-19) is spreading throughout the State and declared a state of disaster for all counties in Texas. On March 18, the Governor issued a Proclamation to suspend various statutes to allow political subdivisions of the state who had scheduled an election on the May uniform election date to move their general and/or special election to November 3, 2020, the next uniform election date.

At the March 20, 2020 Special Council Meeting, the Council was informed that Dallas County Elections Department (DCED) Elections Administrator Toni Pippins-Poole notified all Dallas County entities on March 19 that they would not administer the May 2, 2020 Election as 44% of the 324 Vote Centers were not available for use in the May election date. Additionally, workers scheduled to work this election have advised they would not work due to health concerns. The Town's cost for renting and/or purchasing election equipment would be expensive and finding election workers during this disaster may be difficult. Council consensus was to postpone the Special Election until a future uniform election date.

Council and staff discussion followed regarding whether to set a new election date or to postpone the election at this time without determining a new date.

MOTION: Council Member Hughes moved to approve Ordinance O20-04 with the amendment that the election be postponed to a date to be determined. Deputy Mayor Pro-Tempore Ward seconded the motion. Motion carried unanimously.

Ordinance No. O20-11: Postpone May 2, 2020 Charter Election

12. Present, Discuss, and Consider Action on a Resolution for Appointments to the Trails Master Plan Advisory Committee.

Parks and Recreation Director Janna Tidwell presented this item. She reviewed that in February of 2020 Council approved a resolution for professional planning services with Moore Iacofano Goltsman, Inc. (MIG) to create a city-wide Trails Master Plan. At that time staff shared that public input would be a very important aspect of the plan and shared an overview of the input process.

Gathering community input involved the formation of an advisory committee and relied on several in-person input gathering activities early in the project. Due to the COVID-19 related shelter-in-place and hygiene orders, staff has worked with MIG to revamp the project schedule to keep the project moving forward. Ms. Tidwell provided an overview of the reviewed schedule, adding that the final Master Plan should be ready for Council action in February 2021.

Ms. Tidwell stated that the revised process still intends to include participation and guidance from an advisory committee. Staff solicited volunteers to participate on the committee between March 1 and April 2, 2020. Twenty-four residents applied to serve. Staff reached out to the applicants to gauge their ability to use technology to meet in the early phases of the project. Most of the applicants responded, and all that replied confirmed they were comfortable relying on e-mails, on-line surveys and Zoom meetings to communicate on the project. The applications that were received have been made available to Council for consideration. MIG advised that an ideal advisory committee would include representatives from all areas of Addison as defined in the Parks Master Plan and should include recreational walkers, joggers and cyclists as well as a commuter cyclist and a mobility advocate.

Council members discussed what method they would use for assigning members to the advisory board, and selected the following:

Appointee	Area	Usage	Nominated By
Jenn Cook	1	Cyclist, Jogger, Walker	Consensus
Brandon Bowers	2	Cyclist, Jogger	Consensus
Genie Stringfellow	2	Jogger, Walker	Consensus
Al Cioffi	3	Cyclist, Walker	Consensus
Joseph Hornisher	3	Cyclist, Jogger, Walker	Consensus
Austen Spoons	3	Walker	Consensus
Al Angell	6	Jogger	Consensus
Tom Souers	6	Cyclist, Walker	Consensus
Robert Weeks	6	Cyclist, Walker	Consensus
Jessica Zazzara	7	Walker	Consensus
David F. Collins	4	Walker, Jogger	Mayor Joe Chow
Chris Burt	4	Cyclist	Mayor Pro-Tem Braun
Ruth Ann Becker	4	Walker, Mobility Advocate	Deputy Mayor Pro-Tem Ward
David Schwartz	4	Cyclist, Jogger, Walker	Council Member Hughes
Charles L. Shaw	4	Cyclist, Jogger, Walker	Council Member Quintanilla
Megan Bedera	4	Commuter Cyclist, Cyclist, Walker	Council Member Walden
Jason Ennis	4	Cyclist, Walker, Mobility Advocate	Council Member Willesen

MOTION: Deputy Mayor Pro Tempore Ward moved to approve the appointments as stated. Council Member Quintanilla seconded the motion. Motion carried unanimously.

Resolution No. R20-033: Appointment of a Trails Master Plan Advisory Committee

Adjourn Meeting

There being no further business to come before the Council, Mayor Chow adjourned the meeting.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

Irma G. Parker, City Secretary

Work Session and Regular Meeting

5.

Meeting Date: 04/28/2020

Department: City Manager

AGENDA CAPTION:

Consider Action to Approve a **Resolution Denying Oncor Electric Delivery Company LLC's Application for Approval of a Distribution Cost Recovery Factor.**

BACKGROUND:

The purpose of this resolution is to deny the Distribution Cost Recovery Factor application filed by Oncor Electric Delivery Company LLC (Oncor) on April 3, 2020 which seeks to increase distribution rates by approximately \$75.9 million annually. It is standard practice to pass a Resolution as the first step in a process to review Oncor's application and attempt to negotiate with Oncor regarding this proposed increase. The Council approved a similar Resolution on April 25, 2019 in response to an application for a rate increase made on April 8, 2019.

Addison is a member of the Oncor Cities Steering Committee (OCSC). The OCSC is comprised of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor's service area. The OCSC will engage with consultants and legal council on behalf of the member cities to resolve issues with Oncor's filing.

The attached resolution:

- Authorizes the Town to participate with the OCSC;
- Authorizes the hiring of Lloyd Gosselink and consultants to review the filing, negotiate with Oncor, make recommendations to the Town regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the Public Utility Commission;
- States the rates proposed by Oncor are found to be unreasonable and should be denied;
- States that Oncor shall continue to charge its existing rates to customers within the Town;
- States that Oncor shall reimburse OCSC for its reasonable rate case expenses;
- States that the resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noted; and,

- States to whom a signed copy of the approved and signed Resolution will be sent.

RECOMMENDATION:

Administration recommends approval.

Attachments

Resolution - Oncor Rate Increase Denial

RESOLUTION NO. _____

A RESOLUTION OF THE TOWN OF ADDISON, TEXAS FINDING THAT ONCOR ELECTRIC DELIVERY COMPANY LLC’S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE TOWN SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH ONCOR CITIES STEERING COMMITTEE; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE TOWN’S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the Town of Addison, Texas (“City”) is an electric utility customer of Oncor Electric Delivery Company LLC (“Oncor” or “Company”), and a regulatory authority with an interest in the rates and charges of Oncor; and

WHEREAS, the Oncor Cities Steering Committee (“OCSC”) is a coalition of similarly situated cities served by Oncor that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in Oncor’s service area in matters before the Public Utility Commission (“Commission”) and the courts; and,

WHEREAS, on or about April 3, 2020 Oncor filed with the City an Application for Approval to Amend its Distribution Cost Recovery Factor (“DCRF”), PUC Docket No. 50734, seeking to increase electric distribution rates by \$75.9 million annually (an approximately \$0.88 increase to the average residential customer’s bill); and

WHEREAS, the City will cooperate with OCSC in coordinating their review of Oncor’s DCRF filing with designated attorneys and consultants, prepare a common response, negotiate with the Company, and direct any necessary litigation, to resolve issues in the Company’s filing; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

WHEREAS, working with the OCSC to review the rates charged by Oncor allows members to accomplish more collectively than each city could do acting alone; and

WHEREAS, OCSC’s members and attorneys recommend that members deny the DCRF.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That the City is authorized to participate with OCSC in Commission Docket No. 50734.

SECTION 2. That, subject to the right to terminate employment at any time, the Town of Addison hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal Oncor's DCRF application.

SECTION 3. That the rates proposed by Oncor to be recovered through its DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

SECTION 4. That the Company shall continue to charge its existing rates to customers within the City.

SECTION 5. That the City's reasonable rate case expenses shall be reimbursed in full by Oncor within 30 days of the adoption of this Resolution.

SECTION 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 7. That a copy of this Resolution shall be sent to Tab Urbantke, Attorney for Oncor, at Hunton Andrews Kurth LLP, 1445 Ross Avenue, Suite 3700, Dallas, Texas 75202, and to Thomas Brocato, General Counsel to OCSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, TX 78767-1725, or tbrocato@lglawfirm.com.

DULY RESOLVED AND ADOPTED by the City Council of the Town of Addison, Texas, on this the 28th day of APRIL 2020.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

6.

Meeting Date: 04/28/2020

Department: Infrastructure- Development Services

AGENDA CAPTION:

Consider Action to Approve a **Resolution to Appoint a Voting Member and Alternative Representative of the Advisory Committee for the Trinity River Authority's Central Wastewater Treatment System.**

BACKGROUND:

This item appoints Town representatives to an Advisory Committee for the Trinity River Authority's Central Wastewater Treatment System which provides wastewater treatment services to the Town.

Section 6.10 of the contract between the Trinity River Authority and the Town of Addison states that "the City's governing body shall annually appoint one of the members of its governing body or one of its officers as a voting member of the Advisory Committee for the Authority's Central Wastewater Treatment System." The term of the voting member shall be 12 months. The Central Regional Wastewater System Bylaws further specify that an alternate representative shall also be appointed. Currently, the advisory committee is primarily made up of staff members with few cities utilizing elected officials.

It is recommended that Wilson Kakembo, Capital Project Manager for the Public Works and Engineering Services Department, continue his appointment as the voting member and that Shannon Hicks, Director of Public Works and Engineering Services, be appointed as the alternate representative. Each shall serve a 12-month term.

RECOMMENDATION:

Administration recommends approval.

Attachments

Resolution - Trinity River Authority Advisory Committee Appointment

TRA Advisory Committee - Nomination Form

TRA Advisory Committee - Request To Update Voting Member

TOWN OF ADDISON, TEXAS

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS APPOINTING WILSON KAKEMBO AS A VOTING REPRESENTATIVE AND SHANNON HICKS AS AN ALTERNATE TO THE ADVISORY COMMITTEE OF THE TRINITY RIVER AUTHORITY'S CENTRAL WASTEWATER TREATMENT SYSTEM; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Addison (the "Town") is a member of the Trinity River Authority (the "Authority"); and

WHEREAS, the contract between the Town and the Authority requires the Town to annually appoint a representative as a voting member of the Advisory Committee of the Trinity River Authority's Central Wastewater Treatment System (the "Committee"); and

WHEREAS, the Authority has requested that the Town also appoint an alternate representative to the Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. The above and foregoing recitals are incorporated herein and made a part of this Resolution for all purposes.

Section 2. Wilson Kakembo, Capital Improvements Project Manager, is hereby appointed as the Town's voting representative to the Committee and Shannon Hicks, Director of Public Works and Engineering Services, is hereby appointed as an alternate representative to the Committee.

Section 3. This Resolution shall be effective from and after its passage.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 28th day of April 2020.

Joe Chow, Mayor

ATTEST:

By: _____
Irma Parker, City Secretary

APPROVED AS TO FORM:

By: _____
Brenda McDonald, City Attorney



**CENTRAL REGIONAL WASTEWATER SYSTEM
ADVISORY COMMITTEE**

CONTRACTING PARTY: Town of Addison

In accordance with Section 6.11 ADVISORY COMMITTEE of the Contracting Party Contracts and the Bylaws of the Central Regional Wastewater System, the following individual has been appointed as the Contracting Party Representative and Voting Member for a twelve month period. In addition, an Alternate Contracting Party Representative is also named.

CONTRACTING PARTY REPRESENTATIVE

Wilson Kakembo, P.E.

Name

Capital Improvements Project Manager

Title

16801 Westgrove Drive

Address

wkakembo@addisontx.gov

Email

972-450-2870

Phone

Cell

ALTERNATE REPRESENTATIVE

Shannon Hicks, P.E.

Name

Director of Public Works and Engineering Services

Title

16801 Westgrove Drive

Address

shicks@addisontx.gov

Email

972-450-2849

Phone

Cell

MAYOR/CITY MANAGER

DATE

CONTACT FOR OPERATIONAL EMERGENCY: (If other than Contracting Party Representative)

Jason Sutton

Name

972-450-2826

Phone

jsutton@addisontx.gov

Email

Utilities Supervisor

Title

214-263-0033

Cell

COMPLETED FORM CAN BE RETURNED ELECTRONICALLY TO allenl@trinityra.org
OR MAILED TO:

Lisa Allen
Executive Assistant, Northern Region
Trinity River Authority of Texas
P. O. Box 240
Arlington, TX 76004-0240

If you have questions, please contact Lisa Allen at 817-493-5100.

Trinity River Authority of Texas



Northern Region Office

DATE: April 13, 2020

FILE: 3110.102

TO: MEMBERS, Advisory Committee
Central Regional Wastewater System

RE: Authorized Contracting Party Representative and
Authorized Alternate Representative

The Contract between the Trinity River Authority and each Contracting Party states that "the City's governing body shall annually appoint one of the members of its governing body or one of its officers as a voting member of the Advisory Committee for the Authority's Central Wastewater Treatment System." The contract further states "the term of membership on the Advisory Committee shall be for twelve (12) months" and also "A member may serve more than one (1) term if so appointed by the governing body represented."

The Central Regional Wastewater System Bylaws specify that an alternate representative be appointed to serve as the voting member of the contracting party in the event its appointed representative is unable to attend an Advisory Committee.

To be in compliance with the contracting parties' contracts and Central Regional Wastewater System Bylaws, please complete the attached form and have it executed by your authorized official. A letter from your city will also be acceptable.

It is requested that this form be returned to us by May 15, 2020. You may send an electronic copy to Lisa Allen, Executive Assistant, Northern Region, at allenl@trinityra.org.

If you have any questions about this, please contact me at 817-493-5100 or clevelandp@trinityra.org.

PATRICIA M. CLEVELAND
Executive Manager
Northern Region

/lma

Enclosure

Work Session and Regular Meeting

7.

Meeting Date: 04/28/2020

Department: Parks & Recreation

Pillars: Excellence in Transportation Systems

AGENDA CAPTION:

Consider Action to Approve a **Resolution Supporting the Town of Addison's Application to the North Central Council of Governments 2020 Transportation Alternatives Call for Projects.**

BACKGROUND:

North Central Texas Council of Governments (NCTCOG) has issued a call for projects for their 2020 Transportation Alternatives program, which will award approximately \$20 million in cost reimbursement to eligible projects located within the region. Eligible projects include on street and off road pedestrian and bicycle facilities, shared use paths, and related pedestrian and bicycle safety countermeasures. Awarded funds can only be applied towards construction costs. Design fees will be incurred by the Town. Applicants must commit to the following requirements:

- A Local match of at least 20%;
- Executing an Advanced Funding Agreement with the Texas Department of Transportation (TxDOT) within one year of project selection;
- A construction contract must be awarded, or construction must be initiated, by the end of Fiscal Year 2023;
- Being responsible for all cost overruns; and
- Understanding that awarded funding is provided on a reimbursement basis.

In order to apply for the program a resolution stating the Town is aware of, and can fulfill, the application obligations is required. If Council approves this resolution staff will submit an application by May 15, 2020 requesting funding to complete gaps in the Town's trail system on the West side of Town. Trail gaps will be closed by:

- Extending the Redding Trail to connect with the future trail on the West side of Midway Road; and
- Extending connections at Addison Grove to a new trail along Beltway that connects to the future trail on the west side of Midway Road.

The Redding Trail extension project was included in the 2019 Bond Program which was approved by voters. Bond funds can be utilized to meet the local

match requirements up to the amount included in the bond program. Projects that include more than a 20% match will be scored higher therefore, staff is including a 30% match in the application. The Estimate of Probable Cost for the completion of both trail extensions is approximately \$580,000 and the town's match would be approximately \$174,000. NCTCOG will finalize their project selections by September 10, 2020.

RECOMMENDATION:

Administration recommends approval.

Attachments

Resolution - NCTCOG Transportation Alternatives Funding Request

RESOLUTION NO. R20-_____

A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS SUPPORTING THE TOWN OF ADDISON'S APPLICATION TO THE NORTH CENTRAL COUNCIL OF GOVERNMENTS 2020 TRANSPORTATION ALTERNATIVES CALL FOR PROJECTS

WHEREAS, the Regional Transportation Council, comprised primarily of local elected officials, is the regional transportation policy board associated with the North Central Texas Council of Governments and the regional forum for cooperative decisions on transportation; and,

WHEREAS, the Regional Transportation Council will award funding on September 10, 2020 for Active Transportation and Safe Routes to School projects through the Transportation Alternatives Call for Projects; and,

WHEREAS, the Town of Addison intends to submit a Transportation Alternatives project application for the West Addison Trail Gap Closure Project to the North Central Texas Council of Governments prior to the May 15, 2020 deadline; and,

WHEREAS, the Regional Transportation Council requires the submittal of a resolution as part of the Transportation Alternatives Call for Projects application submission.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

Section 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

Section 2. The Town of Addison supports construction on the West side of Addison to connect the Redding Trail and Addison Grove to the future trail located on the west side of Midway Road as applied for in the 2020 Transportation Alternatives Call for Projects application.

Section 3. The Town of Addison will serve as the Project Sponsor and lead project contact on this project. The Town of Addison agrees to designate a single point of contact for the project.

Section 4. The Town of Addison commits to fund or pass through funds from other sources for a minimum local match of 30% of the construction costs.

Section 5. The Town confirms that Addison not the Regional Transportation Council, will be responsible for any cost overruns.

Section 6. The Town of Addison understands and acknowledges that all awarded funding is provided on a reimbursement basis.

Section 7. The Town of Addison confirms the project timeline is realistic and commits that if the project is selected for funding, an agreement with TxDOT will be executed within one year of project selection (by September 2021) and will obligate funds by the end of Fiscal Year 2023.

Section 8. This Resolution shall take effect from and after its date of adoption.

DULY RESOLVED AND ADOPTED by the City Council of the Town of Addison, Texas, on this the 28th day of April 2020.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma G. Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

8.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an Ordinance Repealing Article I "In General" of Chapter 18 "Buildings and Building Regulations" of the Addison Code of Ordinances, Renaming and Adopting a New Article I Entitled "General Provisions".

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. While going through the process to amend Chapter 18 to update the ICC and National Electrical Codes, Staff conducted a wholistic review of Chapter 18. These changes are intended to make Chapter 18 easier to understand. This agenda item specifically adopts an Ordinance that addresses Article I General Provisions of Chapter 18 to cover administrative matters such as permit fees, refunds, and registration requirements for contractors.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article I General Provisions

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, REPEALING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” ARTICLE I, “IN GENERAL,” OF THE ADDISON CODE OF ORDINANCES, RENAMING AND ADOPTING A NEW CHAPTER 18, ARTICLE I ENTITLED “GENERAL PROVISIONS;” PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to repeal and revise Chapter 18, Article I, “General Provisions”, as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” Article I – “In General” is hereby repealed and replaced with a new Article I – “General Provisions” which shall read in its entirety as follows:

ARTICLE I. GENERAL PROVISIONS

Division I - Adopted.

Sec. 18-1. - Adopted.

For the purpose of establishing building permit fees, subcontractor fees and miscellaneous fees as identified in Chapter 2, Administration, Article IX, “Fees” of this code. Also, for the purpose of establishing a permit refund method and a contractor registration method, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the “General Provisions” and it may be cited as such.

Division II - General Provisions.

Sec. 18-2. – Building permit fee schedule.

- (a) The building permit fee schedule is established in Chapter 2, Administration, Article IX. Fees of the Addison Code of Ordinances.
- (b) Combined permits: the term “combined permit” shall mean a single permit, issued for a single fee, authorizing all structural, plumbing, electrical, and mechanical work to be performed in the construction of a building or structure.

Sec. 18-3. – Subcontractor’s and miscellaneous permit fee schedule.

- (a) The subcontractor’s and miscellaneous permit fee schedule shall be established in Chapter 2, Administration, Article IX. Fees of the Addison Code of Ordinances.
- (b) Subcontractor work: the term “Subcontractor’s work” shall mean the various types of work listed below which are not done as part of the work identified under a combination permit.

Sec. 18-4. – Additional fee, work performed prior to permit approval.

If any construction or other work pursuant to this chapter is attempted prior to any authority, permission or approval of the city to do so, and an application for a building permit is then sought, there shall be paid by the applicant for such building permit a fee equal to twice the amount of the applicable fee as set out herein above at section 18-1 and section 18-2. Payment of the additional fee does not excuse full compliance with provisions of this chapter.

Sec. 18-5. – Permit refund.

- (a) The Building Official may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.
- (b) The Building Official may authorize refunding not more than eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this code. Once work has commenced no portion of the permit fee is refundable.
- (c) The Building Official may authorize the refunding of not more than eighty percent (80%) of the plan review fee paid when an application for a permit which plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. Once plan review has commenced no portion of the plan review fee is refundable.
- (d) The Building Official may not authorize the refunding of any fee paid except upon written request filed by the original permittee no later than 180 days after the date of the original permit fee payment.

Sec. 18-6. Contractor registration required.

- (a) Registration required. All contractors engaged in performing work for which permits are required in this chapter shall first obtain a registration from the city as outlined in this Code. Registered when used with the words “contractor”, “subcontractor” or the like, means that the person has made application to the Building Official, has paid the necessary registration fees to date, been issued a certificate of registration, and that his name is carried in the records of the Building Official as a person authorized to do construction work and receive inspections for which he is registered.
- (b) Securing a permit. It shall be unlawful for any person who is not registered by the Town as a “contractor”, “subcontractor” or the like, performing work within the Town limits defined within this code to secure a permit as provided for in Chapter 18 of this Code.

Exception: Homesteaders may secure permits to perform or supervise work at a residence for which they own and live in as their primary residence and homestead, without being registered as a contractor or without the requirement of hiring a registered contractor. Homeowners who secure permits and subcontract part or all the work out to subcontractors are responsible as the primary permit holder to ensure that all subcontractors are registered with the Town and secure all required contractor and subcontractor permits.

- (c) Method of registration. To register as a contractor an application shall be made in writing on forms furnished by the building official for that purpose along with the registration fee as required in section 8-2 of this Code. The application shall show the contractor’s name, address, telephone number, state trade professionals license where applicable, driver’s license number, and such other information as the building official may require.
- (d) Registration renewal. Every contractor registration provided for in this code shall expire one (1) year following the date of its issuance and shall be renewed by the Building Official upon application and upon the payment to the Town of the required renewal fee.
- (e) Registration revocation or suspension. The Building Official may revoke or suspend a contractor’s registration for the following reasons:
 - 1. The registrant repeatedly violates the requirements of this code.
 - 2. The registrant fails to finalize permits as a result of not obtaining inspections as required by this code.
 - 3. The registrant allows use or occupancy of a structure without first obtaining authorization as required by this code.
 - 4. The registrant allows the expiration, suspension or revocation of a required license, bond or insurance as required by this code.
 - 5. The registrant has been found by the Building Official to have been grossly negligent in the performance of work or construction methods as required by this code.
- (f) A contractor whose registration has been revoked or suspended may be reinstated by the Building Official only if the contractor corrects all violations and pays all applicable fees.

- (g) Appeal revocation or suspension. A registered contractor may appeal the building official's decision to revoke or suspend a contractor's registration to the contractors' board of appeals as outline in this code.

Sections 18-7 through 18-19 reserved.

SECTION 3. Penalty Provision. Any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the city, as heretofore amended, and upon conviction shall be punished by a fine set in accordance with Chapter 1, General Provisions, Section 1.10, General penalty for violations of Code; continuing violations, of the Code of Ordinances for the Town of Addison.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

9.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an **Ordinance Amending Chapter 18 Article II "Building Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Building Code With Amendments Save and Except For Section 18-63 "Automatic Fire-Extinguishing Systems" Which Shall Be Renumbered to Section 18-22.**

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. This agenda item specifically adopts the 2018 ICC Building Code with local amendments under Article II of Chapter 18. Local amendments are intended to fine tune the code to Addison. In most cases, local amendments are developed by the North Central Texas Council of Governments for consideration by each community in this area. The changes from the 2012 Building Code to the 2018 Building Code are highly technical construction standards related to structure strength, means of egress, adequate lighting and ventilation, accessibility, energy conservation and life safety related to new and existing buildings and other structures.

Additionally, an existing local amendment relating to requirements for fire suppression systems in buildings is being maintained and relocated to a new

section number in Chapter 18.

The new code provisions would be effective June 1, 2020 to allow Staff time to communicate with the development community about the updated code.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article II Building Code

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “ BUILDINGS AND BUILDING REGULATIONS,” ARTICLE II “BUILDING CODE,” OF THE ADDISON CODE OF ORDINANCES, ADOPTING THE 2018 EDITION OF THE INTERNATIONAL BUILDING CODE WITH AMENDMENTS, SAVE AND EXCEPT FOR SECTION 18-63 AUTOMATIC FIRE-EXTINGUISHING SYSTEMS” WHICH SHALL BE RENUMBERED TO SECTION 18-22; PROVIDING A PENALTY OF NOT LESS THAN FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) OR MORE THAN ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the International Building Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” Article II – “Building Code” is hereby repealed and replaced with a new Article II “Building Code” which shall read in its entirety as follows:

Article II. – Building Code

Division I - Adopted.

Sec. 18-20. - Adopted.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials used, use and occupancy, location and maintenance of all buildings and structures within the city and certain equipment specifically regulated herein, the International Building Code, 2018 Edition, copies of which, authenticated by the signature of the mayor and the city secretary, and made a public record by ordinance, is on file in the city secretary's office, are hereby adopted as the building code of the Town as fully as if copied at length in this article, but with the changes therein and additions thereto

provided in this article. Also, adopted are Appendices E, F, G, J and K of the 2018 Edition of the International Building Code.

Also, adopted are Appendices: -

1. Appendix-E, Supplementary Accessibility Requirements.
2. Appendix-F, Rodent proofing.
3. Appendix-G, Flood-Resistant Construction.
4. Appendix-J, Grading.
5. Appendix-K, Electrical Administrative Provisions as amended in the Electrical Code.

Division II - Deletions, Amendments and Additions.

Sec. 18-21. - Deletions, amendments and additions.

The International Building Code as adopted in this article, is hereby modified by the deletions, amendments and additions provided herein to read as follows:

***Section [A] 101.1 Title;** the International Building Code has been amended adding the Town's name to read as follows:*

[A] 101.1 Title. These regulations shall be known as the *Building Code* of the Town of Addison, Texas, hereinafter referred to as "this code."

***Section [A] 101.4.8 Electrical;** the International Building Code has been amended by adding the following section 101.4.8 Electrical to read as follows:*

101.4.8 Electrical. The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted by the Town.

***Section [A] 105.2 Work exempt from permit;** the International Building Code is amended by deleting items 1, 2, 3, 5, 6, 9, and 12 and renumbering permit exemptions to read as follows:*

[A] 105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids. Retaining walls over 4 feet (1219 mm) in height shall be designed by a licensed design professional.
2. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
3. Temporary motion picture, television and theater stage sets and scenery.
4. Swings and other playground equipment accessory to detached one- and two-family *dwellings*.
5. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

Electrical:

1. **Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.
2. **Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. **Temporary testing systems:** A *permit* shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.

4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained, and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided that such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Section [A] 105.5; Expiration, the International Building Code has been amended to read as follows:

[A] 105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended, abandoned or if no required inspections, as required in this code, have been scheduled by the permit applicant and performed by the building official, as required in this code, for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section [A] 109.2 Schedule of permit fees; the International Building Code has been amended by adding a final sentence to read as follows:

[A] 109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit as required in this code will be as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section [A] 109.6 Refunds; the International Building Code has been amended by changing it to read as follows:

Section [A]109.6 Refunds. The building official shall authorize the refunding of permit fees as

established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section [A] 111.1 Change of occupancy; the International Building Code has been amended to read as follows:

[A] 111.1 Change of occupancy. A building or structure shall not be used or occupied, and a change of occupancy of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

A certificate of occupancy shall be obtained for a building, structure, tenant space or business where there is a change in occupancy use as found in the zoning ordinance of the Town of Addison, where there is a change in occupancy classification as found in the International Building Code, or where there is a change in ownership, tenants or occupants of the building, individual lease space, individual suite or structure. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.

Exception: Certificates of occupancy are not required for work exempt from *permits* in accordance with Section 105.2.

Section [A] 111.2 Certificate issued; the International Building Code has been amended to read as follows:

[A] 111.2 Certificate issued. After all necessary inspections are conducted by the building inspection division and the fire department, and when it is determined that the building, individual lease space, individual suite, structure, or land complies with all applicable provisions of the ordinances of the Town of Addison, the Building Official shall issue a certificate of occupancy which may contain the following:

1. The address of the building, structure or land.
2. The name of the tenant or occupant who is occupying or using the building, individual lease space, individual suite, structure or land.
3. A statement concerning the approved use of the building, structure or land.
4. The maximum allowed occupancy load for assembly uses.
5. Other information deemed necessary by the Building Official.

Section [A] 111.5 Certificate of occupancy fees; has been amended by adding section [A] 111.5 Certificate of occupancy fees to read as follows:

[A] 111.5 Certificate of occupancy fees; The fee for each certificate of occupancy will be as established in Article I “General Provisions” of this Code.

Section [A] 113 Board of appeals; the International Building Code has been changed in its entirety to read as follows:

113.1. General. There is hereby created a board of appeals (the "board of appeals"), consisting of the members of the board of adjustment appointed by the city council pursuant to Appendix A, Article XXIV of the Code of Ordinances of the Town of Addison. Accordingly, the number of members of the board of appeals shall be equal to the number of members of the said board of adjustment.

Appointment to (including the filling of a vacancy), removal from, and the terms (including term limits) of the members of the board of appeals shall be the same as for members of the board of adjustment. Four (4) members of the board of appeals (including, in the absence of one or more regular members, alternate members) shall constitute a quorum for the conduct of business of the board of appeals, and any action of the board of appeals shall require at least four (4) affirmative votes to be adopted or passed.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

113.3 Powers of the board of appeals. The board of appeals has all of the following powers and authority:

113.3.1 To hear and decide appeals of orders, decisions or determinations made by the building official to the application and interpretation of the code.

113.3.2 To hear requests for the use of a material or method of construction not prescribed by the code and to authorize the use when, in the board of appeals' judgment, the material or method of construction is at least equivalent to that prescribed.

113.3.3 To hear complaints from the building official arising against any person, firm, or corporation registered by the Town under or related to chapter 18 of the Code of Ordinances of the Town and shall have the power after hearing, to revoke or suspend said registration for the following reasons:

- (a) Chronic violation of the code;
- (b) Misrepresentation of material facts in obtaining said license or renewal thereof;
- (c) Chronic failure to secure permits, inspections, or approvals as required by the code; or
- (d) Use of said registration to obtain a permit for another person, firm or corporation.

113.3.4 Rules and procedures. The board of appeals is authorized to establish policies and procedures necessary to carry out its duties.

113.3.5 Chairperson. The board of appeals shall annually select one of its members to serve as chairperson.

113.3.6 Disqualification of member. A member of the of board of appeals shall not hear an appeal in which that member has a personal interest, professional or financial interest or in any other instance which would be in violation of law.

113.3.7 Secretary. The City Manager or the City Manager's designee, including the director of development services, shall designate a qualified clerk to serve as secretary to the board of appeals. The secretary shall file a detailed record of all proceedings in the office of the City Secretary.

113.4 Appeal process.

113.4.1 Application. The application for appeal shall be filed on a form obtained from the building official within 20 days after the notice was served.

113.4.2 Notice of meeting. The board of appeals shall meet upon notice from the chairperson or the City Manager or the City Manager's designee, including the director of development services.

113.4.3 Open hearing. Except as allowed by State law, all meetings of the board of appeals and hearings before the board of appeals shall be open to the public. At a hearing of the board of appeals pursuant to this appeal process, the appellant, the appellant's representative, the building official and any person whose interests are affected shall be given an opportunity to be heard.

113.4.4 Procedure. The board of appeals shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall provide that only relevant information be received.

113.4.5 Postponed hearing. A hearing by the board of appeals shall not be conducted when a quorum of the board of appeals is not present to hear the appeal.

113.4.6 Board decision. Any action to reverse a decision of the building official shall require a majority vote of the board.

113.4.7 Resolution. The decision of the board of appeals shall be by resolution or by motion recorded in the minutes of the board of appeals. Certified copies of the same shall be furnished to the appellant and to the building official.

113.4.8 Administration. The building official shall take immediate action in accordance with the decision of the board of appeals.

Section [A] 114.4 Violation penalties; the International Building Code has been amended by adding a second paragraph to read as follows:

[A] 111.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit*

or certificate issued under the provisions of this code, shall be subject to the penalties as prescribed by law.

Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

***Section 202;** the International Building Code has been changed by amending the definition of a High-Rise Building to read as follows:*

[BG] High-Rise Buildings. High rise building. A building having any floor for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

- (a) Any and all references in the code to high rise buildings or portions thereof shall be assumed to have this meaning regardless of any other height specified.

***Section [F] 502.1 Address identification;** the International Building Code has been amended to read as follows:*

[F] 502.1 Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be a minimum of 6 inches (102 mm) high with a minimum stroke width of 1 /2 inch (12.7 mm), unless more stringent requirements are required by the building official. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. Address identification shall be maintained.

***Section [F] 903.2 Where required;** the International Building Code has been amended in its entirety to read as follows:*

[F] 903.2 Where required. An approved automatic fire sprinkler system shall be installed as follows:

- (1) In all buildings of any area, size or occupancy built, added to or moved into the Town of

Addison after December 8, 1992. (See also the provisions of *The Town of Addison Code of Ordinances, Section 18-22* which shall apply in addition to the provisions of this section). In the case of an addition to an existing structure or space, an approved automatic fire sprinkler system shall be installed in the addition of the structure or space.

- (2) In any existing building of any size, area or occupancy remodeled or reconstructed after the effective date of this ordinance shall provide a sprinkler system and shall be installed when one of the following apply:
 - a) Where the reconstruction as result of structural damage involves greater than 50% of the square footage of the structure,
 - b) Where residential additions exceed five hundred (500) square feet in area, in which case an approved fire sprinkler system must be installed in the new addition space in accordance with this code, or
 - c) Where commercial additions exceed one thousand (1000) square feet in area, in which case an approved fire sprinkler system must be installed in the new addition space in accordance with this code, or
 - d) Where the costs of the residential or commercial remodel reconstruction are in excess of 50% of the dollar value of the structure as assessed by the Dallas Central Appraisal District, the most restrictive requirement shall apply.
- (3) Any change of an existing occupancy type to a more restrictive fire rated type of occupancy based on proposed use and occupant load, the more restrictive fire protection requirements of this code shall apply.
- (4) Exceptions to the requirements in this section shall be as follow:
 - a) Exception 1: Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoistways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating “ELEVATOR MACHINERY – NO STORAGE ALLOWED.”

Section [F] 903.1.1 Alternative protection; of the *International Building Code* has been amended to read as follows:

[F] 903.1.1 Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 may be permitted as approved by the Fire Chief or the Fire Chief’s designee in addition to automatic sprinkler protection. In no case shall automatic fire sprinkler protection be removed or omitted based on the presence of alternative fire extinguishing systems.

Section [F] 903.3; of the International Building Code has been amended by adding a new subsection [F] 903.1.2.4 Garages to read as follows:

[F] 903.1.2.4 Garages. Sprinkler protection is required in attached garages.

Section [F] 903.4 Sprinkler system supervision and alarms of the International Building Code has been changed by adding a second paragraph after the exceptions to read as follows:

[F] 903.4 Sprinkler system supervision and alarms. All valves controlling the water supply and all water flow alarm switches on *automatic fire sprinkler systems* shall be electrically supervised and monitored by an approved fire alarm monitoring agency, regardless of the number of sprinkler heads served.

Exception:

1. Fire sprinkler valve and alarm monitoring for single family dwellings on fee simple lots shall be at the discretion of the property owner.

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

Section [F] 903.4.2 Alarms of the International Building Code has been amended by adding a second paragraph to read as follows:

[F] 903.4.2 Alarms. An approved audible device, located on the exterior of the building in an approved location, shall be connected to each *automatic sprinkler system*. Such sprinkler waterflow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Where a fire alarm system is installed, actuation of the *automatic sprinkler system* shall actuate the building fire alarm system.

The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.

Section [F] 905.9 Valve supervision; of the International Building Code has been amended by adding a second paragraph after the exceptions to read as follows:

[F] 905.9 Valve supervision. Valves controlling water supplies shall be supervised in the open position so that a change in the normal position of the valve will generate a supervisory signal at the supervising station required by Section 903.4. Where a fire alarm system is provided, a signal shall be

transmitted to the control unit.

Exceptions:

1. Valves to underground key or hub valves in roadway boxes provided by the municipality or public utility do not require supervision.
2. Valves locked in the normal position and inspected as provided in this code in buildings not equipped with a fire alarm system.

Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

Section [F] 907.1. General of the International Building Code has been amended by adding a new subsection section [F] 907.1.4 Design standards to read as follows:

907.1.4 Design standards. Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

Section [F] 907.2.12 High-rise buildings; of the International Building Code has been amended by amending exception 3 to read as follows:

[F] 907.2.12 High-rise buildings. High-rise buildings shall be provided with an automatic smoke detection system in accordance with Section 907.2.12.1, a fire department communication system in accordance with Section 907.2.12.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

Exceptions:

1. Airport traffic control towers in accordance with Sections 412 and 907.2.21.
2. *Open parking garages* in accordance with Section 406.5.
3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the *International Building Code*; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas.
4. Low-hazard special occupancies in accordance with Section 503.1.1.
5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415.

6. In Group I-1 and I-2 occupancies, the alarm shall sound at a *constantly attended location* and occupant notification shall be broadcast by the emergency voice/alarm communication system.

Section [F] 907.6.1. Wiring; *of the International Building Code has been amended by adding a new subsection section [F] 907.6.1.1 Wiring Installation to read as follows:*

907.6.1.1 Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

Section [F] 910.2 Where required; *of the International Building Code has been amended by amending exceptions 2 and 3 to read as follows:*

[F] 910.2 Where required. Smoke and heat vents or a mechanical smoke removal system shall be installed as required by Sections 910.2.1 and 910.2.2.

Exceptions:

1. Frozen food warehouses used solely for storage of Class I and II commodities where protected by an *approved automatic sprinkler system*.
2. Only manual smoke and heat removal shall be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal is prohibited.
3. Only manual smoke and heat removal shall be required in areas of buildings equipped with control mode special application sprinklers with a response time index of $50(m \cdot S)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal is prohibited.

Section [F] 910.2 Group H; *of the International Building Code has been amended by adding a new subsection [F] 910.2.3 Group H to read as follows:*

[F] 910.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m²) in single floor area.
2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Section [F] 912.2 Location; of the International Building Code has been amended by adding a new subsection section [F] 912.2.3 Hydrant distance to read as follows:

[F] 912.2.3 Hydrant distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

Section [F] 913.2.1 Fire pump room access; of the International Building Code has been amended by adding a new subsection 913.2.1.1 Fire Pump Room Access to read as follows:

[F] 913.2.1.1 Fire pump room access. When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by IFC Section 506.1.

Exception:

1. When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the *fire code official*. Access keys shall be provided in the key box as required by IFC Section 506.1.

Section 1612.3; the International Building Code has been amended adding the Town's name to read as follows:

1612.3 Establishment of flood hazard areas. To establish *flood hazard areas*, the applicable governing authority shall adopt a flood hazard map and supporting data. The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled “The Flood Insurance Study for Town of Addison,” dated, as the effective adoption date of this ordinance, as amended or revised with the accompanying Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) and related supporting data along with any revisions thereto. The adopted flood hazard map and supporting data are hereby adopted by reference and declared to be part of this section.

Sec. 18-22. - Automatic fire-extinguishing systems.

The International Building Code is amended by changing section 903.2 to read as follows:

903.2 Sprinklers required. An approved automatic fire sprinkler system shall be installed as follows:

- (1) In all buildings of any area, size or occupancy built, added to or moved into the Town of Addison after December 8, 1992. In the case of an addition to an existing structure or space, an approved automatic fire sprinkler system shall be installed in the addition and the existing structure or space.

Unless otherwise required in the code, the following exceptions apply:

Exception 1: Detached Group U occupancies that do not exceed 500 square feet in area and are located six feet from any other building.

Exception 2: Open parking garages of noncombustible construction that have no other types of occupancies located above the garage.

Exception 3: Existing, unsprinklered, single-family detached dwellings which are added to for the purpose of increasing livable area.

Exception 4: Covered walkways or open canopies above fuel dispensing pumps, bus stops or other similar structures intended only for the temporary protection of persons from inclement weather but not including covered patios attached to buildings.

Exception 5: Group S-1 occupancies used only for the storage or parking of aircraft.
(NOTE: Aircraft hangars are subject to the provisions of NFPA 409.)

- (2) In any existing building of any size, area or occupancy remodeled or reconstructed after the effective date of this ordinance where the remodel or reconstruction involves greater than 50% of the square footage of the structure or costs in excess of 50% of the dollar value of the structure as assessed by the Dallas Central Appraisal District.
- (3) In the attic of any building required to have a fire sprinkler system. Exception: Attics of single-family residences on fee simple lots.
- (4) In the occupancies and locations set forth in this section.

For provisions on special hazards and hazardous materials, see the fire code.

Sections 18-23 through 18-32 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

10.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an **Ordinance Amending Chapter 18 Article III "Existing Building Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Existing Building Code With Amendments.**

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. This agenda item specifically adopts the 2018 ICC Existing Building Code with local amendments under Article III of Chapter 18. Local amendments are intended to fine tune the code to Addison. In most cases, local amendments are developed by the North Central Texas Council of Governments for consideration by each community in this area. The changes from the 2012 Existing Building Code to the 2018 Existing Building Code are highly technical construction standards that provide alternative approaches to repair, alter, and add to existing buildings while maintaining basic levels for fire prevention, structural and life safety features. These changes were developed by code experts and industry professionals to balance life-safety concerns with industry best practices.

The new code provisions would be effective June 1, 2020 to allow Staff time to communicate with the development community about the updated code.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article III Existing Building Code

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE III “EXISTING BUILDING CODE,” ADOPTING THE 2018 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE, WITH AMENDMENTS; PROVIDING A PENALTY OF NOT LESS THAN FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) OR MORE THAN ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the International Existing Building Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” is hereby amended to add a new Article III “Existing Building Code” which shall read in its entirety as follows:

Article III. – EXISTING BUILDING CODE

Division I – Adopted.

Sec. 18-33. – Adopted Existing Building Code.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials used, use and occupancy, location and maintenance of all buildings and structures within the city and certain equipment specifically regulated herein, the International Existing Building Code, 2018 Edition, copies of which, authenticated by the signature of the mayor and the city secretary, and made a public record by ordinance, is on file in the city secretary's office, are hereby adopted as

The existing building code of the Town as fully as if copied at length in this article, but with the changes therein and additions thereto provided in this article.

Division II – Deletions, Amendments and Additions.

Sec. 18-34. - Deletions, amendments and additions.

The International Existing Building Code as adopted in this article, is hereby modified by the deletions, amendments and additions provided herein to read as follows:

Section [A] 101.1 Title; the International Existing Building Code has been amended adding the Town's name to read as follows:

[A] 101.1 Title. These regulations shall be known as the *Existing Building Code* of Town of Addison, hereinafter referred to as “this code.”

Section [A] 101.4.8; the International Existing Building Code has been changed by adding a new subsection 101.4.8 Electrical to read as following:

101.4.8 Electrical. The provisions of the Electrical Code shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto. Any reference to NFPA 70 or the Electrical Code shall mean the Electrical Code as adopted by the Town.

Section [A] 105.2; the International Existing Building Code is amended by amending and renumbering permit exemptions to read as follows:

[A] 105.2 Work exempt from permit. Exemptions from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. *Permits* shall not be required for the following:

Building:

1. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
2. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
3. Temporary motion picture, television and theater stage sets and scenery.
4. Swings and other playground equipment accessory to detached one- and two-family

*dwelling*s.

5. Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

Electrical:

1. **Repairs and maintenance:** Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical equipment to *approved* permanently installed receptacles.
2. **Radio and television transmitting stations:** The provisions of this code shall not apply to electrical equipment used for radio and television transmissions but do apply to equipment and wiring for a power supply and the installations of towers and antennas.
3. **Temporary testing systems:** A *permit* shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part that does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (0.75 kW) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained, and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided that such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Section [A] 105.5; Expiration, the International Existing Building Code has been amended to read as follows:

[A] 105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended, abandoned or if no required inspections, as required in this code, have been scheduled by the permit applicant and performed by the building official, as required in this code, for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section [A] 108.2 Schedule of permit fees; the International Existing Building Code has been amended by adding a final sentence to read as follows:

[A] 108.2 Schedule of permit fees. On buildings, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit as required in this code will be as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section [A] 110.1 Change of occupancy; the International Existing Building Code has been amended to read as follows:

[A] 110.1 Change of occupancy. A building or structure shall not be used or occupied, and a change of occupancy of a building or structure or portion thereof shall not be made, until the *building official* has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

A certificate of occupancy shall be obtained for a building, structure, tenant space or business where there is a change in occupancy use as found in the zoning ordinance of the Town of Addison, where there is a change in occupancy classification as found in the International Building Code,

or where there is a change in ownership, tenants or occupants of the building, individual lease space, individual suite or structure. The certificate of occupancy shall be posted in a conspicuous place on the premises and shall not be removed except by the building official.

Exception: Certificates of occupancy are not required for work exempt from *permits* in accordance with Section 105.2.

Section [A] 110.2 Certificate issued; the International Existing Building Code has been amended to read as follows:

[A]110.2 Certificate Issued. After all necessary inspections are conducted by the building inspection division and the fire department, and when it is determined that the building, individual lease space, individual suite, structure, or land complies with all applicable provisions of the ordinances of the Town of Addison, the Building Official shall issue a certificate of occupancy which may contain the following:

1. The address of the building, structure or land.
2. The name of the tenant or occupant who is occupying or using the building, individual lease space, individual suite, structure or land.
3. A statement concerning the approved use of the building, structure or land.
4. The maximum allowed occupancy load for assembly uses.
5. Other information deemed necessary by the Building Official.

Section [A] 110.5 Certificate of occupancy fees; the International Existing Building Code has been amended by adding section [A] 111.5 Certificate of occupancy fees, to read as follows:

[A] 110.5 Certificate of occupancy fees; The fee for each certificate of occupancy will be as established in Article I “General Provisions” of this Code.

Section [A] 112 Board of appeals; the International Existing Building Code has been changed in its entirety to read as follows:

[A] 112.1 General Board of Appeals. The board of appeals shall be as established in the Town’s most current adopted Building Code as prescribed in Article II of this code.

Section [A] 113.4 Violation penalties; the International Existing Building Code has been amended by adding a second paragraph to read as follows:

[A] 113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to the penalties as prescribed by law.

Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

Section 202; the International Existing Building Code has been amended by adding the definition of a High-Rise Building to read as follows:

High-Rise Buildings. High rise building. A building having any floor for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

- (a) Any and all references in the code to high rise buildings or portions thereof shall be assumed to have this meaning regardless of any other height specified.

Sections 18-35 through 18-44 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas,
on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

11.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an **Ordinance Amending Chapter 18 To Add a New Article IV "Residential Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Residential Code With Amendments, Save and Except for the Requirement to Provide an Automatic Fire Sprinkler System In All Buildings of Any Area, Size, or Occupancy Built, Added To or Moved Into the Town Of Addison After December 8, 1992 And Excluding the Noted Exceptions.**

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. This agenda item specifically adopts the 2018 ICC Residential Code with local amendments under Article IV of Chapter 18. Local amendments are intended to fine tune the code to Addison. In most cases, local amendments are developed by the North Central Texas Council of Governments for consideration by each community in this area. The changes from the 2012 Residential Code to the 2018 Residential Code are highly technical construction standards similar to those found in the Building Code, but related specifically to residential construction. These changes were developed by code experts and industry professionals to balance life-safety concerns with industry best practices.

Additionally, an existing local amendment relating to requirements for fire

suppression systems in residential buildings is being maintained.

The new code provisions would be effective June 1, 2020 to allow Staff time to communicate with the development community about the updated code.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article IV Residential Code

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” TO ADD A NEW ARTICLE IV “RESIDENTIAL CODE” ADOPTING THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE WITH AMENDMENTS, SAVE AND EXCEPT FOR EXCEPT FOR THE REQUIRMENT TO PROVIDE AN AUTOMATIC FIRE SPRINKLER SYSTEM IN ALL BUILDINGS OF ANY AREA, SIZE OR OCCUPANCY BUILT, ADDED TO OR MOVED INTO THE TOWN OF ADDISON AFTER DECEMBER 8, 1992 AND EXCLUDING THE NOTED EXCEPTIONS; PROVIDING A PENALTY OF NOT LESS THAN FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) OR MORE THAN ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the International Residential Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations” is hereby amended to add a new Article IV “Residential Code” which shall read in its entirety as follows:

Article IV. – RESIDENTIAL CODE

Division I – Adopted.

Sec. 18-45. – Adopted.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of materials used, use and occupancy, location and maintenance of all buildings and structures within the city and certain equipment specifically regulated herein, the International Residential Code, 2018 Edition (for purposes of this Article, the 2018 International Residential Code", a copy of which, authenticated by the signature of the mayor and the city secretary, and made a public record by ordinance, is on file in the city secretary's office), is hereby adopted as the building code of the

city as fully as if copied at length in this article, but with the changes therein and additions thereto provided in this article. Also, adopted are Appendices E, F, G, H, I, J and K of the 2018 International Residential Code.

Also, adopted are Appendices:

1. Appendix-E Manufactured Housing Used as Dwellings.
2. Appendix-F, Radon Control Methods.
3. Appendix-G, Piping Standards for Various Applications.
4. Appendix-H Patio Covers.
5. Appendix-I, Private Sewage Disposal.
6. Appendix-J, Existing Buildings and Structures.
7. Appendix-K, Sound Transmission.

Division II - Deletions, Amendments and Additions.

Sec. 18-46. – Deletions, amendments and additions.

The 2018 International Residential Code, as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

Section R101.1 Title; of the International Residential Code has been amended adding the Town's name to read as follows:

R101.1 Title. These provisions shall be known as the *Residential Code for One- and Two-family Dwellings* of the Town of Addison and shall be cited as such and will be referred to herein as “this code.”

Section R102.4 Referenced Codes and Standards; of the International Residential Code has been amended by adding a second paragraph after the exception to read as follows:

R102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections R102.4.1 and R102.4.2.

Exception: Where enforcement of a code provision would violate the conditions of the *listing* of the *equipment* or *appliance*, the conditions of the *listing* and manufacturer's instructions shall apply.

Whenever amendments have been adopted to the referenced *codes* and standards, each reference to said *code* and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the *Electrical Code* shall mean the *Electrical Code* as adopted.

Section 105.2 Work exempt from permit; *the International Residential Code is amended by deleting items 1, 2, 4, 5, 9, and 10 and renumbering permit exemptions to read as follows:*

R105.2 Work exempt from permit. Exemption from *permit* requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this *jurisdiction*. *Permits* shall not be required for the following:

Building:

1. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids. Retaining walls over 4 feet (1219 mm) in height shall be designed by a licensed design professional.
2. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
3. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
4. Swings and other playground equipment accessory to detached one- and two-family *dwellings*.

Electrical:

1. *Listed* cord-and-plug connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Electrical wiring, devices, *appliances*, apparatus or *equipment* operating at less than 25 volts and not capable of supplying more than 50 watts of energy.
5. Minor repair work, including the replacement of lamps or the connection of *approved* portable electrical *equipment* to *approved* permanently installed receptacles.

Gas:

1. Portable heating, cooking or clothes drying *appliances*.
2. Replacement of any minor part that does not alter approval of *equipment* or make such *equipment* unsafe.

3. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating *appliances*.
2. Portable ventilation *appliances*.
3. Portable cooling units.
4. Steam, hot- or chilled-water piping within any heating or cooling *equipment* regulated by this code.
5. Replacement of any minor part that does not alter approval of *equipment* or make such equipment unsafe.
6. Portable evaporative coolers.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell *appliances* that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a *permit* shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Section 105.5; Expiration, the International Residential Code has been amended to read as follows:

R105.5 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended, abandoned or if no required inspections, as required in this code, have been scheduled by the permit applicant and performed by the building

official, as required in this code, for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section R108.2 Schedule of permit fees; the International Residential Code has been amended by adding a final sentence to read as follows:

R108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit as required in this code will be as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section R110.1 Use and occupancy; the International Residential Code has been amended by to read as follows:

R110.1 Use and occupancy. A building or structure shall not be used or occupied until the *building official* has granted approval to occupy, based on the completions of all required inspections, therefor as provided herein. Approval to occupy a building or structure shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the *jurisdiction*. Approvals presuming to give authority to violate or cancel the provisions of this code or other ordinances of the *jurisdiction* shall not be valid.

Exception:

1. Approval of occupancy is not required for work exempt from permits under Section R105.2.

Section R112 Board of appeals; the International Residential Code has been changed in its entirety to read as follows:

R112.1 General Board of Appeals. The board of appeals shall be as established in the Town’s most current adopted Building Code as prescribed in Article II of this Chapter.

Section R114.4 Violation penalties; the International Residential Code has been amended by adding a second paragraph to read as follows:

R111.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to the penalties as prescribed by law.

Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

Table R301.2(1) Climate and Geographic Design Criteria; of 2018 International Residential Code is amended by providing values in Table R301.2(1):

Table R301.2(1) Climate and Geographic Design Criteria

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^e	ICE BARRIER UNDER- LAYMENT ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	SPEED ^d (MPH)	Topographic Effects ^k	Special Wind Region ^l	Windborne Debris Zone ^m		Weathering ^a	Frost Line Depth ^b	Termite ^c					
5 lb/ft	115 (3 sec- gust)/ 76 fastest mile	No	No	No	A	Moderate	6"	Very Heavy	22 ^o F	No	Local Code	150	64.9 ^o F

****Delete remainder of table Manual J Design Criteria and footnote N**

Section R313 Automatic Fire Sprinkler Systems; the International Residential Code has been changed in its entirety to read as follows:

R313 Automatic Fire Sprinkler Systems. An approved automatic fire sprinkler system shall be installed as follows:

1. In all buildings of any area, size or occupancy built, added to or moved into the Town of Addison after December 8, 1992. (See also the provisions of The Town of Addison Code of Ordinances, Section 18-47 which shall apply in addition to the provisions of this section). In the case of an addition to an existing structure or space, an approved automatic fire sprinkler system shall be installed in the addition of the structure or space.
2. In any existing building of any size, area or occupancy remodeled or reconstructed after the effective date of this ordinance shall provide a sprinkler system and shall be installed when one of the following apply:

- a. Where the reconstruction as a result of structural damage involves greater than 50% of the square footage of the structure,
 - b. Where residential additions exceed five hundred (500) square feet in area, in which case an approved fire sprinkler system must be installed in the new addition space in accordance with this code, or
 - c. Where the costs of the residential remodel reconstruction are in excess of 50% of the dollar value of the structure as assessed by the Dallas Central Appraisal District, the most restrictive requirement shall apply.
 - d. Sprinkler protection is required in attached garages.
3. Any change of an existing occupancy type to a more restrictive fire rated type of occupancy based on proposed use and occupant load, the more restrictive fire protection requirements of this code shall apply.

Section R1502.4.2 Duct installation; the International Residential Code has been amended by adding an exception and amending it to read as follows:

M1502.4.2 Duct installation. Exhaust ducts shall be supported at intervals not to exceed 12 feet (3658 mm) and shall be secured in place. The insert end of the duct shall extend into the adjoining duct or fitting in the direction of airflow. Exhaust duct joints shall be sealed in accordance with Section M1601.4.1 and shall be mechanically fastened. Ducts shall not be joined with screws or similar fasteners that protrude into the inside of the duct. Where dryer exhaust ducts are enclosed in wall or ceiling cavities, such cavities shall allow the installation of the duct without deformation.

Exception:

1. Ducts may be joined with short pop-rivets not to exceed 1/8-inch-long (3.2 mm) penetration on the interior surface of the duct.

Section P2603.5.1 Sewer depth, the International Residential Code has been amended by inserting the depth requirements to read as follows:

P2603.5.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall be not less than 12 inches (304 mm) below finished grade at the point of septic tank connection. Building sewers shall be not less than 12 inches (304 mm) below grade.

Section E3406.3 Minimum size of conductors, the International Residential Code has been amended to read as follows:

E3406.3 Minimum size of conductors. The minimum size of conductors for feeders and branch circuits shall be 14 AWG copper and 8 AWG aluminum. Aluminum wire shall not be permitted as branch circuit wiring. The minimum size of service conductors shall be as specified in Chapter 36. The minimum size of Class 2 remote control, signaling and power-limited circuits conductors shall be as specified in Chapter 43.

Sec. 18-47. - Automatic fire-extinguishing systems.

The International Building Code is amended by changing section 903.2 to read as follows:

903.2 Sprinklers required. An approved automatic fire sprinkler system shall be installed as follows:

- (1) In all buildings of any area, size or occupancy built, added to or moved into the Town of Addison after December 8, 1992. In the case of an addition to an existing structure or space, an approved automatic fire sprinkler system shall be installed in the addition and the existing structure or space.

Unless otherwise required in the code, the following exceptions apply:

Exception 1: Detached Group U occupancies that do not exceed 500 square feet in area and are located six feet from any other building.

Exception 2: Open parking garages of noncombustible construction that have no other types of occupancies located above the garage.

Exception 3: Existing, unsprinklered, single-family detached dwellings which are added to for the purpose of increasing livable area.

Exception 4: Covered walkways or open canopies above fuel dispensing pumps, bus stops or other similar structures intended only for the temporary protection of persons from inclement weather but not including covered patios attached to buildings.

Exception 5: Group S-1 occupancies used only for the storage or parking of aircraft. (NOTE: Aircraft hangars are subject to the provisions of NFPA 409.)

- (2) In any existing building of any size, area or occupancy remodeled or reconstructed after the effective date of this ordinance where the remodel or reconstruction involves greater than 50% of the square footage of the structure or costs in excess of 50% of the dollar value of the structure as assessed by the Dallas Central Appraisal District.
- (3) In the attic of any building required to have a fire sprinkler system. Exception: Attics of single-family residences on fee simple lots.
- (4) In the occupancies and locations set forth in this section.

For provisions on special hazards and hazardous materials, see the fire code.

Sections 18-48 through 18-57 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

12.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an **Ordinance Amending Chapter 18 Article V "Electrical Code" of the Addison Code of Ordinances, Adopting the 2017 Edition of the National Electrical Code With Amendments.**

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. This agenda item specifically adopts the 2017 National Electrical Code with local amendments under Article V of Chapter 18. Local amendments are intended to fine tune the code to Addison. In most cases, local amendments are developed by the North Central Texas Council of Governments for consideration by each community in this area. The changes from the 2014 to the 2017 editions of the National Electrical Code were developed by code experts and industry professionals to balance life-safety concerns with industry best practices.

The new code provisions would be effective June 1, 2020 to allow Staff time to communicate with the development community about the updated code.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article V Electrical Code

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” TO ADD A NEW ARTICLE V “ELECTRICAL CODE” ADOPTING THE 2017 EDITION OF THE NATIONAL ELECTRIC CODE WITH AMENDMENTS; PROVIDING A PENALTY OF NOT TO LESS THAN FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) OR MORE THAN ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2017 Edition of the National Electric Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations” is hereby amended to add a new Article V “Electrical Code” which shall read in its entirety as follows:

ARTICLE V. - ELECTRICAL CODE

Division I - Adopted.

Sec. 18-58. - Adopted.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of all buildings and structures within the city and certain equipment specifically regulated herein, the 2017 edition of the National Electrical Code, as published by the National Fire Protection Association, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Electrical Code of the Town to the same extent as if such code were copied verbatim in this Article. The title of this Article shall be the “Electrical Code of the Town of Addison,” and it may be cited as such.

Division II - Administrative Provisions.

Sec. 18-59. – Administrative Provisions.

Appendix K of the International Building Code, 2018 Edition as adopted by the Town of Addison is hereby amended in this Article to serve as administrative provisions for this Article, the Electrical Code.

SECTION K101 GENERAL

K101.1 Purpose. A purpose of this code is to establish minimum requirements to safeguard public health, safety and general welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation and maintenance or use of electrical systems and equipment.

K101.2 Scope. This code applies to the design, construction, installation, *alteration*, repairs, relocation, replacement, *addition* to, use or maintenance of electrical systems and equipment.

SECTION K102 APPLICABILITY

K102.1 General. The provisions of this code apply to all matters affecting or relating to structures and premises, as set forth in Section K101.

K102.2 Existing installations. Except as otherwise provided for in this chapter, a provision in this code shall not require the removal, *alteration* or abandonment of, or prevent the continued utilization and maintenance of, existing electrical systems and equipment lawfully in existence at the time of the adoption of this code.

K102.3 Maintenance. Electrical systems, equipment, materials and appurtenances, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe, hazard-free condition. Devices or safeguards that are required by this code shall be maintained in compliance with the code edition under which installed. The *owner* or the *owner's* authorized agent shall be responsible for the maintenance of the electrical systems and equipment. To determine compliance with this provision, the *building official* shall have the authority to require that the electrical systems and equipment be reinspected.

K102.4 Additions, alterations and repairs. *Additions, alterations, renovations and repairs* to electrical systems and equipment shall conform to that required for new electrical systems and equipment without requiring that the existing electrical systems or equipment comply with all of the requirements of this code. *Additions, alterations and repairs* shall not cause existing electrical systems or equipment to become unsafe, hazardous or overloaded. Minor *additions, alterations, renovations and repairs* to existing electrical systems and equipment shall meet the provisions for new construction, except where such work is performed in the same manner and arrangement as was in the existing system, is not hazardous and is *approved*.

K102.5 Subjects not regulated by this code. Where no applicable standards or requirements are set forth in this code, or are contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of nationally recognized standards as are *approved* shall be deemed as prima facie evidence of compliance with the intent of this code. Nothing herein shall derogate from the authority of the *building official* to determine compliance with codes or standards for those activities or installations within the building official's jurisdiction or responsibility.

SECTION K103 PERMITS

K103.1 Types of permits. An *owner*, authorized agent or contractor who desires to construct, enlarge, alter, *repair*, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, *repair*, remove, convert or replace electrical systems or equipment, the installation of which is regulated by this code, or to cause such work to be done, shall first make application to the *building official* and obtain the required *permit* for the work.

Exception: Where *repair* or replacement of electrical systems or equipment must be performed in an emergency situation, the *permit* application shall be submitted within the next working business day of the department of electrical inspection.

K103.2 Work exempt from permit. The following work shall be exempt from the requirement for a *permit*:

1. Listed cord- and plug-connected temporary decorative lighting.
2. Reinstallation of attachment plug receptacles, but not the outlets therefor.
3. Replacement of branch circuit overcurrent devices of the required capacity in the same location.
4. Temporary wiring for experimental purposes in suitable experimental laboratories.
5. Electrical wiring, devices, appliances, apparatus or equipment operating at less than 25 volts and not capable of supplying more than 50 watts of energy. Exemption from the permit requirements of this code shall not be deemed to grant authorization for work to be done in violation of the provisions of this code or other laws or ordinances of this jurisdiction.

Section K103.3 Expiration; *the International Building Code, Appendix K has been amended by adding a new subsection K103.3, Expiration, to read as follows:*

K103.3 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended, abandoned or if no required inspections, as required in this code, have been scheduled by the permit applicant and performed by the building

official, as required in this code, for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

SECTION K104 CONSTRUCTION DOCUMENTS

K104.1 Information on construction documents. *Construction documents* shall be drawn to scale upon suitable material. Electronic media documents are permitted to be submitted where *approved* by the *building official*. *Construction documents* shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that such work will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the *building official*.

K104.2 Penetrations. *Construction documents* shall indicate where penetrations will be made for electrical systems and shall indicate the materials and methods for maintaining required structural safety, *fire-resistance rating* and *fireblocking*.

K104.3 Load calculations. Where an *addition* or *alteration* is made to an existing electrical system, an electrical load calculation shall be prepared to determine if the existing electrical service has the capacity to serve the added load.

SECTION K105 ALTERNATIVE ENGINEERED DESIGN

K105.1 General. The design, documentation, inspection, testing and approval of an alternative engineered design electrical system shall comply with this section.

K105.2 Design criteria. An alternative engineered design shall conform to the intent of the provisions of this code and shall provide an equivalent level of quality, strength, effectiveness, *fire resistance*, durability and safety. Materials, equipment or components shall be designed and installed in accordance with the manufacturer's instructions.

K105.3 Submittal. The *registered design professional* shall indicate on the *permit* application that the electrical system is an alternative engineered design. The *permit* and permanent *permit* records shall indicate that an alternative engineered design was part of the *approved* installation.

K105.4 Technical data. The *registered design professional* shall submit sufficient technical data to substantiate the proposed alternative engineered design and to prove that the performance meets the intent of this code.

K105.5 Construction documents. The *registered design professional* shall submit to the *building official* two complete sets of signed and sealed *construction documents* for the alternative engineered design. The *construction documents* shall include floor plans and a diagram of the work.

K105.6 Design approval. Where the *building official* determines that the alternative engineered design conforms to the intent of this code, the electrical system shall be *approved*. If the alternative engineered design is not *approved*, the *building official* shall notify the *registered design professional* in writing, stating the reasons therefor.

K105.7 Inspection and testing. The alternative engineered design shall be tested and inspected in accordance with the requirements of this code.

SECTION K106 REQUIRED INSPECTIONS

K106.1 General. The *building official*, upon notification, shall make the inspections set forth in this section.

K106.2 Underground. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping and conductors installed, and before backfill is put in place. Where excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the raceway, cable or conductors, or where corrosive action will occur, protection shall be provided in the form of granular or selected material, *approved* running boards, sleeves or other means.

K106.3 Rough-in. Rough-in inspection shall be made after the roof, framing, *fireblocking* and bracing are in place and all wiring and other components to be concealed are complete, and prior to the installation of wall or ceiling membranes.

K106.4 Contractors' responsibilities. It shall be the responsibility of every contractor who enters into contracts for the installation or repair of electrical systems for which a *permit* is required to comply with adopted state and local rules and regulations concerning licensing.

SECTION K107 PREFABRICATED CONSTRUCTION

K107.1 Prefabricated construction. Prefabricated construction is subject to Sections K107.2 through K107.5.

K107.2 Evaluation and follow-up inspection services. Prior to the approval of a prefabricated construction assembly having concealed electrical work and the issuance of an electrical *permit*, the *building official* shall require the submittal of an evaluation report on each prefabricated construction assembly, indicating the complete details of the electrical system, including a description of the system and its components, the basis upon which the system is being evaluated, test results and similar information, and other data as necessary for the *building official* to determine conformance to this code.

K107.3 Evaluation service. The *building official* shall designate the evaluation service of an *approved* agency as the evaluation agency and review such agency's evaluation report for adequacy and conformance to this code.

K107.4 Follow-up inspection. Except where ready access is provided to electrical systems, service equipment and accessories for complete inspection at the site without disassembly or dismantling, the *building official* shall conduct the in-plant inspections as frequently as necessary to ensure conformance to the *approved* evaluation report or shall designate an independent, *approved* inspection agency to conduct such inspections. The inspection agency shall furnish the *building official* with the follow-up inspection manual and a report of inspections upon request, and the electrical system shall have an identifying label permanently affixed to the system indicating that factory inspections have been performed.

K107.5 Test and inspection records. Required test and inspection records shall be available to the *building official* at all times during the fabrication of the electrical system and the erection of the building; or such records as the *building official* designates shall be filed.

SECTION K108 TESTING

K108.1 Testing. Electrical work shall be tested as required in this code. Tests shall be performed by the *permit* holder and observed by the *building official*.

K108.1.1 Apparatus, material and labor for tests. Apparatus, material and labor required for testing an electrical system or part thereof shall be furnished by the *permit* holder.

K108.1.2 Reinspection and testing. Where any work or installation does not pass an initial test or inspection, the necessary corrections shall be made so as to achieve compliance with this code. The work or installation shall then be resubmitted to the *building official* for inspection and testing.

SECTION K109 RECONNECTION

K109.1 Connection after order to disconnect. A person shall not make utility service or energy source connections to systems regulated by this code, which have been disconnected or ordered to be disconnected by the *building official*, or the use of which has been ordered to be discontinued by the *building official* until the *building official* authorizes the reconnection and use of such systems.

SECTION K110 CONDEMNING ELECTRICAL SYSTEMS

K110.1 Authority to condemn electrical systems. Wherever the *building official* determines that any electrical system, or portion thereof, regulated by this code has become hazardous to life, health or property, the *building official* shall order in writing that such electrical systems either be removed or restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective electrical system or equipment after receiving such notice.

Where such electrical system is to be disconnected, written notice as prescribed in this code shall be given. In cases of immediate danger to life or property, such disconnection shall be made immediately without such notice.

SECTION K111 ELECTRICAL PROVISIONS

K111.1 Adoption. Electrical systems and equipment shall be designed, constructed and installed in accordance with the *International Residential Code* or NFPA 70 as applicable, except as otherwise provided in this code.

[F] K111.2 Abatement of electrical hazards. All identified electrical hazards shall be abated. All identified hazardous electrical conditions in permanent wiring shall be brought to the attention of the *building official* responsible for enforcement of this code. Electrical wiring, devices, appliances and other equipment that is modified or damaged and constitutes an electrical shock or fire hazard shall not be used.

[F] K111.3 Appliance and fixture listing. Electrical appliances and fixtures shall be tested and *listed* in published reports of inspected electrical equipment by an *approved* agency and installed in accordance with all instructions included as part of such listing.

Section K111.4 Nonmetallic-sheathed cable; the International Building Code, Appendix K, Administrative Provisions, has been amended by deleting subsection K111.4 Nonmetallic-sheathed cable in its entirety.

K111.5 Cutting, notching and boring. The cutting, notching and boring of wood and steel framing members, structural members and engineered wood products shall be in accordance with this code.

Section K111.6 Smoke alarm circuits; the International Building Code, Appendix K, Administrative Provisions, has been amended by deleting subsection K111.6 Smoke alarm circuits in its entirety.

K111.7 Equipment and door labeling. Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign stating ELECTRICAL ROOM or similar *approved* wording. The disconnecting means for each service, feeder or branch circuit originating on a switchboard or panelboard shall be legibly and durably marked to indicate its purpose unless such purpose is clearly evident.

Section K112 Supervision of work; the International Building Code, Appendix K has been amended by adding a new section K112, subsection K112.1 Supervision of work, to read as follows:

Section K112.1 Supervision of work. In the actual work of installing, maintaining, altering or repairing any electric conductors or equipment for which this Article or other ordinance requires a permit, there shall be present and in direct supervision a qualified electrician of the proper classification. An electrical contractor or master electrician shall be liable and responsible for layout and technical supervision of any work which requires a permit and a journeyman or higher

classified grade electrician shall be in direct “on the job” supervision of work carried on specified in this Article. Should it come to the attention of the Electrical Inspector or his assistants that such supervision and control are not being maintained, the Inspector may order the work to be discontinued and the person to whom the permit has been issued shall discontinue further work until proper supervision has been employed or supplied. Nothing in this section shall be construed as prohibiting the employment of apprentices assisting a person duly registered and qualified under the provisions of this Article. It shall be unlawful to have more than four (4) apprentice electricians working under the supervision of a duly registered person on any one job.

Exceptions

- (1) A homesteader may personally install electrical conductors or equipment, without a licensed electrical contractors’ supervision, within his own homestead if the homesteader files with the building official approved plans and specifications, applies for and secures a permit, pays required fees, does work in accordance with this Article and applies to the building official for all required inspections.

Section K113 Schedule of permit fees; the International Building Code, Appendix K has been amended by adding a new section K113, subsection K113.1, Schedule of permit fees, to read as follows:

K113.1 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit as required in this code will be as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section K114 General Board of Appeals; the International Building Code, Appendix K has been amended by adding a new section K114, subsection K114.1, General Board of Appeals, to read as follows:

K114.1 General Board of Appeals. The board of appeals shall be as established in the Town’s most current adopted Building Code as prescribed in Chapter 18, Article II of Addison Code of Ordinances.

Section K115 Violations; the International Building Code, Appendix K has been amended by adding a new section K115, subsection K115.1, Violation penalties, to read as follows:

K115.1 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the *approved construction documents* or directive of the *building official*, or of a *permit* or certificate issued under the provisions of this code, shall be subject to the penalties as prescribed by law. Any person, firm or corporation violating any of the provisions of this code

shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

Division III Deletions, Amendments and Additions.

Sec. 18-60. – Deletions, amendments, and additions.

The National Electrical Code, 2017 Edition, as adopted in this article, is hereby modified by the deletions, amendments and additions provided herein to read as follows:

Section 110.5 Conductors; the National Electrical Code has been amended by adding a new sentence, to read as follows:

110.5 Conductors. Conductors normally used to carry current shall be of copper unless otherwise provided in this *Code*. Where the conductor material is not specified, the material and the sizes given in this *Code* shall apply to copper conductors. Where other materials are used, the size shall be changed accordingly. Aluminum conductors shall be number 8 or larger and shall not be use on branch circuits.

Sections 18-61 through 18-70 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

13.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an **Ordinance Amending Chapter 18 Article VI "Mechanical Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Mechanical Code With Amendments.**

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. This agenda item specifically adopts the 2018 ICC Mechanical Code with local amendments under Article VI of Chapter 18. Local amendments are intended to fine tune the code to Addison. In most cases, local amendments are developed by the North Central Texas Council of Governments for consideration by each community in this area. The changes from the 2012 Mechanical Code to the 2018 Mechanical Code are highly technical standards related heating, ventilation, and air conditioning systems. These changes were developed by code experts and industry professionals to balance life-safety concerns with industry best practices.

The new code provisions would be effective June 1, 2020 to allow Staff time to communicate with the development community about the updated code.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article VI Mechanical Code

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE VI “MECHANICAL CODE,” ADOPTING THE 2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE, WITH AMENDMENTS; PROVIDING A PENALTY OF NOT LESS THAN FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) OR MORE THAN ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the International Mechanical Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” is hereby amended to add a new Article VI “Mechanical Code” which shall read in its entirety as follows:

ARTICLE VI. - MECHANICAL CODE

Division I - Adopted.

Sec. 18-71. - Adopted.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of all buildings and structures within the city and certain equipment specifically regulated herein, the 2018 edition of the International Mechanical Code, as published by the International Code Council, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Mechanical Code of the Town to the same extent as if such code were copied verbatim in this Article. The title of this Article shall be the “Mechanical Code of the Town of Addison,” and it may be cited as such.

Division II - Deletions, Amendments and Additions.

Sec. 18-72. – Deletions, amendments and additions.

The 2018 International Mechanical Code, as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

Section [A] 101.1 Title; of the International Mechanical Code has been amended adding the Town's name to read as follows:

[A] 101.1 Title. These regulations shall be known as the *Mechanical Code* of the Town of Addison hereinafter referred to as “this code.”

Section [A]102.8 Referenced Codes and Standards; of the International Mechanical Code has been amended by changing it to read as follows:

[A]102.8 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections [A]102.8.1 and [A]102.8.2.

Exception: Where enforcement of a code provision would violate the conditions of the *listing* of the *equipment* or *appliance*, the conditions of the *listing* and manufacturer's instructions shall apply.

Whenever amendments have been adopted to the referenced *codes* and standards, each reference to said *code* and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the *Electrical Code* shall mean the *Electrical Code* as adopted.

Section [A]106.4.3; Expiration, the International Mechanical Code has been amended to read as follows:

[A]106.4.3 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended, abandoned or if no required inspections, as required in this code, have been scheduled by the permit applicant and performed by the building official, as required in this code, for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section [A]106.5.2 Fee schedule; the International Mechanical Code has been amended by changing it to read as follows:

[A]106.5.2 Fee schedule. On buildings, structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit as required in this code will be as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section [A]106.5.3 Fee refunds; the International Mechanical Code has been amended by changing it to read as follows:

Section [A]106.5.3 Fee refunds. The building official shall authorize the refunding of permit fees as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section [A] 108.4 Violation penalties; the International Mechanical Code has been amended by adding a second paragraph and changing it to read as follows:

[A] 108.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a violation of this code, punishable by a fine as specified in this code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

Section [A] 108.5 Stop work orders; the International Mechanical Code has been amended by amending it to read as follows:

[A] 108.5 Stop work orders. Upon notice from the code official that mechanical work is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner’s authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who

shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Section [A] 109 Means of appeal; the International Mechanical Code has been changed in its entirety to read as follows:

[A] 109 Means of appeal. The board of appeals shall be as established in the Town's most current adopted "Building Code" as prescribed in Article II of the Addison Code of Ordinances.

Section 306.3 Appliances in attics of the International Mechanical Code is amended by adding subsection 306.3.1 ladder access requirements and renumbering subsection 306.3.2 Electrical requirements to read as follows:

306.3 Appliances in attics. Attics containing appliances shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest *appliance*. The passageway shall be not less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length measured along the centerline of the passageway from the opening to the *appliance*. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space not less than 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the *appliance*. The clear access opening dimensions shall be not less than 20 inches by 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest *appliance*.

306.3.1 Ladders access requirements. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull-down stair with a minimum 300 lb., (136 kg) capacity.
3. An access door from an upper floor level.

Exceptions:

1. The passageway and level service space are not required where the *appliance* is capable of being serviced and removed through the required opening.
2. Where the passageway is unobstructed and not less than 6 feet (1829 mm) high and 22 inches (559 mm) wide for its entire length, the passageway shall be not greater than 50 feet (15 250 mm) in length.

306.3.2 Electrical requirements. A luminaire controlled by a switch located at the required passageway opening and a receptacle outlet shall be provided at or near the *appliance* location in accordance with NFPA 70.

Sections 18-73 through 18-80 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

14.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an **Ordinance Amending Chapter 18 Article VII "Plumbing Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Plumbing Code With Amendments.**

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. This agenda item specifically adopts the 2018 ICC Plumbing Code with local amendments under Article VII of Chapter 18. Local amendments are intended to fine tune the code to Addison. In most cases, local amendments are development by the North Central Texas Council of Governments for consideration by each community in this area. The changes from the 2012 Plumbing Code to the 2018 Plumbing Code are highly technical construction standards related to plumbing systems. These changes were developed by code experts and industry professionals to balance life-safety concerns with industry best practices.

The new code provisions would be effective June 1, 2020 to allow Staff time to communicate with the development community about the updated code.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article VII Plumbing Code

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE VII “PLUMBING CODE,” ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PLUMBING CODE, WITH AMENDMENTS; PROVIDING A PENALTY OF NOT LESS THAN FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) OR MORE THAN ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the International Plumbing Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” is hereby amended to add a new Article VII “Plumbing Code” which shall read in its entirety as follows:

ARTICLE VII. - PLUMBING CODE

Division I - Adopted.

Sec. 18-81. - Adopted.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of all buildings and structures within the city and certain equipment specifically regulated herein, the 2018 edition of the International Plumbing Code, as published by the International Code Council, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Plumbing Code of the Town to the same extent as if such code were copied verbatim in this Article. The title of this Article shall be the “Plumbing Code of the Town of Addison,” and it may be cited as such.

Division II - Deletions, Amendments and Additions.

Sec. 18-82. – Deletions, amendments and additions.

The 2018 International Plumbing Code, as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

Section [A] 101.1 Title; of the International Plumbing Code has been amended adding the Town's name to read as follows:

[A] 101.1 Title. These regulations shall be known as the *Plumbing Code* of the Town of Addison hereinafter referred to as “this code.”

Section [A]102.8 Referenced Codes and Standards; of the International Plumbing Code has been amended by adding a second paragraph and changing it to read as follows:

[A]102.8 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections [A]102.8.1 and [A]102.8.2.

Exception: Where enforcement of a code provision would violate the conditions of the *listing* of the *equipment* or *appliance*, the conditions of the *listing* and manufacturer's instructions shall apply.

Whenever amendments have been adopted to the referenced *codes* and standards, each reference to said *code* and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the *Electrical Code* shall mean the *Electrical Code* as adopted.

Section [A]106.5.3; Expiration, the International Plumbing Code has been amended to read as follows:

[A]106.5.3 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended, abandoned or if no required inspections, as required in this code, have been scheduled by the permit applicant and performed by the building official, as required in this code, for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section [A]106.6.2 Fee schedule; the International Plumbing Code has been amended by changing it to read as follows:

[A]106.6.2 Fee schedule. On buildings, structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit as required in this code will be as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section [A]106.6.3 Fee refunds; the International Plumbing Code has been amended by changing it to read as follows:

Section [A]106.6.3 Fee refunds. The building official shall authorize the refunding of permit fees as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section [A] 108.4 Violation penalties; the International Plumbing Code has been amended by adding a second paragraph and changing it to read as follows:

[A] 108.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a violation of this code, punishable by a fine as specified in this code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

Section [A] 108.5 Stop work orders; the International Plumbing Code has been amended by amending it to read as follows:

[A] 108.5 Stop work orders. Upon notice from the code official that plumbing work is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner’s authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except

such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Section [A] 109 Means of appeal; the International Plumbing Code has been changed in its entirety to read as follows:

[A] 109 Means of appeal. The board of appeals shall be as established in the Town's most current adopted "Building Code" as prescribed in Article II of Chapter 18 of the Code of Ordinances.

Section 305.4.1 Sewer depth of the International Plumbing Code is amended by adding a minimum depth to read as follows:

305.4.1 Sewer depth. Building sewers shall be installed not less than 12 inches (305 mm) below grade.

Section 502.3 Water heaters installed in attics of the International Plumbing Code is amended by adding subsection 502.3.1 ladder access requirements and subsection 502.3.2 Electrical requirements to read as follows:

502.3 Water heaters installed in attics. Attics containing a water heater shall be provided with an opening and unobstructed passageway large enough to allow removal of the water heater. The passageway shall be not less than 30 inches (762 mm) in height and 22 inches (559 mm) in width and not more than 20 feet (6096 mm) in length when measured along the centerline of the passageway from the opening to the water heater. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) in width. A level service space not less than 30 inches (762 mm) in length and 30 inches (762 mm) in width shall be present at the front or service side of the water heater. The clear *access* opening dimensions shall be not less than 20 inches by 30 inches (508 mm by 762 mm) where such dimensions are large enough to allow removal of the water heater.

502.3.1 Ladders access requirements. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull-down stair with a minimum 300 lb., (136 kg) capacity.
3. An access door from an upper floor level.

Exceptions:

1. The passageway and level service space are not required where the *appliance* is capable of being serviced and removed through the required opening.

2. Where the passageway is unobstructed and not less than 6 feet (1829 mm) high and 22 inches (559 mm) wide for its entire length, the passageway shall be not greater than 50 feet (15 250 mm) in length.

502.3.2 Electrical requirements. A luminaire controlled by a switch located at the required passageway opening and a receptacle outlet shall be provided at or near the water heater location in accordance with NFPA 70.

Section 903.1 Roof extension of the International Plumbing Code is amended by adding a minimum vent pipe height above the roof to read as follows:

903.1 Roof extension. Open vent pipes that extend through a roof shall be terminated not less than 6 inches (152 mm) above the roof. Where a roof is to be used for assembly or as a promenade, observation deck, sunbathing deck or similar purposes, open vent pipes shall terminate no less than 7 feet (2134 mm) above the roof.

Sections 18-83 through 18-90 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas,
on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

15.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an **Ordinance Amending Chapter 18 to Add a New Article VIII "Fuel Gas Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Fuel Gas Code With Amendments.**

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. This agenda item specifically adopts the 2018 ICC Fuel Gas Code with local amendments under Article VIII of Chapter 18. Local amendments are intended to fine tune the code to Addison. In most cases, local amendments are developed by the North Central Texas Council of Governments for consideration by each community in this area. The Fuel Gas Code regulates the design and installation of fuel gas distribution piping, system and appliances. The changes from the 2012 and 2018 versions of this code were developed by code experts and industry professionals to balance life-safety concerns with industry best practices.

The new code provisions would be effective June 1, 2020 to allow Staff time to communicate with the development community about the updated code.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article VIII Fuel Gas Code

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE VIII “FUEL GAS CODE,” ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE, WITH AMENDMENTS; PROVIDING A PENALTY OF NOT LESS THAN FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) OR MORE THAN ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the International Fuel Gas Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” is hereby amended to add a new Article VIII “Fuel Gas Code” which shall read in its entirety as follows:

ARTICLE VIII. – FUEL GAS CODE

Division I - Adopted.

Sec. 18-91. - Adopted.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of all buildings and structures within the city and certain equipment specifically regulated herein, the 2018 edition of the International Fuel Gas Code, as published by the International Code Council, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Fuel Gas Code of the Town to the same extent as if such code were copied verbatim in this Article. The title of this Article shall be the “Fuel Gas Code of the Town of Addison,” and it may be cited as such.

Division II – Deletions, Amendments and Additions.

Sec. 18-92. – Deletions, amendments and additions.

The 2018 International Fuel Code, as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

***Section [A] 101.1 Title;** the International Fuel Gas Code has been amended adding the Town's name to read as follows:*

[A] 101.1 Title. These regulations shall be known as the *Fuel Gas Code* of the Town of Addison hereinafter referred to as “this code.”

***Section [A]102.8 Referenced Codes and Standards;** the International Fuel Gas Code has been amended by adding a second paragraph and changing it to read as follows:*

[A]102.8 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections [A]102.8.1 and [A]102.8.2.

Exception: Where enforcement of a code provision would violate the conditions of the *listing* of the *equipment* or *appliance*, the conditions of the *listing* and manufacturer's instructions shall apply.

Whenever amendments have been adopted to the referenced *codes* and standards, each reference to said *code* and standard shall be considered to reference the amendments as well. Any reference made to NFPA 70 or the *Electrical Code* shall mean the *Electrical Code* as adopted.

***Section [A]106.5.3 Expiration,** the International Fuel Gas Code has been amended to read as follows:*

[A]106.5.3 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended, abandoned or if no required inspections, as required in this code, have been scheduled by the permit applicant and performed by the building official, as required in this code, for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

***Section [A]106.6.2 Fee schedule;** the International Fuel Gas Code has been amended by changing it to read as follows:*

[A]106.6.2 Fee schedule. On buildings, structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit as required in this code will be as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section [A]106.6.3 Fee refunds; the International Fuel Gas Code has been amended by changing it to read as follows:

Section [A]106.6.3 Fee refunds. The building official shall authorize the refunding of permit fees as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section [A] 108.4 Violation penalties; the International Fuel Code has been amended by adding a second paragraph and changing it to read as follows:

[A] 108.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair fuel gas work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a violation of this code, punishable by a fine as specified in this code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

Section [A] 108.5 Stop work orders; the International Fuel Gas Code has been amended by amending it to read as follows:

[A] 108.5 Stop work orders. Upon notice from the code official that fuel gas work is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner’s authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who

shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Section [A] 109 Means of appeal; the International Fuel Gas Code has been changed in its entirety to read as follows:

[A] 109 Means of appeal. The board of appeals shall be as established in the Town's most current adopted "Building Code" as prescribed in Article II of Chapter 18 of the Code of Ordinances.

[M] Section 306.3 Appliances in attics; the International Fuel Gas Code is amended by adding subsection 306.3.1 ladder access requirements and renumbering subsection 306.3.2 Electrical requirements to read as follows:

[M] 306.3 Appliances in attics. Attics containing appliances shall be provided with an opening and unobstructed passageway large enough to allow removal of the largest *appliance*. The passageway shall be not less than 30 inches (762 mm) high and 22 inches (559 mm) wide and not more than 20 feet (6096 mm) in length measured along the centerline of the passageway from the opening to the *appliance*. The passageway shall have continuous solid flooring not less than 24 inches (610 mm) wide. A level service space not less than 30 inches (762 mm) deep and 30 inches (762 mm) wide shall be present at the front or service side of the *appliance*. The clear access opening dimensions shall be not less than 20 inches by 30 inches (508 mm by 762 mm), and large enough to allow removal of the largest *appliance*.

306.3.1 Ladders access requirements. As a minimum, for access to the attic space, provide one of the following:

1. A permanent stair.
2. A pull-down stair with a minimum 300 lb., (136 kg) capacity.
3. An access door from an upper floor level.

Exceptions:

1. The passageway and level service space are not required where the *appliance* is capable of being serviced and removed through the required opening.
2. Where the passageway is unobstructed and not less than 6 feet (1829 mm) high and 22 inches (559 mm) wide for its entire length, the passageway shall be not greater than 50 feet (15 250 mm) in length.

306.3.2 Electrical requirements. A luminaire controlled by a switch located at the required passageway opening and a receptacle outlet shall be provided at or near the *appliance* location in accordance with NFPA 70.

Section 404.12 Minimum burial depth; the International Fuel Gas Code has been amended in its entirety to read as follows:

404.12 Minimum burial depth. All underground piping systems shall be installed a minimum depth of 18 inches (457 mm) below grade.

Section 410.1 Pressure regulators; the International Fuel Gas Code is amended by adding a sentence to require regulator access to read as follows:

410.1 Pressure regulators. A line pressure regulator shall be installed where the *appliance* is designed to operate at a lower pressure than the supply pressure. Line gas pressure regulators shall be *listed* as complying with ANSI Z21.80/ CSA 6.22. *Access* shall be provided to pressure regulators. Pressure regulators shall be protected from physical damage. Regulators installed on the exterior of the building shall be *approved* for outdoor installation. Access to regulator shall comply with the requirements for access to appliances as specified in Section 306.

Sections 18-93 through 18-99 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection,

clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

16.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an **Ordinance Amending Chapter 18 to Add a New Article IX "Energy Conservation Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Energy Conservation Code With Amendments.**

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. This agenda item specifically adopts the 2018 ICC Energy Conservation Code with local amendments under Article IX of Chapter 18. Local amendments are intended to fine tune the code to Addison. In most cases, local amendments are developed by the North Central Texas Council of Governments for consideration by each community in this area. The changes from the 2012 Energy Conservation Code to the 2018 version of the code are highly technical standards related to energy efficiency and conservation. These changes were developed by code experts and industry professionals to balance life-safety concerns with industry best practices.

During the Council Work Session discussion, the City Council requested information regarding how existing buildings would be regulated under the new Energy Conservation Code, specifically asking if minor work would require the entire building to be brought up to the current standards. The Energy

Conservation Code does not retroactively apply to existing buildings unless there are changes. If an addition is made to an existing building, the addition must conform, but no changes are required for portions of the building that is unaltered. Routine maintenance and repair do not trigger compliance with new standards. If alterations are made, then new elements must comply with the new standard. For example, if a new window is installed or a new electrical fixture added, these new elements would need to comply, but it would not require that all windows or electrical fixtures be upgraded.

The new code provisions would be effective June 1, 2020 to allow Staff time to communicate with the development community about the updated code.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article IX Energy Conservation Code

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE IX “ENERGY CONSERVATION CODE,” ADOPTING THE 2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, WITH AMENDMENTS; PROVIDING A PENALTY OF NOT LESS THAN FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) OR MORE THAN ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the International Energy Conservation Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” is hereby amended to add a new Article IX “Energy Conservation Code” which shall read in its entirety as follows:

ARTICLE IX. – ENERGY CONSERVATION CODE

Division I - Adopted.

Sec. 18-100. - Adopted.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of all buildings and structures within the city and certain equipment specifically regulated herein, the 2018 edition of the International Energy Conservation Code, as published by the International Code Council, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Energy Conservation Code of the Town to the same extent as if such code were copied verbatim in this Article. The title of this Article shall be the “Energy Conservation Code of the Town of Addison,” and it may be cited as such.

Division II - Deletions, Amendments and Additions.

Sec. 18-101. – Deletions, amendments and additions.

The 2018 International Energy Conservation Code, as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

Section C101.1 Title; The International Energy Conservation Code has been amended adding the Town's name to read as follows:

C101.1 Title. These regulations shall be known as the *Energy Conservation Code (Commercial Energy Code)* of the Town of Addison hereinafter referred to as “this code.”

Section R101.1 Title; The International Energy Conservation Code (Residential Energy Code) has been amended adding the Town's name to read as follows:

R101.1 Title. These regulations shall be known as the *Energy Conservation Code* of the Town of Addison hereinafter referred to as “this code.”

Section R101.2 Scope; The International Energy Conservation Code has been amended to coordinate the residential energy code requirements with the Residential Building Code by adding an additional sentence to read as follows:

R101.2 Scope. This code applies to residential building and building sites and associated systems and equipment. Additional compliance methods shall be as prescribed in the International Residential Code as adopted or may be amended.

Sections 18-102 through 18-108 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate

any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

17.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an **Ordinance Amending Chapter 18 to Add a New Article X "Solar Energy Provisions Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Solar Energy Provisions Code With Amendments.**

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. This agenda item specifically adopts the 2018 ICC Solar Energy Provisions Code with local amendments under Article X of Chapter 18. Local amendments are intended to fine tune the code to Addison. In most cases, local amendments are developed by the North Central Texas Council of Governments for consideration by each community in this area. The Solar Energy Provisions Code was established in 2015 as a stand alone code that brought together the solar energy related provisions found throughout the various codes into one document. As with the other codes, the provisions of this code were developed by code experts and industry professionals to balance life-safety concerns with industry best practices.

The new code provisions would be effective June 1, 2020 to allow Staff time to communicate with the development community about the updated code.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article X Solar Energy Provisions

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE X “SOLAR ENERGY PROVISIONS CODE,” ADOPTING THE 2018 EDITION OF THE INTERNATIONAL SOLAR ENERGY PROVISIONS CODE, WITH AMENDMENTS; PROVIDING A PENALTY OF NOT TO LESS THAN FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) OR MORE THAN ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the International Solar Energy Provisions Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” is hereby amended to add a new Article X “Solar Energy Provisions Code” which shall read in its entirety as follows:

ARTICLE X. – SOLAR ENERGY PROVISIONS CODE

Division I - Adopted.

Sec. 18-109. - Adopted.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of all buildings and structures within the city and certain equipment specifically regulated herein, the 2018 edition of the International Solar Energy Provisions Code, as published by the International Code Council, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Solar Energy Provisions Code of the Town to the same extent as if such code were copied verbatim

in this Article. The title of this Article shall be the “Solar Energy Provisions Code of the Town of Addison,” and it may be cited as such.

Division II - Deletions, Amendments and Additions.

Sec. 18-110. – Deletions, amendments and additions.

The 2018 International Solar Energy Provisions Code (Commercial Provisions), as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

***Section CS101.1 Title;** The International Solar Energy Provisions Code has been amended by adding a new section CS101.1 Title, adding the Town’s name to this Code and renumbering the paragraph on Scope to subsection CS101.1.1 to read as follows:*

CS101.1 Title. These regulations shall be known as the *Solar Energy Provisions Code (Commercial Solar Energy Provisions Code)* of the Town of Addison hereinafter referred to as “this code.”

CS101.1.1 (IMC 101.2) Scope. [This code] shall regulate the design, installation, maintenance, *alteration* and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. [This code] shall also regulate those mechanical systems, system components, *equipment* and appliances specifically addressed herein. The installation of fuel gas distribution piping and *equipment*, fuel gas-fired appliances and fuel gas-fired *appliance* venting systems shall be regulated by the *International Fuel Gas Code*.

This collection of provisions imports code sections which address both Solar Thermal and Photovoltaic Solar Systems, and the structural, mechanical, plumbing, fire safety and energy conservation measures for each. Some are specific to Solar Systems and others to their auxiliary, or backup systems. The installation of Photovoltaic Solar Systems is also addressed in NFPA 70.

***Section CS104.2 Fee schedule;** the International Solar Energy Provisions Code has been amended by adding the new subsection to read as follows:*

CS104.2 Fee schedule. On buildings, structural, electrical, gas, mechanical, plumbing and fire safety systems or *alterations of solar systems and solar equipment* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit as required in this code will be as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

***Section CS104.3 Fee refunds;** the International Solar Energy Provisions Code has been amended*

by adding the new subsection to read as follows:

Section CS104.3 Fee refunds. The building official shall authorize the refunding of permit fees as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section CS104.4; Permit expiration; the International Solar Energy Provisions Code has been amended by adding the new subsection to read as follows:

CS104.4 Permit expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended, abandoned or if no required inspections, as required in this code, have been scheduled by the permit applicant and performed by the building official, as required in this code, for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section CS104.5 Violation penalties; the International Solar Energy Provisions Code has been amended by adding the new subsection to read as follows:

CS104.5 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair fuel gas work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a violation of this code, punishable by a fine as specified in this code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

Section CS104.6 Stop work orders; the International Solar Energy Provisions Code has been amended by adding the new subsection to read as follows:

CS104.6 Stop work orders. Upon notice from the code official that fuel gas work is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the

property, or to the owner's authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Section CS104.7 Means of appeal; *the International Solar Energy Provisions Code has been amended by adding the new subsection to read as follows:*

CS104.7 Means of appeal. The board of appeals shall be as established in the Town's most current adopted Building Code as prescribed in Article II of this code.

The 2018 International Solar Energy Provisions Code (Residential Provisions), as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

Section RS101.1 Title; *The International Energy Conservation Code has been amended adding a new section RS101.1 Title, adding the Town's name to this Code and renumbering the paragraph on the Scope to subsection RS101.1.1 to read as follows:*

RS101.1 Title. These regulations shall be known as the *Solar Energy Provisions Code (Residential Solar Energy Provisions Code)* of the Town of Addison hereinafter referred to as "this code."

RS101.1.1 (R101.2) Scope. The provisions of [this code] shall apply to the construction, *alteration*, movement, enlargement, replacement, repair, *equipment*, use and occupancy, location, removal and demolition of detached one- and two family dwellings and *townhouses* not more than three stories above *grade plane* in height with a separate means of egress and their *accessory structures* not more than three stories above *grade plane* in height.

Exception: The following shall be permitted to be constructed in accordance with [this code] where provided with a residential fire sprinkler system complying with Section (P2904):

1. Live/work units located in *townhouses* and complying with the requirements of Section 419 of the *International Building Code*.
2. Owner-occupied lodging houses with five or fewer guestrooms.
3. A care facility with five or fewer persons receiving custodial care within a dwelling unit.
4. A care facility with five or fewer persons receiving medical care within a dwelling unit.
5. A care facility for five or fewer persons receiving care that are within a single-family dwelling.

This collection of provisions imports code sections which address both Solar Thermal and Photovoltaic Solar Systems, and the structural, mechanical, plumbing, fire safety and energy conservation measures for each. Some are specific to Solar Systems, and others to their auxiliary, or backup systems. The installation of Photovoltaic Solar Systems is also addressed in NFPA 70.

Section RS104.3 Fee schedule; the International Solar Energy Provisions Code has been amended by adding the new subsection to read as follows:

RS104.3 Fee schedule. On buildings, structural, electrical, gas, mechanical, plumbing and fire safety systems or *alterations of solar systems and solar equipment* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit as required in this code will be as established in Article I “General Provisions” of this Code in the Appendix C “Fee Table”.

Section RS104.4 Fee refunds; the International Solar Energy Provisions Code has been amended by adding the new subsection to read as follows:

Section RS104.4 Fee refunds. The building official shall authorize the refunding of permit fees as established in Article I “General provisions” of this code.

Section RS104.5 Permit expiration; the International Solar Energy Provisions Code has been amended by adding the new subsection to read as follows:

RS104.5 Permit expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended, abandoned or if no required inspections, as required in this code, have been scheduled by the permit applicant and performed by the building official, as required in this code, for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section RS104.6 Violation penalties; the International Solar Energy Provisions Code has been amended by adding the new subsection to read as follows:

RS104.6 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair fuel gas work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a violation of this code, punishable by a fine as specified in this code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

***Section RS104.7 Stop work orders;** the International Solar Energy Provisions Code has been amended by adding the new subsection to read as follows:*

RS104.7 Stop work orders. Upon notice from the code official that fuel gas work is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

***Section RS104.8 Means of appeal;** the International Solar Energy Provisions Code has been amended by adding the new subsection to read as follows:*

RS104.8 Means of appeal. The board of appeals shall be as established in the Town's most current adopted Building Code as prescribed in Article II of this code.

Division III - Additional Solar Energy Code Requirements.

Sec. 18-111. – Additional Solar Energy Code Requirements.

Sec. 18-112. - Definitions. The following words, terms, and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Solar energy system means a device or combination of devices or elements that rely on direct sunlight for the following uses; heating or cooling of a structure or building; heating or pumping of water; or generating electricity.

Sec. 18-113. - Purpose. The city council finds that the maintenance and integrity of neighborhood beauty is important to all citizens. The uncontrolled proliferation of solar energy systems is likely and such proliferation may adversely affect the health, safety and general welfare of the citizens of the city.

Sec. 18-114. – Size, location, screening, miscellaneous installation requirements.

(a) *Ground-mounted solar energy systems* shall:

- (1) Be installed, constructed or placed in the back one-half of residential lots and behind the front building line on commercial or multifamily lots.
- (2) Be screened from view on all sides by a solid fence, wall or landscaping to a minimum height that shall be equal to the tallest point of the structure at its operating height; provided, however, that no fence or wall used as a screening device shall exceed the height permitted by the city's fence regulations, and to the extent that the maximum operating height of the system exceeds the permitted maximum height of a fence or wall, landscaping shall be used as a screening device. Screening shall be of a material that is compatible with the building materials or landscaping, as appropriate, used in the area;
- (3) Conform to all adopted building, electrical, plumbing and mechanical codes;
- (4) Not be portable or moveable; and
- (5) Be of a forest green, black, dark blue, brown or grey color or other neutral color designed to blend in with the surroundings.

(b) *Roof-mounted solar energy systems* shall:

- (1) Not be installed greater than six inches between the panel and the roof.
- (2) Conform to all adopted building, electrical, plumbing and mechanical codes.
- (3) Not be portable or moveable; and
- (4) Be a forest green, black, dark blue, brown or grey color or other neutral color designed to blend in with the surroundings.

Sections 18-115 through 18-120 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

18.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an **Ordinance Amending Chapter 18 to Add a New Article XI "Swimming Pool and Spa Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Swimming Pool and Spa Code With Amendments.**

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. This agenda item specifically adopts the 2018 ICC Swimming Pool and Spa Code with local amendments under Article XI of Chapter 18. Local amendments are intended to fine tune the code to Addison. In most cases, local amendments are development by the North Central Texas Council of Governments for consideration by each community in this area. The changes from the 2012 code to the 2018 version of the code are highly technical standards related to the construction and maintenance of pools. These changes were developed by code experts and industry professionals to balance life-safety concerns with industry best practices.

The new code provisions would be effective June 1, 2020 to allow Staff time to communicate with the development community about the updated code.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article XI Swimming Pool and Spa Code

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE XI “SWIMMING POOL AND SPA CODE,” ADOPTING THE 2018 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE, WITH AMENDMENTS; PROVIDING A PENALTY OF NOT TO LESS THAN FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) OR MORE THAN ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the Swimming Pool and Spa Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” is hereby amended to add a new Article XI “Swimming Pool and Spa Code” which shall read in its entirety as follows:

ARTICLE XI. – SWIMMING POOL AND SPA CODE

Division I - Adopted.

Sec. 18-121. - Adopted.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of all swimming pools and spas within the city and certain equipment specifically regulated herein, the 2018 edition of the International Swimming Pool and Spa Code, as published by the International Code Council, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Swimming Pool and Spa Code of the Town to the same extent as if such code were copied verbatim in this Article. The title of this Article shall be the “Swimming Pool and Spa Code of the Town of Addison,” and it may be cited as such.

Division II - Deletions, Amendments and Additions.

Sec. 18-122. – Deletions, amendments and additions.

The 2018 International Swimming Pool and Spa Code, as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

Section [A] 101.1 Title; the International Swimming Pool and Spa Code has been amended adding the Town's name to read as follows:

[A] 101.1 Title. These regulations shall be known as the Swimming Pool and Spa Code of the Town of Addison hereinafter referred to as "this code."

Section [A]102.9 Other laws; the International Swimming Pool and Spa Code has been amended by adding a clarification to read as follows:

Section 102.9 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law, to include but not limited to;

1. Texas Department of State Health Services (TDSHS); *Standards for Public Pools and Spas*; §265.181 through §265.208.

Section [A]105.4 Expiration, the International Swimming Pool and Code has been amended to read as follows:

[A]106.4 Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended, abandoned or if no required inspections, as required in this code, have been scheduled by the permit applicant and performed by the building official, as required in this code, for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section [A]105.6.2 Fee schedule; the International Swimming Pool and Spa Code has been amended by changing it to read as follows:

[A]105.6.2 Fee schedule. On buildings, swimming pool and spa structures, electrical, gas, mechanical, and plumbing systems or *alterations* requiring a *permit*, a fee for each *permit* shall be paid as required, in accordance with the schedule as established by the applicable governing

authority. The fee for each permit as required in this code will be as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section [A]105.6.3 Fee refunds; the International Swimming Pool and Spa Code has been amended by changing it to read as follows:

Section [A]105.6.3 Fee refunds. The building official shall authorize the refunding of permit fees as established in Article I “General Provisions” of Chapter 18 of the Code of Ordinances.

Section [A] 107.4 Violation penalties; the International Swimming Pool and Spa Code has been amended by adding a second paragraph and changing it to read as follows:

[A] 107.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair swimming pool and spa work in violation of the *approved construction documents* or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a violation of this code, punishable by a fine as specified in this code. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day and each and every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

Section [A] 107.5 Stop work orders; the International Swimming Pool and Spa Code has been amended by amending it to read as follows:

[A] 107.5 Stop work orders. Upon notice from the code official that swimming pool and spa work is being performed contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner’s authorized agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Section [A] 109 Means of appeal; the International Swimming Pool and Spa Code has been changed in its entirety to read as follows:

[A] 108 Means of appeal. The board of appeals shall be as established in the Town's most current adopted Building Code as prescribed in Article II of Chapter 18 of the Code of Ordinances.

Section 305.2.7 Chain link dimensions; the International Swimming Pool and Spa Code has been amended by adding an exception to coordinate the requirements of the Texas Health and Safety Code Chapter 757.003 (f), limiting the use of chain link fencing as a pool barrier to read as follows:

305.2.7 Chain link dimensions. The maximum opening formed by a chain link fence shall be not more than 1-3/4 inches (44 mm). Where the fence is provided with slats fastened at the top and bottom that reduce the openings, such openings shall be not greater than 13/4 inches (44 mm).

Exception: Pools of a multiunit rental complex and or pools owned by a homeowner's association, as specified in the *Texas Health and Safety Code Chapter 757.003 (f)*, the installation of a chain link fencing is not permitted as a barrier if built after January 1, 1994.

Section 411.5.1 Swimouts; the International Swimming Pool and Spa Code has been amended by expanding item #4 to coordinate the requirements of the Texas Department of Health and Services Standards for Public Pools and Spas requirements, adding identification stripe, to read as follows:

411.5.1 Swimouts. Swimouts, located in either the deep or shallow area of a pool, shall comply with all of the following:

1. The horizontal surface shall be not greater than 20 inches (508 mm) below the waterline.
2. An unobstructed surface shall be provided that is equal to or greater than that required for the top tread of the pool stairs in accordance with Section 411.2.
3. Where used as an entry and exit access, swimouts shall be provided with steps that comply with the pool stair requirements of Section 411.2. 4. The leading edge shall be visibly set apart.
4. The leading edge shall be visibly set apart and provided with a horizontal solid or broken stripe at least 1 inch wide on the top surface along the front leading edge of each step. This stripe shall be plainly visible to persons on the pool deck. The stripe shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.

Section 411.5.2 Underwater seats and benches; the International Swimming Pool and Spa Code has been amended by expanding item #5 to coordinate the requirements of the Texas Department of Health and Services Standards for Public Pools and Spas requirements, adding identification stripe, to read as follows:

411.5.2 Underwater seats and benches. Underwater seats and benches, whether used alone or in conjunction with pool stairs, shall comply with all of the following:

1. The horizontal surface shall be not greater than 20 inches (508 mm) below the waterline.
2. An unobstructed surface shall be provided that is not less than 10 inches (254 mm) in depth and not less than 24 inches (607 mm) in width.
3. Underwater seats and benches shall not be used as the required entry and exit access.
4. Where underwater seats are located in the deep area of the pool where manufactured or constructed diving equipment is installed, such seats shall be located outside of the minimum diving water envelope for diving equipment.
5. The leading edge shall be visually set apart and provided with a horizontal solid or broken stripe at least 1 inch wide on the top surface along the front leading edge of each step. This stripe shall be plainly visible to persons on the pool deck. The stripe shall be a contrasting color to the background on which it is applied, and the color shall be permanent in nature and shall be a slip-resistant surface.
6. The horizontal surface shall be at or below the waterline.
7. A tanning ledge or sun shelf used as the required entry and exit access shall be located not greater than 12 inches (305 mm) below the waterline.

Sections 18-123 through 18-129 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection,

clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas,
on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

19.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an **Ordinance Amending Chapter 18 to Add a New Article XII "Building Numbers" of the Addison Code of Ordinances.**

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. While going through the process to amend Chapter 18 to update the ICC and National Electrical Codes, Staff conducted a wholistic review of Chapter 18. These changes are intended to make Chapter 18 easier to understand and incorporate existing administrative procedures not currently addressed in Chapter 18. This agenda item specifically adopts an Ordinance that covers Article XII Building Numbers of Chapter 18 to regulate the placement of address numbers on buildings. This is an existing part of Chapter 18 that is merely being relocated within the Chapter to a new Article.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article XII Building Numbers

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE XII “BUILDING NUMBERS”; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” is hereby amended to add a new Article XII “Building Numbers” which shall read in its entirety as follows:

ARTICLE XII. – BUILDING NUMBERS

DIVISION - ADOPTED.

Sec. 18-130. - Adopted.

For the purpose of providing minimum guidelines for building address numbers, within the Town limits, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Building Numbers Ordinance of the Town of Addison. The title of this Article shall be the “Building Numbers” and it may be cited as such.

DIVISION II - GENERALLY.

Sec. 18-131. - Compliance generally.

Buildings must be numbered in compliance with this article and in accordance with the plan delineating and prescribing the method of numbering buildings which is on file in the office of the code official. Signs under this article shall also comply with chapter 62 of this Code.

Sec. 18-132. - Required.

The owner or occupant of each building in the town shall place and maintain on the building an official building number in a conspicuous place that can be clearly seen from the public street. This requirement does not apply to accessory buildings.

Sec. 18-133. - Basic units of space for numbering.

The basic unit of space for numbering along public streets and public access is 25 feet; however, in shopping centers, townhouse areas, apartment areas and other building complexes where the code official determines that the 25-foot unit is not adequate, they may assign a basic unit of ten feet.

Sec. 18-134. - Designation.

The code official shall designate the official number which is to be placed on each building. A person may request an official number designation by submitting a legal description and site plan demonstrating the proposed numbering system to the code official for approval.

Sec. 18-135. - Specifications.

An official building number placed pursuant to this article must be at least four (4) inches high for residential structures and six (6) inches for commercial structures, composed of a durable material approved by the code official, and of a color which provides a contrast to the background.

Sec. 18-136. - When posted.

Building numbers must be placed within ten days after a new building is completed.

Sec. 18-137. - Odd and even numbers.

Odd numbers shall be assigned to the north side, and even numbers assigned to the south side, of streets and public accesses running east and west or substantially in that direction. Odd numbers shall be assigned to the west side, and even numbers assigned to the east side, of streets and public accesses running north and south or substantially in that direction.

Sec. 18-138. - Rear numbering.

- (a) Required. It shall be the duty and responsibility of every owner, agent or occupant of any house or nonresidential structure within the town limits of the town to also post or display the official house number assigned to each property in the rear of such property in such a manner as to be legible and plainly visible from the alley. Such numbers shall be at least four (4) inches high, and shall be constructed of a durable, bright material or shall be painted on the permanent structure and of a color which provides a contrast to the background. Such numbers shall be located not more than ten feet from the rear property line and shall be affixed to permanent structures such as fences, garages, carports, doors, etc., at a height of not less than three feet and not more than ten feet. In the absence of such permanent structures, the number shall be attached to a post mounted in concrete and erected for this purpose. Those structures without alley access are exempt from these requirements. Nonresidential structures shall in addition display the business name on the outside of at least one rear door. Structures with more than one rear door shall also display the address numbers on all such doors as prescribed in this subsection.
- (b) Duty and responsibility of owner, agent or occupant, penalty. It shall be the duty and responsibility of every owner, agent or occupant of any property in the town limits to comply with the provisions and requirements of this article within six months from the date of passing the ordinance from which this article is derived. Further, it shall be the duty and responsibility of the owner, agent or occupant of all property to continuously maintain such numbers as to be plainly visible and legible from the alley at all times. Failure to comply with this subsection shall become a misdemeanor and, upon conviction, shall be liable as provided for by law.

DIVISION III. - BUILDING COMPLEXES

Sec. 18-139. - Generally.

A building complex composed of multiple structures must have an official number assigned to each building. Each unit within each building must also be assigned an official number. If there is sufficient street frontage, each unit or building may be assigned an official street address number. The official number must be prominently posted on the building so that it is visible, where possible, from the nearest vehicular access. The official number for each unit must be conspicuously posted on the unit.

Sec. 18-140. - Diagram of mall areas.

The owner of a building complex which contains a mall area shall submit to the police and fire departments a diagram of the complex, indicating the location of each business. When a change in

a business location is made, the owner shall advise the police and fire departments in writing of the change.

Sec. 18-141. - Buildings not visible from vehicular access.

If a building is situated within a complex in such a way that it is not visible from a vehicular access, the owners shall post and maintain directional signs along the nearest vehicular access indicating the location of the building by building number and unit numbers.

Sec. 18-142. - Directional signs.

- (a) For the purpose of this section, an "entrance" to a complex is a point at which vehicular access to the complex, other than a public street, intersects with a public street.
- (b) In a building complex composed of multiple structures which contains internal vehicular accesses, if each official building number is not discernible from the public street, the owners of the building complex shall post directional signs at each entrance to the complex and at each intersection of vehicular accesses, other than public streets, within the complex.
- (c) The directional signs must indicate the direction to the buildings and units by numbers, must be legible from the vehicular access and must be painted with a color which is in contrast to the background.

Sections 18-143 through 18-149 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of five hundred dollars (\$500.00) per day and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection,

clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

20.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an Ordinance Amending Chapter 18 to Add a New Article XIII "Satellite Earth Stations" of the Addison Code of Ordinances.

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. While going through the process to amend Chapter 18 to update the ICC and National Electrical Codes, Staff conducted a wholistic review of Chapter 18. These changes are intended to make Chapter 18 easier to understand and incorporate existing administrative procedures not currently addressed in Chapter 18. This agenda item specifically adopts an Ordinance that covers Article XIII Satellite Earth Stations of Chapter 18. This is an existing part of Chapter 18 that is merely being relocated within the Chapter to a new Article.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article XIII Satellite Earth Stations

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE XIII “SATELLITE EARTH STATIONS” PROVIDING A PENALTY OF FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” is hereby amended to add a new Article XIII “Satellite Earth Stations” which shall read in its entirety as follows:

ARTICLE XIII. – SATELLITE EARTH STATIONS

DIVISION I - ADOPTED.

Sec. 18-150. - Adopted.

For the purpose of providing minimum guidelines for Satellite Earth Stations, within the Town limits, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Satellite Earth Stations ordinance of the Town of Addison. The title of this Article shall be the “Satellite Earth Stations” and it may be cited as such.

DIVISION II - GENERALLY.

Sec. 18-151. - Definitions.

The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Satellite earth station means an accessory structure for the principal use of receiving communications from a transmitter or transmitter relay located in planetary orbit.

Sec. 18-152. - Purpose.

- (a) The city council finds that the maintenance and integrity of neighborhood beauty is important to all citizens. The uncontrolled proliferation of receive-only satellite television antennas is likely and such proliferation will adversely affect the health, safety and general welfare of the citizens of the town. Receive-only satellite earth stations are distinct from conventional television and/or radio antennas in that satellite television earth stations:
 - (1) Are less likely to blend in with their surroundings, thereby creating visual blight and potentially reducing the economic value of adjacent properties; and
 - (2) Create safety concerns as a result of their size (e.g., such earth stations may be subject to a high amount of wind force as a result of the shape of the earth station; therefore, both the satellite dish and the supporting structure must be constructed in a manner that will allow for great amounts of wind force).
- (b) This article is adopted for these reasons and based upon these findings.

Sec. 18-153. – Building-fire code board of appeals.

Any person aggrieved by the application of this article may appeal its effect to a board of appeals. The board of appeals shall be as established in the Town's most current adopted Building Code as prescribed in Article II of Chapter 18 of the Code of Ordinances. Upon a clear and convincing showing by an appellant that the regulations set forth in this article either prohibit or unreasonably limit reception by the satellite earth station of satellite delivered signals, the board of appeals may grant an exception from the terms of this article and authorize the code official to issue a building permit to install such approved satellite earth station, so as to avoid unnecessary hardship and so that the spirit of this article shall be observed and substantial justice done.

Sec. 18-154. - Installation; permit required.

No person shall install, construct, or place a satellite earth station on any property within the town without first obtaining a building permit from the town.

Sec. 18-155. - Size, location, etc.

- (a) Satellite earth stations shall:
 - (1) Not exceed ten feet in height from the ground to the highest point of the station;

- (2) Not exceed ten feet in diameter;
 - (3) Be installed, constructed or placed in the back one-half of the lot;
 - (4) Be screened from view on all sides by a solid fence, wall or landscaping to a minimum height that shall be equal to the tallest point of the structure at its operating height; provided, however, that no fence or wall used as a screening device shall exceed the height permitted by the town's fence regulations, and to the extent that the maximum operating height of the satellite dish exceeds the permitted maximum height of a fence or wall, landscaping shall be used as a screening device. Screening shall be of a material that is compatible with the building materials or landscaping, as appropriate, used in the area;
 - (5) Conform to all building and electrical codes, including proper grounding;
 - (6) Shall not be portable or moveable; and
 - (7) Shall be of a forest green, black, brown or grey color or other neutral color designed to blend in with the surroundings.
- (b) A satellite earth station which is one meter or less in diameter:
- (1) Which is to be located or placed on property which is zoned for residential use shall not be required to comply with subsections (a)(1) or (a)(4) of this section; provided, however, that no such satellite earth station shall be located or placed on or within property so that the satellite earth station is visible from a public street or other public right-of-way (exclusive of public alleys); or
 - (2) Which is to be located or placed on property zoned for commercial or industrial use shall be exempt from the terms of this article.
- (c) No lot or any parcel of land in any district shall have, at any one time, more than one satellite earth station.

Sections 18-156 through 18-164 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of five hundred dollars (\$500.00) per day and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

21.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an Ordinance Amending Chapter 18 to Add a New Article XIV "Fences" of the Addison Code of Ordinances.

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

These codes are codified in Chapter 18 of the Town's Code of Ordinances. While going through the process to amend Chapter 18 to update the ICC and National Electrical Codes, Staff conducted a wholistic review of Chapter 18. These changes are intended to make Chapter 18 easier to understand and incorporate existing administrative procedures not currently addressed in Chapter 18. This agenda item specifically adopts an Ordinance that addresses Article XIV Fences of Chapter 18 to regulate the placement of address numbers on buildings. This is an existing part of Chapter 18 that is merely being relocated within the Chapter to a new Article.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 18 Article XIV Fences

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE XIV “FENCES”; PROVIDING A PENALTY OF FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” is hereby amended to add a new Article XIV “Fences” which shall read in its entirety as follows:

ARTICLE XIV. – FENCES

DIVISION I - ADOPTED.

Sec. 18-165. - Adopted.

For the purpose of providing minimum guidelines for fences, within the Town limits, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the “Fences” ordinance of the Town of Addison. The title of this Article shall be the “Fences” and it may be cited as such.

DIVISION II - GENERALLY.

Sec. 18-166. - Definitions.

The following words, terms and phrases when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Corner lot means a lot situated at the junction of two or more dedicated public streets.

Front yard means an open unoccupied space on a lot facing a street and extending across the front of a lot between the side yard lines.

Interior lot means a lot situated in a block with frontage on only one dedicated public street and specifically not a corner lot.

Interior lot line means the side yard lot line of a corner lot that is adjacent to an interior lot's side yard line.

Main structure means a primary building, or in the case of residences, that area defined as living space, exclusive of attached or detached garages.

Rear yard means a space unoccupied by principal structure extending for the full width of the lot between a principal structure and the rear lot line.

Side yard means an open unoccupied space on the same lot with the building, situated between the building and the side line of the lot, and extending through from the street or the front line to the rear line of the lot. Any lot line not a rear line or a front line shall be deemed a side line.

Sight barring fences means fences constructed of solid wood or masonry materials.

Sec. 18-167. - Violations generally.

The owner of any building or structure failing to comply with any provisions of this article, and the owner of any premises wherein a violation of the provisions of this article occurs, and any architect, engineer, designer, builder, contractor, agent or person employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

Sec. 18-168. - Conflicts.

In all cases of conflict between this article and any specific ordinance changing the zoning on a particular tract of land, the ordinance changing the zoning shall prevail.

Sec. 18-169. – Building - Fire code board of appeals.

In order to determine the suitability of alternate materials and methods of construction, and to provide for reasonable interpretation of and exceptions to, the provisions of this article, there shall be and is hereby created a board of appeals. The said board of appeals, being denominated as the board of appeals, shall consist of the members of the board of adjustment appointed by the city council of the Town of Addison. Any person aggrieved by the application of this article may appeal its effect to the board of appeals. The board of appeals shall be as established in the Town's

most current adopted Building Code as prescribed in Article II of Chapter 18 of the Code of Ordinances.

Sec. 18-170. - Height.

It shall be unlawful for any person to build, erect, construct or maintain any fence within the town limits of the town at a height exceeding eight feet along any lot line, front, side or rear.

Sec. 18-171. - Gates generally.

It shall be unlawful for any person to erect, construct or maintain any fence without providing a gate or other means of entrance and exit into and out of the area which the fence encloses, and it shall further be unlawful for any person to erect, construct or maintain any fence along or near a rear property line which adjoins an alley or easement without providing and maintaining a reasonable means of access to such alley or easement.

Sec. 18-172. - Fire department access.

In order to allow ingress and egress for fire department personnel and fire department equipment, there shall be at least one gate or opening with a minimum width of three feet in each fence that is adjacent to or running parallel to any public alley, drainage easement or utility easement, except this section shall not apply to utility easements that the town has allowed to be completely fenced in.

Sec. 18-173. - Electric charge.

No fence erected on property zoned for residential use or used for residential use shall be electrically charged in any manner.

Sec. 18-174. - Fence materials—Residential uses.

Fences within residentially zoned areas of the city, shall be constructed of new materials or products such as, wood planks, and boards, masonry as defined by the building code, and wrought iron or ornamental iron. Materials or products such as rope; string; wire; and wire products including, but not limited to, barbed wire, razor ribbon wire, chicken wire, wire fabric, and welded wire fabrics; chain; netting; cut or broken glass; paper; corrugated metal panels; and plywood are prohibited. Other wood, metal or plastic products that are designed specifically for uses other than fence construction are also prohibited.

Sec. 18-175. - Barbed wire—Nonresidential uses.

In nonresidential areas, fences armed with barbed wire are allowed if such arms are located above six feet from the bottom of the fence. Such arms may not extend over public right-of-way or easements or over private property of another person.

Sec. 18-176. - Setback requirements—Generally.

It shall be unlawful for any person to build, erect, construct, maintain or suffer or permit the building, erecting, constructing or maintaining of any fence within the city limits in such a manner that any portion of the fence extends nearer to the street on which the main house, building, or structure faces than the required front yard setback line. Except as otherwise provided, the restrictions on building fences set forth in this section shall be applicable to property located in zoning districts classified as A (apartment dwelling district), R-1 (single-family dwelling district), MXR (mixed use residential district), LR (local retail district), C-1 (commercial-1 district), C-2 (commercial-2 district), I-3 (industrial-3 district), and PD (planned development district). Such restrictions do not apply to property owned by the Town of Addison.

Sec. 18-177. - Same—Schools.

- (a) Notwithstanding other provisions of this article, the owner or operator of any school or kindergarten may erect upon school or kindergarten property a fence to protect any schoolyard or playground, provided that no fence shall be erected or maintained in such a position or manner as to cause danger to traffic by obstructing the view.
- (b) For the purpose of this section, the word "school" shall mean a public, private or denominational institution having for its purpose the instruction of children and having a curriculum equivalent to a public elementary or high school. The word "kindergarten" shall mean for little children of preschool age, in which constructive endeavors, object lessons and helpful games are prominent features of the curriculum.

Sec. 18-178. - Inspection.

Upon completion of installation, the code official shall be called upon for inspection. A certificate of acceptance will then be issued or a rejection slip indicating the defects in fence. All fences constructed under the provisions of this article shall be maintained as to comply with the requirements of this article at all times.

Sec. 18-179. - General fence provisions.

- (a) Fences that are constructed on any property within the city must be of approved materials and must be of uniform construction throughout the fence. Once a pattern of materials and construction method is established, it must be carried throughout the entire length of the fence section from corner post to corner post.
- (b) It shall be unlawful to erect a fence which alters the natural or planned drainage on any residential lot.
- (c) Used or secondhand materials shall not be used in the construction of any fence in a residential area.

- (d) The exterior surface of all masonry fences, including concrete block materials, shall be free from projections, inequalities or unevenness of surface, ridges or hollows, and obstructions. The exterior surface of wood fences in residential areas shall be finished with a stain, pigment, paint or other surface treatment or material that is consistent with other finishes existing on the primary structure existing on the property.
- (e) All fence materials, construction, and workmanship shall comply with all requirements of the building code and all approved plans and specifications.

Sections 18-180 through 18-199 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of five hundred dollars (\$500.00) per day and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

22.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an **Ordinance Amending Chapter 34 "Environment", Article VII "Property Maintenance Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Property Maintenance Code With Amendments.**

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

While most of the ICC Codes are codified within Chapter 18 of the Town's Code of Ordinances, the International Property Maintenance Code is codified in Chapter 34 "Environment" which includes other property and operational regulations. This agenda item specifically adopts the 2018 ICC Property Maintenance Code with local amendments under Article VII. Local amendments are intended to fine tune the code to Addison. In most cases, local amendments are development by the North Central Texas Council of Governments for consideration by each community in this area.

The new code provisions would be effective June 1, 2020.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 34 Article VII Property Maintenance Code

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 34 “ENVIRONMENT” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE VII “PROPERTY MAINTENANCE CODE,” ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, WITH AMENDMENTS; PROVIDING A PENALTY OF NOT LESS THAN TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$250.00) OR MORE THAN TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the International Property Maintenance Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 34 “Environment,” is hereby amended to add a new Article VII “Property Maintenance Code” which shall read in its entirety as follows:

ARTICLE VII. – PROPERTY MAINTENANCE CODE

Division I - Adopted.

Sec. 34-220. - Adopted.

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, maintenance and quality of all buildings, structures and properties within the city and certain equipment specifically regulated herein, the 2018 edition of the International Property Maintenance Code, as published by the International Code Council, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Property Maintenance Code of the Town to the same extent as if such code were copied verbatim in this Article. The title of this Article shall be the “Property Maintenance Code of the Town of Addison,” and it may be cited as such.

Division II - Deletions, Amendments and Additions.

Sec. 34-221. – Deletions, amendments and additions.

The 2018 International Property Maintenance Code, as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

Section [A] 101.1 Title; the International Property Maintenance Code has been amended adding the Town's name to read as follows:

[A] 101.1 Title. These regulations shall be known as the *Property Maintenance Code* of the Town of Addison hereinafter referred to as “this code.”

Section [A]103.5 Fee; the International Property Maintenance Code has been amended by changing it to read as follows:

[A] 103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code will be established in Article I “General Provisions” of the Code of Ordinances.

Section [A] 106.4 Unlawful acts; the International Property Maintenance Code has been amended by adding a nuisance as unlawful act and changing it to read as follows:

[A] 106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code. A nuisance as defined in this code shall be considered a violation of the provision of this code. No person who is the owner of or in control of any occupied or unoccupied premises shall permit or allow the existence of any nuisance thereon. No person shall commit or perform any act which constitutes or creates a nuisance.

Section [A] 106.3 Prosecution of violation; the International Property Maintenance Code has been amended by adding subsection 106.3.1, 106.3.2 and 106.3.3 it to read as follows:

[A] 106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a *strict liability*

offense. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

106.3.1 Abatement. If the owner of the property does not comply with the city Code and the order issued under this section within ten days of the notice of violation, the city may do the work or make the improvements required and pay for the work done or improvements made and charge the expenses thereof to the owner of the property.

106.3.2 Lien for costs. Where the nuisance abated:

- (1) Concerns the filling, draining, and regulating of any place in the city that is unwholesome, contains stagnant water, or is in any other condition that may produce disease;
- (2) Concerns the making, filling, altering or repairing of sewers and privies;
- (3) Concerns the mode and material for constructing sewers and privies;
- (4) Concerns the cleaning and disinfecting of sewers and privies;
- (5) Concerns the cleaning of a building, establishment, or ground of filth, carrion, or other impure or unwholesome matter; or
- (6) Concerns requiring the owner of a lot in the city to keep the lot free from junk, rubbish and other objectionable, unsightly or unsanitary matter.

The city may assess the expenses incurred against the real estate on which the work is done, or improvements made to alleviate or abate the nuisance. To obtain a lien, code official shall file a statement of expenses with the county clerk. Such lien shall be security for the expenditures made and interest shall accrue on such expenditures at the rate of ten percent per annum on the amount due from the date of payment by the city.

106.3.3 Foreclosure. The city may bring a suit for foreclosure of the lien in the name of the city to recover the expenditures and interest due and in such suit the statement of expenses or a certified copy of the statement shall be prima facie proof of the expenses incurred by the city in doing the work or making the improvements.

Section [A] 106.4 Violation penalties; the International Property Maintenance Code has been amended by adding a second paragraph and changing it to read as follows:

[A] 106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Any person, firm or corporation violating any of the provisions of this code shall be subject to a fine, upon conviction in the municipal court, in any sum a minimum of two hundred and fifty dollars (\$250.00) per day and not to exceed two thousand dollars (\$2000.00) per day and each and

every day of continuance thereof shall constitute a distinct and separate offense. The owner or owners of any building or structure failing to comply with any provisions of this code, and the owner or owners of any premises wherein a violation of the provisions of this code occurs, and any architect, engineer, designer, builder, contractor, agent, person, firm or corporation employed therewith and who has assisted in the commission of any such violation, shall be guilty of a separate offense.

***Section 106.6 Abatement of nuisance;** the International Property Maintenance Code has been amended by adding a new subsection 106.6 “Abatement of nuisances” to read as follows:*

Section 106.6 Abatement of a nuisance. The code official shall be authorized to take the necessary steps to abate a nuisance as defined in this code, following the procedures as prescribed in Section 107 of this code.

***Section 107.2 Form;** the International Property Maintenance Code has been amended by amending 107.2 Form, notice requirement number 3, to read as follows:*

107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order to abate the violation. If the owner of the property does not comply with this Code and the order issued under this section within ten days of the notice of violation, the city may do the work or make the improvements required and pay for the work done or improvements made and charge the expenses thereof to the owner of the property.
5. Inform the property *owner* or owner’s authorized agent of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

***Section 107.3 Method of service;** the International Property Maintenance Code has been amended by adding a final sentence to 107.3 Method of service, to read as follows:*

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is: delivered personally or sent by certified or first-class mail addressed to the last known address. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Notice shall also be considered served by local publication at least twice within ten consecutive days if personal service cannot be obtained and the owner's post office address is unknown.

Section [A] 108.1.5 Dangerous structure or premises; the International Property Maintenance Code has been amended by adding condition number 12 “Any act declared a nuisance” to read as follows:

[A] 108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.
7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.
12. Any act declared a nuisance, the following declarations are not exclusive and any act or condition which is dangerous to human life or health, such as an unsafe structure, unsafe equipment or which renders the ground, water, air, or food a hazard or injury to human life or health, or that is offensive to the senses, or that threatens to become detrimental to the public health shall be a nuisance even though not specifically declared a nuisance in this section:
 - A. *Discharge of liquid waste on streets.* The accumulation or discharge onto any public street or private property of urine, liquid waste, swill, water from foul swimming pools and spas, water from sinks, wastewater, or any foul or nauseous waste of any kind whatsoever is hereby declared to be a nuisance.
 - B. *Accumulations of garbage and filth.* The deposit or existence on or in any public or private building or property, of any putrid or unsound meat, pork, fish, hides, decayed vegetables or food, manure, ash heaps, garbage, offal, rubbish, dirt, or filth of any kind is hereby declared to be a nuisance.
 - C. *Common use of halls, water closets, etc., in residences.* The renting, leasing, hiring out to be occupied or the occupancy of any building or part thereof as a home or residence of more than two families, living independent of one another, giving to each family or person therein the common right to halls, yards, water closets or privies or some of them, is hereby declared to be a nuisance.
 - D. *Burning.* The burning of any garbage or any refuse of any kind or description is hereby declared to be a nuisance.
 - E. *Filthy drains, leaking garbage receptacles, etc.* Allowing any unclean, stinking, foul, defective, or filthy drain, ditch, tank or gutter, or any leaking or broken slop, garbage or receptacles of like character on any property is hereby declared to be a nuisance.

- F. *Accumulation of offensive materials.* The deposit or existence of any dirt gathered in cleaning yards, waste of mills or factories, damaged merchandise, wet, broken, or leaking barrels, casks or boxes, or used building materials is hereby declared to be a nuisance.
- G. *Depositing or throwing articles into sewer inlets and storm sewer inlets.* The depositing, throwing, or insertion into any sewer or storm inlet, which has a sewer or storm sewer connection, of any article whatsoever, such as grass clipping, oil, gasoline, undiluted chemicals, grease, and trash of any kind, etc., that may cause the sewer to choke up, stop up, or otherwise be rendered inoperative or damaged in whole or part is hereby declared to be a nuisance.
- H. *Vehicles hauling garbage, swill, or other offensive matter.* The transportation of garbage, swill, ashes, cinders, or other loose material in any of the streets of the city on a vehicle other than in a good and substantially tight containment of the waste or matter thereon, so that no portion of such waste, matter or other loose material shall be scattered or thrown into the street, or hauling garbage, swill, or other offensive material in a vehicle which does not have the substantially tight containment thereon and closely covered with sufficient covering, so closely fitted as to prevent the escape or flying about of any of the contents, matter or effluvia therefrom is hereby declared to be a nuisance.
- I. *Ponds or pools of unwholesome water.* Creating or allowing the existence upon any property of a pond or pool or container of unwholesome, impure, or offensive water or water which is conducive to the breeding of mosquitoes, is hereby declared to be a nuisance.
- J. *Impure or unwholesome wells or cisterns.* Allowing the existence of any well or cistern to exist upon any property whenever a chemical or bacteriological analysis shows that the water of the well or cistern is impure or unwholesome is hereby declared to be a nuisance.
- K. *Noise nuisances.*
- 1) Any unreasonably loud, disturbing, unnecessary noise which causes material distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance.
 - 2) Any noise of such character, intensity, and continued duration which substantially interferes with the comfortable enjoyment of private homes by persons of ordinary sensibilities is hereby declared to be a nuisance.

- 3) The following acts, among others, are declared to be nuisances, but such enumerations shall not be deemed to be exclusive:
- a) *Musical instruments.* The playing of any radio, phonograph or other musical instrument in such manner or with such volume, particularly during the hours between 11:00 a.m. and 7:00 a.m., as to annoy or disturb the quiet, comfort, or repose of persons of ordinary sensibilities in any dwelling, hotel, or other type of residence.
 - b) *Loudspeakers and amplifiers.* The use of any stationary loudspeaker or amplifier of such intensity as to annoy and disturb persons of ordinary sensibilities in the immediate vicinity thereof; the use of any stationary loudspeaker or amplifier operated on any weekday between the hours of 11:30 p.m. and 7:00 a.m., or at any time on Sunday.
 - c) *Exhaust without mufflers.* The discharge into the open air of the exhaust of any vehicle combustion engine, motor vehicle or boat engine, except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
 - d) *Devices operated by compressed air.* The use of any mechanical device operated by compressed air, unless the noise to be created is effectively muffled and reduced.
 - e) *Construction work.* The erection, including excavation, demolition, alteration, or repair work, of any building other than between the hours of 7:00 a.m. and 10:00 p.m., Monday through Saturday, except in case of urgent necessity in the interest of public safety and convenience, and then only by permission from the code official in time the emergency or public safety interest exists.
 - f) *Near schools and hospitals.* The creation of any excessive noise on any street adjacent to any school or institution of learning while such school or institution of learning is in session, or adjacent to any hospital, which unreasonably interferes with the working of such institutions, provided conspicuous signs are displayed in such manner indicating that the street is a school or hospital street.
 - g) *Peddlers, hawkers, etc.* The raucous shouting and crying of peddlers, hawkers, and vendors, which disturbs the peace and quiet of the neighborhood.
 - h) *Use of drums, loudspeakers, horns, sirens, etc., to attract attention.* The use of any drum, loudspeaker or other instrument or device for the purpose of attracting attention by the creation of noise to any performance, show, or sale of merchandise. It is an affirmative defense that the action is preapproved by the city manager or designee of the Town.
 - i) The creation of unreasonably loud, disturbing or unnecessary noises in connection with the loading or unloading of any vehicle is prohibited on any premises in a residential district or within a 500-foot radius from any area or property which is zoned for residential use, except during the following days and times only:

(1) Monday through Friday: 7:00 a.m.—7:00 p.m.

(2) Saturdays, Sundays and holidays: 10:00 a.m.—5:00 p.m.

Section [A] 111 Board of appeals; the International Property Maintenance Code has been changed in its entirety to read as follows:

111.1. General. There is hereby created a board of appeals (the "board of appeals"), consisting of the members of the board of adjustment appointed by the city council pursuant to Appendix A, Article XXIV of the Code of Ordinances of the Town of Addison. Accordingly, the number of members of the board of appeals shall be equal to the number of members of the said board of adjustment.

Appointment to (including the filling of a vacancy), removal from, and the terms (including term limits) of the members of the board of appeals shall be the same as for members of the board of adjustment. Four (4) members of the board of appeals (including, in the absence of one or more regular members, alternate members) shall constitute a quorum for the conduct of business of the board of appeals, and any action of the board of appeals shall require at least four (4) affirmative votes to be adopted or passed.

111.2. Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

111.3. Powers of the board of appeals. The board of appeals has all of the following powers and authority:

111.3.1. To hear and decide appeals of orders, decisions or determinations made by the code official to the application and interpretation of the code.

111.3.2. To hear requests for the use of a material or method of construction not prescribed by the code and to authorize the use when, in the board of appeals' judgment, the material or method of construction is at least equivalent to that prescribed.

111.3.3. To hear complaints from the code official arising against any person, firm, or corporation registered by the Town under or related to chapter 34 of the Code of Ordinances of the Town, and shall have the power after hearing, to revoke or suspend said registration for the following reasons:

a) Chronic violation of the code;

b) Misrepresentation of material facts in obtaining said license or renewal thereof;

- c) Chronic failure to secure permits, inspections, or approvals as required by the code; or
- d) Use of said registration to obtain a permit for another person, firm or corporation.

111.4. Rules and procedures. The board of appeals is authorized to establish policies and procedures necessary to carry out its duties.

111.5. Chairperson. The board of appeals shall annually select one of its members to serve as chairperson.

111.6. Disqualification of member. A member of the of board of appeals shall not hear an appeal in which that member has a personal interest, professional or financial interest or in any other instance which would be in violation of law.

111.7. Secretary. The City Manager or the City Manager's designee, including the Director of Development Services, shall designate a qualified clerk to serve as secretary to the board of appeals. The secretary shall file a detailed record of all proceedings in the office of the City Secretary.

111.8. Appeal process.

111.8.1. Application. The application for appeal shall be filed on a form obtained from the building official within 20 days after the notice was served.

111.8.2. Notice of meeting. The board of appeals shall meet upon notice from the chairperson or the City Manager or the City Manager's designee, including the director of development services.

111.8.3. Open hearing. Except as allowed by State law, all meetings of the board of appeals and hearings before the board of appeals shall be open to the public. At a hearing of the board of appeals pursuant to this appeal process, the appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

111.8.4. Procedure. The board of appeals shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence but shall provide that only relevant information be received.

111.8.5. Postponed hearing. A hearing by the board of appeals shall not be conducted when a quorum of the board of appeals is not present to hear the appeal.

111.8.6. Board decision. Any action to reverse a decision of the code official shall require a majority vote of the board.

111.8.7. Resolution. The decision of the board of appeals shall be by resolution or by motion recorded in the minutes of the board of appeals. Certified copies of the same shall be furnished

to the appellant and to the building official.

111.9. Administration. The code official shall take immediate action in accordance with the decision of the board of appeals.

Section [A] 112.4 Stop work orders; the International Property Maintenance Code has been amended by amending it to read as follows:

[A] 112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Section 202 General Definitions; the International Property Maintenance Code has been amended by adding a new definition "Nuisance" to read as follows:

Nuisance. A nuisance shall mean any condition or occurrence which is dangerous to human life or health, an unsafe structure, unsafe equipment or an occurrence which renders the ground, the water, the air or food a hazard or injury to human life or health, or that is offensive to the senses, or that is or threatens to become detrimental to the public health is and shall constitute a nuisance.

Section 302.4 Weeds; the International Property Maintenance Code has been amended by amending it to read as follows:

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of six (6) inches for residential property and eight (8) inches for non-residential property. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Section 304.14 Insect screens; the International Property Maintenance Code has been amended by amending it to read as follows:

304.14 Insect screens. Every door, window and other outside opening required for *ventilation* of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with *approved* tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other *approved* means, such as air curtains or insect repellent fans, are employed.

Section 602.3 Heat supply; the International Property Maintenance Code has been amended by removing the seasonal time requirement, removing the two exceptions and amending it to read as

follows:

602.3 Heat supply. Every *owner* and *operator* of any building who rents, leases or lets one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, is required to provide the necessary means to maintain a minimum air temperature of 68°F (20°C) in all habitable rooms, *bathrooms* and *toilet rooms*.

Section 602.4 Occupiable work spaces; *the International Property Maintenance Code has been amended by removing the seasonal time requirement amending it to read as follows:*

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be required to provide the necessary means to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

Sections 34-222 through 34-230 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of Two Hundred Fifty Dollars (\$250.00) per day and not to exceed Two Thousand Dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection,

clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

23.

Meeting Date: 04/28/2020

Department: Development Services

AGENDA CAPTION:

Consider Action to Approve an Ordinance Amending Chapter 34 "Environment", to Add a New Article VIII "Landlord-Tenant Affairs" of the Addison Code of Ordinances.

BACKGROUND:

Regulations pertaining to landlord and tenant affairs are currently located within Chapter 18. While reviewing Chapter 18 to adopt the updated International Code Council Building Codes, Staff is proposing to relocate this section to a different Chapter within the Code of Ordinances. Chapter 18 addresses the construction and alteration of buildings within the Town. Standards for landlord and tenant affairs are more typical of ongoing business regulations than development regulations. Therefore, Staff believes that it would be more appropriate to relocate the existing landlord-tenant affairs section to a new Article VIII in Chapter 34 "Environment". This Chapter is where other property standards and code enforcement related issues are located within the Code of Ordinances.

There are no substantive changes proposed with this relocation. The non-substantive changes are related to adding a purpose and adoption statement, changing references to the Building Official to the Code Official in order to recognize that code enforcement is now in charge of enforcement of these provisions, and to remove duplicative fee refund language.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 34 Article VIII Landlord Tenant Affairs

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 34 “ENVIRONMENT” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE VIII “LANDLORD-TENANT AFFAIRS”; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 34 “Environment,” is hereby amended to add a new Article VIII “Landlord-Tenant Affairs” which shall read in its entirety as follows:

ARTICLE VIII. – LANDLORD-TENANT AFFAIRS

DIVISION I -

ADOPTED.

Sec. 34-231. - Adopted.

For the purpose of providing minimum guidelines for landlord-tenant affairs, for properties with four or more dwelling units, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Landlord-Tenant Affairs ordinance of the Town of Addison. The title of this Article shall be the “Landlord-Tenant Affairs” and it may be cited as such.

DIVISION II - GENERALLY.

Sec. 34-232. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Actor means a person identified in a complaint as having committed an offense under this article or whose criminal responsibility is in issue in a criminal action.

Apartment building means any structure containing four or more dwelling units for rent for periods of time of 30 or more consecutive days in one calendar year.

Apartment complex means one or more adjacent apartment buildings which are under common ownership and management.

Bathroom means an enclosed space containing one or more bathtubs, showers or both, and which may also include toilets, lavatories or fixtures serving similar purposes.

Code official means the code official of the town or his representative.

Dwelling unit means a structure or that part of a structure which is used as a home, residence or sleeping place by one or by two or more persons, maintaining a common household, to the exclusion of all others.

Floor space means the total area of all habitable space.

Habitable space means the space occupied by one or more persons while living, sleeping, eating and cooking, excluding kitchenettes, bathrooms, toilet rooms, laundries, pantries, dressing rooms, closets, storage spaces, foyers, hallways, utility rooms, heater rooms, boiler rooms and basement or cellar recreation rooms.

Kitchen means a space 60 square feet or more in floor area with a minimum width of five feet, used for cooking or preparation of food.

Kitchenette means a space, less than 60 square feet in floor area, used for cooking or preparation of food.

Landlord means the owner, property manager or resident manager of an apartment building or any other person held out by any owner or property manager as the appropriate person whom the tenant normally deals with concerning the rental agreement or apartment building.

Lender means any person who holds a mortgage, deed of trust or any other security interest in the premises.

Owner means a person claiming, or in whom is vested, the ownership, dominion or title of real property upon which are located four or more dwelling units, including, but not limited to:

- (1) Holder of fee simple title.
- (2) Holder of life estate.
- (3) Holder of a leasehold estate for an initial term of five years or more.
- (4) The buyer in a contract for deed.
- (5) A mortgagee, receiver, executor or trustee in control of real property, but not including the holder of a leasehold estate or tenancy for an initial term of less than five years.

Plumbing fixtures includes gas pipes, water pipes, toilets, lavatories, sinks, laundry tubs, dishwashers, garbage disposal units, clothes washing machines, catch basins, wash basins, bathtubs, shower baths, sewer pipes, sewage systems, septic tanks, drains, vents, traps and other fuel-burning or water-using fixtures and appliances, together with all connections to pipes.

Premises means a lot, plot or parcel of land, including any structure thereon, and furthermore, including a dwelling unit, appurtenances thereto, grounds and facilities held out for the use of tenants generally and any other area or facility whose use is promised to the tenant.

Property manager means a person who for compensation has managing control of real property for the owner.

Rental agreement means and includes all written agreements which establish or modify the terms, conditions, rules, regulations or any other provisions concerning the use and occupancy of a dwelling unit.

Resident manager means a property manager or agent of a property manager who resides in an apartment building.

Structure means that which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner.

Tenant means any person who occupies a dwelling unit for living or dwelling purposes with the landlord's consent.

Sec. 34-233. - Affirmative defenses.

Notwithstanding all other sections of this article, it will be an affirmative defense to a complaint if the defendant landlord or tenant is able to establish that:

- (1) The noncomplying condition described in the complaint was repaired within the prescribed time limits set forth in this article.

- (2) The noncomplying conditions were repaired within the time limits established by the code official.
- (3) The required notice was not provided.
- (4) The noncomplying condition was caused by the deliberate or intentional conduct of the complaining party.
- (5) The noncomplying condition could have been corrected but for the tenant's refusal to permit access to their apartment.

Sec. 34-234. - Copy of article.

A landlord shall distribute to all tenants a copy of this article describing the rights and responsibilities of the tenants.

Sec. 34-235. - Security deposit.

A landlord shall return a tenant's security deposit within 30 days of a moveout, as set forth in Texas Property Code Chapter 92, Subchapter C.

Sec. 34-236. - Disclosure of management.

A landlord shall disclose to the tenant by properly posting in the office the name and address of:

- (1) Each property manager and resident manager.
- (2) The management company responsible for the operation of the company.

State Law reference— Duty of landlord to disclose ownership and management, Texas Property Code § 92.201 et seq.

Sec. 34-237. - Notice of entry.

A landlord shall leave notice of entry whenever it is necessary to enter an apartment without the specific permission of the tenant. Such notice shall include date, time, purpose and the person who has entered the apartment unit.

Sec. 34-238. - Change of ownership, address, etc.

An owner or property manager shall notify the building official within ten days of a change or partial change in ownership, lender or management of the apartment complex or a change of address or trade name.

Sec. 34-239. - Eviction—When prohibited.

A landlord shall not retaliate against a tenant by increasing rent or cutting off utilities, or evict the tenant from the premises because:

- (1) The tenant has made a complaint to the code official about conditions in the apartment or dwelling unit which might not be in compliance with the health, housing or fire codes or this article, and which conditions materially affect the health and safety of the tenant, and the condition was not caused by the tenant.
- (2) The tenant makes a general complaint to the landlord about violation of their rights under this article.
- (3) The tenant files a complaint against the landlord under this article.

Sec. 34-240. - Same—When permitted.

Even if the tenant claims "retaliation," the landlord may still evict the tenant if:

- (1) The rent is overdue.
- (2) There are Code violations caused by the tenant or their visitor.
- (3) The tenant is damaging property, disturbing the peace or using the apartment for illegal purposes.

Sec. 34-241. - Responsibilities of tenant.

A tenant shall:

- (1) Maintain the interior of a dwelling unit occupied by the tenant free from rubbish and garbage.
- (2) Remove an animal from a dwelling unit if the presence of the animal is a health hazard to a tenant.
- (3) Connect plumbing fixtures and heating equipment that the tenant supplies in accordance with the town plumbing code and the town mechanical code.
- (4) Place all ashes, rubbish, garbage and any other waste material in the appropriate receptacles provided for such waste material by the landlord.
- (5) Not alter a structure or its facilities so as to create a nonconformity with this article.
- (6) Use in a reasonable manner all electrical, plumbing, sanitary, heating, ventilating, air conditioning and other facilities and appliances including elevators in the premises.

- (7) Not deliberately or intentionally destroy, deface, damage, impair or remove any part of the premises or knowingly permit any person to do so.
- (8) Conduct himself and require other persons on the premises with his consent to conduct themselves in a manner that will not disturb his neighbors' peaceful enjoyment of the premises. For purposes of this article, such unpermitted conduct includes, but is not limited to, any loud playing of music, television, radio, instrument or any other mechanical device.
- (9) When vacating the apartment, remove all trash and debris or risk the loss of a portion of the security deposit.

Sec. 34-242. - Emergencies generally.

The landlord shall provide to all tenants an emergency telephone number which is answered at all times during the night or day.

Sec. 34-243. - Emergency procedures.

In emergency situations, the tenant shall notify the landlord immediately by way of the emergency telephone number. For purposes of this article, "emergency situations" are defined as a stopped-up commode, overflowing bathtub or sink, broken pipes, leaking roof, emergency electrical malfunction or other situations having immediate adverse effects on the health or safety of the tenant or their property. Upon notification, the landlord shall respond immediately and furnish assistance to the tenant within one hour from such notification.

Sec. 34-244. - Property standards.

(a) A landlord shall:

- (1) Eliminate a hole, excavation, sharp protrusion and other objects or conditions that exist on the premises and are reasonably capable of causing injury to a person;
- (2) Securely cover or close a well, cesspool or cistern;
- (3) Provide an adequate number of solid waste receptacles or containers on the premises;
- (4) Provide drainage to prevent standing water and flooding on the land;
- (5) Remove dead trees and tree limbs that are reasonably capable of causing injury to a person;
- (6) Keep the doors and windows of a vacant dwelling unit or vacant portion of an apartment building securely closed to prevent unauthorized entry; and

- (7) Keep all areas of the building, grounds, facilities and appurtenances in a clean and sanitary condition.
- (b) It is a defense to prosecution under this section that the premises concerned is the site of new construction and reasonable and continuous progress is being made to complete the construction.

Sec. 34-245. - Structural standards.

A landlord shall:

- (1) Protect the exterior surfaces of a structure which are subject to decay by application of paint or other coating.
- (2) Provide and maintain railings for stairs, steps, balconies, porches and elsewhere specified in the town building code.
- (3) Repair holes, cracks and other defects reasonably capable of causing injury to a person in stairs, porches, steps and balconies.
- (4) Maintain a dwelling unit or apartment building in a weathertight and watertight condition.
- (5) Maintain floors, walls, ceilings and all supporting structural members in a sound condition, capable of bearing imposed loads safely.
- (6) Repair or replace chimney flue and vent attachments that do not function properly.
- (7) Repair holes, cracks, breaks and loose surface materials that are health or safety hazards in or on floors, walls and ceilings.

Sec. 34-246. - Utility standards.

A landlord shall:

- (1) Provide and maintain in working order connections to discharge sewage from a structure or land into a public sewer system;
- (2) Provide and maintain in working order a toilet connected to a water source and to a public sewer in each dwelling unit;
- (3) Provide and maintain in working order connections and pipes to supply potable water at adequate pressure to a dwelling unit;
- (4) Provide and maintain a device to supply hot water of a constant minimum temperature of 120 degrees Fahrenheit within each dwelling unit;

- (5) Provide, connect and maintain in working order a kitchen sink, a bathtub or shower and a lavatory to a cold and hot water source in a dwelling unit;
- (6) Connect plumbing fixtures and heating equipment that the owner supplies in accordance with the town plumbing code and the town mechanical code;
- (7) Provide heating equipment capable of maintaining a minimum inside temperature of 68 degrees Fahrenheit in each room of a dwelling unit;
- (8) Provide and maintain air conditioning equipment capable of maintaining a maximum inside temperature of 78 degrees Fahrenheit with an outside temperature of 98 degrees Fahrenheit;
- (9) Provide and maintain supply lines for electrical service to each dwelling unit;
- (10) Connect each heating device that burns solid fuel to chimney or flue;
- (11) Provide and maintain electrical circuits and outlets sufficient to safely carry a load imposed by normal use of appliances and fixtures;
- (12) Maintain all electrical, plumbing, heating and other facilities supplied by the owner in good working condition at all times; and
- (13) Pay all utility bills on time to prevent cut off of utilities by utility companies.

Sec. 34-247. - Health standards.

A landlord shall:

- (1) Eliminate rodents and vermin in or on the land;
- (2) Maintain the interior of a vacant structure or vacant portion of a structure free from rubbish and garbage;
- (3) Keep the interior of a vacant structure or vacant portion of a structure free from insects, rodents and vermin; and
- (4) Provide and maintain appropriate receptacles and conveniences for the removal of ashes, rubbish, garbage and any other waste material and to arrange for frequent removal of such waste materials.

Sec. 34-248. - Repairs.

- (a) The landlord has the duty to furnish and maintain premises in accordance with the standards enumerated in this article. In addition, the landlord shall at all times during the occupancy of a tenant make all repairs necessary to keep and maintain the premises in accordance with the standards provided for in this article.
- (b) Upon notice by the tenant in writing of any defective condition in the premises or dwelling unit in noncompliance with the standards stated in this article, the landlord shall repair such condition within a reasonable period of time.
- (c) If the landlord fails to complete repairs of defective conditions within seven days, the tenant may file a complaint in writing to the code official for enforcement of this article. The code official shall establish a time in which the repair must be completed and shall issue a citation if the defect is not corrected.

Sec. 34-249. - Removal of property.

A landlord may not remove a tenant's furnishings or possessions except as outlined in Texas Property Code Chapter 54, Subchapter C.

DIVISION III ADMINISTRATION AND ENFORCEMENT.

Sec. 34-250. - Administrator designated.

The code official is designated as the administrator of this article.

Sec. 34-251. - General duties of code official.

In addition to the powers and duties prescribed for the code official as administrator of this article, they are required to:

- (1) Enforce all provisions of this article.
- (2) Keep records of all licenses issued under this article.
- (3) Adopt rules and regulations, not inconsistent with the provisions of this article, with respect to the form and content of application for licenses, the investigation of applicants and other matters incidental or appropriate to their powers and duties as may be necessary for the proper administration and enforcement of the provisions of this article; and
- (4) Conduct, on their own initiative, periodic investigations of apartment buildings throughout the town concerning their compliance with this article.

Sec. 34-252. - Complaints.

A tenant may not file a complaint with the code official under the terms of this article until seven days have elapsed following written notice to the manager of the apartment.

Sec. 34-253. - Giving notice.

A person "notifies" or "gives a notice" or notification to another person by taking steps reasonably calculated to inform the other in ordinary course whether or not the other actually comes to know of it. A person "receives" a notice or notification when (i) it comes to their attention or (ii) in case of the landlord, it is delivered at the place of business of the landlord through which the rental agreement was made or at any place held out by him as the place for receipt of the communication or in the case of the tenant, it is delivered in hand to the tenant or mailed by registered or certified mail to him at the place held out by them as the place for receipt of the communication, or in the absence of such designation, to their last known place of residence.

DIVISION IV. - LICENSING OF LANDLORDS

Sec. 34-254. - Required.

No person shall own, maintain, conduct, operate or rent a dwelling unit in an apartment complex for compensation within the town, or act as agent for another who is renting dwelling units in an apartment complex, without first obtaining an apartment license from the code official.

Sec. 34-255. - Different locations.

Should a person own or maintain an apartment complex at more than one location, a duplicate license is required for each additional location.

Sec. 34-256. - Right of licensee.

The license issued under this division to an owner authorizes such owner and its bona fide agents or employees to rent dwelling units to tenants.

Sec. 34-257. - Trade name.

An owner shall register with the code official the trade name of the apartment complex and shall not use or permit to be used more than one trade name at a single location.

Sec. 34-258. – Application - Form.

An applicant for a license under this division shall file with the code official a written application upon a form provided for that purpose, which shall be signed by the owner and the property manager.

Sec. 34-259. – Application form - more than one location.

Should an applicant for a license under this division own an apartment complex at more than one location, a separate application must be filed for each location.

Sec. 34-260. - Application form - contents generally.

The following information shall be required in the application for a license under this division: Name, primary address and telephone number of the owner, property manager, resident manager and lender and the street address of the apartment building, and if incorporated, the name of the registered agent with the secretary of state.

Sec. 34-261. - Application form - additional information.

The code official may, at any time, require additional information of the owner or property manager to clarify items on the application for a license under this division.

Sec. 34-262. – Fee - Amount generally.

The annual fee for an apartment complex license shall be \$2.25 for each dwelling unit located therein with a minimum fee per apartment complex of \$75.00. The fee for a license issued during the year will be prorated on the basis of whole months.

Sec. 34-263. – Fee - when paid.

The fee for a license under this division is payable to the Town upon issuance of the license.

Sec. 34-264. – Fee - Replacement of license.

The fee for issuing a replacement for a lost, destroyed or mutilated license under this division is \$2.00.

Sec. 34-265. – Fee - Refund.

No refund of a license fee under this division will be made.

Sec. 34-266. - Display.

Each license issued pursuant to this division must be posted, displayed and kept in three conspicuous places in the apartment complex to which the tenant has access.

Sec. 34-267. - Replacement.

A replacement license may be issued for one lost, destroyed or mutilated upon application on the form provided by the building official. A replacement license shall have the word "Replacement" stamped across its face and shall bear the same number as the one it replaces.

Sec. 34-268. - Transfer.

An apartment complex license is not assignable or transferable.

Sec. 34-269. - Change of manager.

When the resident manager of an apartment complex is changed, a new license must be obtained with no fee being charged for the change.

Sec. 34-270. - Expiration.

The apartment complex licenses expire on May 31st of each year.

Sec. 34-271. - Suspension of license.

- (a) A license may be suspended by the code official for failure of the landlord to comply with the requirements of this article and article VII of this chapter, or if the physical conditions of an apartment complex do not comply with the requirements of this article and article VII of this chapter, or otherwise constitutes a substantial hazard to the life, limb, property, health or welfare of the public or tenants.
- (b) Whenever a landlord has failed to comply with any notice issued under the provisions of the applicable sections, the landlord shall be notified in writing that the license, upon service of the notice, is immediately suspended and that an opportunity for a hearing will be provided if a written request for a hearing is filed with the code official by the landlord.
- (c) Notwithstanding the other provisions of this article and article VII of this chapter, whenever the code official finds conditions in an apartment complex which, in their judgment, constitute substantial hazard to the life, limb, property, health or welfare of the public or tenants, they may, without warning, notice or hearing, issue a written notice to the landlord citing such conditions and corrective action to be taken, and if deemed necessary, such order shall state that the license is immediately suspended. Any person to whom such order is issued shall comply immediately therewith, but upon written petition to the code official, shall be afforded a hearing as soon as possible.

Sec. 34-272. - Condemnation, posting and re-occupancy of dwelling units.

- (a) Upon suspension of apartment complex license, the code official shall exercise the authority to condemn, post and deny the rehabilitation of a vacant dwelling unit which fails

to comply with this rule. Rehabilitation of a posted unit or removal or defacement of such announcement shall be a violation of this ordinance.

- (b) Any landlord whose vacant dwelling units have been condemned may, at any time, make application for a reinspection for the purpose of re-occupancy of the dwelling unit. Within ten days following the receipt of a written request, including a statement signed by the landlord that the conditions causing condemnation of the dwelling unit have been corrected, the code official shall make a reinspection. If the landlord is complying with the provisions of this ordinance, the unit may be reoccupied.

Sec. 34-273. - Reinstatement of suspended license.

Any landlord whose apartment complex license has been suspended may, at any time, make application for a reinspection for the purpose of reinstatement of the license. Within ten days following receipt of a written request, including a statement signed by the landlord that the conditions causing suspension of the license have been corrected, the code official shall make a reinspection. If the applicant is complying with the provisions of this ordinance, the license shall be reinstated.

Sec. 34-274. - Revocation of license.

For serious or repeated violations of any of the requirements of this ordinance, or for interference with the code official in the performance of their duties, the license may be permanently revoked after an opportunity for a hearing has been provided by the code official. Prior to such action, the code official shall notify the landlord in writing, stating the reasons for which the license shall be permanently revoked at the end of five days following service of such notice, unless a request for a hearing is filed with the code official by the landlord within such five-day period. A license may be suspended for cause pending its revocation of a hearing relative thereto. If no request for hearing is filed within the five-day period, the revocation of the license becomes final.

Sec. 34-275. - Relocation of tenants.

Upon revocation of the license, it shall be the responsibility of the landlord to expedite the swift and orderly relocation of tenants to habitable quarters. Such time period shall not exceed 60 days.

Sec. 34-276. - Notification of condemnation and relocation; city council as advisory body.

In the event that any given situation, in the judgment of the code official, merits the condemnation of dwellings and subsequent relocation of tenants, the City Council shall be fully apprised of all aspects of the situation and serve as an advisory body to the code official. Upon evaluation of the information presented, the City Council shall sanction the code official to pursue whatever course of action the city council deems necessary to resolve the situation.

Sec. 34-277. - Notices.

A notice provided for in this ordinance is properly served when it is delivered to the landlord in person or when it is sent by registered or certified mail, return receipt requested, to the last known landlord.

Sec. 34-278. - Hearings.

The hearing provided for in this division shall be conducted by the city manager or his designee (hearing officer) at a time and place designated by the hearing officer. Based upon the record of such hearing, the hearing officer shall make a finding and shall sustain, modify or rescind any official notice or order considered in the hearing. A written report of the hearing decision shall be furnished to the landlord by the code official.

Sections 34-279 through 34-290 reserved.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a Five Hundred Dollars (\$500.00) per day and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas,
on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

24.

Meeting Date: 04/28/2020

Department: Development Services

Pillars: Entrepreneurship & Business Hub

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Consider Action to Approve an **Ordinance Amending Chapter 38 "Fire and Fire Prevention", Article II "Fire Code" of the Addison Code of Ordinances, Adopting the 2018 Edition of the International Fire Code With Amendments.**

BACKGROUND:

The Town regulates the construction, alteration, occupancy and maintenance of buildings through the adoption and enforcement of a series of codes. The Town currently operates under the 2012 International Code Council (ICC) Codes and the 2014 National Electrical Code. These codes regulate commercial and residential structures including elements pertaining to fire protection, plumbing, mechanical and electrical building elements. New versions of these codes are released every three years to account for issues that arise between code cycles, new construction methods, and to clarify existing regulations. Staff is proposing that the Town adopt the 2018 ICC Codes and the 2017 National Electrical Code. Staff presented an overview of the code update process to the City Council during a work session on February 25, 2020.

While most of the ICC Codes are codified within Chapter 18 of the Town's Code of Ordinances, the International Fire Code is codified in Chapter 38 "Fire and Fire Prevention" which includes other fire safety regulations. This agenda item specifically adopts the 2018 ICC Fire Code with local amendments under Article II. Local amendments are intended to fine tune the code to Addison. In most cases, local amendments are developed by the North Central Texas Council of Governments for consideration by each community in this area. The changes from the 2012 Fire Code to the 2018 Fire Code are highly technical standards related to fire prevention, fire protection, life safety and safe storage and use of hazardous materials in new and existing buildings. These changes were developed by code experts and industry professionals to balance life-safety concerns with industry best practices.

Additionally, existing requirements found in Article III of the Chapter pertaining to the Fire Department generally are being included in the ordinance for clarity with no changes proposed.

The new code provisions would be effective June 1, 2020 to allow Staff time to communicate with the development community about the updated code.

RECOMMENDATION:

Administration recommends approval.

Attachments

Ordinance - Chapter 38 Article II Fire Code

ORDINANCE NO. 20-_____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 38 “FIRE AND FIRE PREVENTION” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE II “FIRE CODE,” ADOPTING THE 2018 EDITION OF THE INTERNATIONAL FIRE CODE, WITH AMENDMENTS; PROVIDING A PENALTY NOT TO EXCEED TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, Texas to adopt the 2018 Edition of the International Fire Code, save and except the deletions and amendments set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2. Addison Code of Ordinances, Chapter 38 “Fire and Fire Prevention,” is hereby amended to add a new Article II “Fire Code” which shall read in its entirety as follows:

ARTICLE II. FIRE CODE

DIVISION 1 - GENERALLY

Sec. 38-31. Adoption.

There is hereby adopted by the Town of Addison, for the purpose of prescribing regulations governing the safety of life and property from fire and related conditions, that certain code known as the International Fire Code (for purposes of this Chapter 38, “Code” , including appendices B,C,D,E,F, and G thereto, in particular– 2018 edition thereof, published by the International Code Council, Inc., hereinafter known as are modified herein, and the same are incorporated as fully as if set out at length herein. From the date on which adoption of the said International Fire Code, 2018 Edition shall take effect, the provisions thereof and herein shall be controlling within the corporate limits of the Town of Addison, Texas.

Notwithstanding the adoption of the 2018 International Fire Code, Section 903.2 of the International Fire Code, 2006 Edition (“2006 International Fire Code”), as amended by Section 38-53 (i) of this Code below, is together with any other provision of the 2006 International Fire

Code (including, without limitation, any appendices) that are deemed by the Fire Chief of the Town of Addison, of the Fire Chiefs designee, to be necessary for or useful to the application, interpretation, and/or enforcement of the said 903.2 For purposes of the said Section 38-53 (i), references to “the code” and the “Fire Code” means the 2006 International Fire Code. In the event of any conflict between the provisions of the 2006 International Fire Code and the provisions of the International Fire Code -2018 Edition, the provisions of the 2006 International Fire Code shall control for purposes of (and only for purposes of) the application, interpretation, and/or enforcement of the said Section 903.2 and any appendices) that deemed by the Fire Chief, or the Fire Chiefs designee, or the Building Official of the Town of Addison to be necessary for or useful to the application, interpretation, and/or enforcement of the said Section 903.2

Sec. 38-32. – Definitions

The following words and phrases shall have the following meanings whenever they appear:

Section 202; General Definitions. the International Fire Code has been amended and definitions added to read as follows:

[BG] **AMBULATORY CARE FACILITY.** Buildings or portions thereof used to provide medical, surgical, psychiatric, nursing, or similar care on a less than 24-hour basis to persons who are rendered incapable of self-preservation by the services provided or staff has accepted responsibility for care recipients already incapable. This group may include but not be limited to the following:

- Dialysis centers
- Procedures involving sedation
- Sedation dentistry
- Surgery centers
- Colonic centers
- Psychiatric centers

DEFEND IN PLACE. A method of emergency response that engages building components and trained staff to provide occupant safety during an emergency. Emergency response involves remaining in place, relocating within the building, or both, without evacuating the building.

FIRE WATCH. A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or standby personnel when required by the fire code official for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm or fire and notifying the fire department.

FIREWORKS. Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, detonation, and/or activated by ignition with a match or other heat producing device that meets the definition of a 1.3G fireworks or 1.4G fireworks

[BG]HIGH-RISE BUILDING. A building with an occupied floor located more than 55 feet (16 764 mm) above the lowest level of fire department vehicle access.

(a) Any and all references in the code to high-rise buildings or portions thereof shall be assumed to have this meaning regardless of any other height specified.

REPAIR GARAGE. A building, structure or portion thereof used for servicing or repairing motor vehicles. This occupancy shall also include garages involved in minor repair, modification and servicing of motor vehicles for items such as lube changes, inspections, windshield repair or replacement shocks, minor part replacement and other such minor repairs.

SELF-SERVICE STORAGE FACILITY. Real property designed and used for the purposes of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

STANDBY PERSONNEL. Qualified fire service personnel approved by the Fire Chief. When utilized the number required shall be as directed by the Fire Chief. Charges for utilization shall be as normally calculated by the jurisdiction

UPGRADED OR REPLACED FIRE ALARM SYSTEM. A fire alarm system that is upgraded or replaced includes but not limited to the following:

- Replacing one single board or fire alarm control unit component with a newer model
- Installing a new fire alarm control unit in addition to or in place of an existing one
- Conversion from a horn system to an emergency voice/alarm communication system
- Conversion from a conventional system to one that utilizes addressable or analog devices

The following are not considered an upgrade or replacement:

- Firmware updates
- Software updates
- Replacing boards of the same model with chips utilizing the same or newer firmware

Sec. 38-33. - Enforcement.

(a) The Fire Code shall be administered and enforced by the Fire Prevention Division of the Fire Department of the Town of Addison, said division is hereby established and shall be operated under the supervision of the Fire Chief.

(b) The person in charge of the Fire Prevention Division shall be appointed by the Fire Chief based on proper qualifications.

(c) With the approval of the City Manager, the Fire Chief may appoint such qualified persons to the Fire Department as shall be necessary to serve as Inspectors. Each inspector so assigned shall be authorized to enforce the provisions of the Fire Code as set forth in Section 103 of the International Fire Code. The Fire Chief may recommend to the City Manager the employment of technical specialists, who, if such authorization is made, shall be appointed based on proper qualifications.

(d) Members of the Fire Prevention Division shall inspect, as often as may be necessary, any building, property, place or thing in the Town in accordance with Section 104 of the International Fire Code and other relevant sections of the Fire Code.

Section 104.10 Fire investigations. the International Fire Code has been changed by amending 104.10.1. to read as follows:

104.10.1 Assistance from other agencies. Such investigation shall be limited to the origin and cause of the incident. If, in the opinion of the assigned Fire Department investigator, the cause involves any violation of the penal code; the Fire Department investigator shall immediately contact the Addison Police Department for assistance. Police Investigators shall assume any criminal portion of the investigation and pursue it to its conclusion in accordance with the penal code, with such assistance at the scene of the incident as may be necessary by the assigned Fire Department investigator.

Section 110 Violations. the International Fire Code of shall be amended by the addition of:

Section 110.4 Violation Penalties; Members of the Fire Prevention Division may issue citations or file complaints in Municipal Court as necessary for violations of the Fire Code or this article. Each day a violation continues shall be deemed a separate offense. Said violations shall be punishable by payment of a fine not to exceed \$2,000.00 dollars as determined by the judge or jury of the Town of Addison Municipal Court.

Sec. 38-34. - Hazardous materials and false alarm response and remuneration.

- (a) **Hazardous material release:** Any party (ies) who accidentally, negligently or intentionally causes or is responsible for a spill of hazardous material as defined in the Code which affects public or private property within the town, shall be liable for the payment of all costs incurred by the town in the effort to mitigate and abate the hazard. The remedy provided by this section shall be in addition to any other remedies provided by law.
- (b) **Recoverable costs:** For the purposes of this chapter, costs incurred by the town shall include, but not be limited to, all actual out-of-pocket expenses attributable to the abatement or cleanup of the hazardous material(s), including costs of equipment operations, costs of materials utilized, costs of third-party specialists, experts or contract labor not in the full-time employment of the town, overhead costs, overtime costs and any other incidental costs incurred by the town. Basic costs associated with Fire Department services shall be \$400.00 per hour for each engine or truck company and \$200.00 per hour for each medical unit.
- (c) **False fire alarms:** If, within a calendar year, the Addison Fire Department responds to three false fire or medical alarms at the same address, the owner or manager of the property shall be assessed a fee of \$300.00 for each and every subsequent false alarm response during the remainder of the calendar year. False fire or medical alarms caused by failure to properly maintain an alarm system, or by negligence on the part of the property owner, manager, agents or contractors may be assessed per occurrence.

Secs. 38-35—38-50. - Reserved.

DIVISION 2 - DELETIONS, AMENDMENTS AND MODIFICATIONS

Sec.38-51.-Generally

The 2018 edition of the International Fire Code is modified by the deletions, amendments, and modifications provided for in this division.

Section [A]101.1 Title. the International Fire Code has been amended adding the Town's name to read as follows:

[A]101.1 Title. These regulations shall be known as the Fire Code of **Town of Addison**, hereinafter referred to as "this code."

Sec. 38-52. Permits.

Section [A]105.1. the International Fire Code has been changed to read as follows:

[A]105.1 General. Permits, and the requirement thereof, shall be in accordance with section 105 or as determined by the Fire Chief or the Fire Chief's designee.

Section [A]105.7 Required construction permits. the International Fire Code has been changed to read as follows by adding Section 105.7.26

[A]105.7.26 Electronic access control systems. Construction permits are required for the installation or modification of an electronic access control system, as specified in Chapter 10. A separate construction permit is required for the installation or modification of a fire alarm system that may be connected to the access control system. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

Sec. 38-52.1. - Building/fire code board of appeals.

Section[A]109. BOARD OF APPEALS. the International Fire Code has been changed in its entirety to read as follows:

[A]Section 109. Board of appeals established; Building/Fire Code Board of Appeals. For purposes of this code, appeals shall be to the board of appeals, being denominated as the Building/Fire Code Board of Appeals, which shall consist of the members of the board of adjustment appointed by the city council pursuant to Appendix A, Article XXIV of the Code of Ordinances of the Town of Addison. The provisions applicable to the board of appeals as set forth and described in Section 113 of the International Building Code adopted by the town, including, without limitation, general provisions, limitations of power, powers of the board, and appeal process, shall be applicable to and govern appeals and the said board of appeals for purposes of this code.

Section 38-53.-Provisions for fire safety.

Section 307 Open burning. the International Fire Code has been amended by adding the following to read as follows:

Section 307.1 General. Open burning, including recreational or ceremonial, fires shall not be permitted in the Town of Addison.

Exception: Outdoor cooking is permitted and shall be in accordance with Section 308.1.4.

Section 308.1.4 Open-flame cooking devices. the International Fire Code has been amended to read as follows:

Section 308.1.4 Open-flame cooking devices. Open-flame cooking devices, charcoal grills and other similar devices used for cooking shall not be operated located or used on combustible balconies, decks, or within 10 ft (3048 mm) of combustible construction.

Exceptions:

1. One-and two-family dwellings, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) nominal 20pound (9.08 kg) LP-gas capacity) with an aggregate LP-gas capacity not to exceed 100 pounds (5 containers).
2. Where buildings, balconies, and decks are protected by an approved automatic sprinkler system, except that LP-gas containers are limited to a water capacity not greater than 50 pounds (22.68 kg) nominal 20pound (9.09 kg) LP-gas capacity, with an aggregate LP-gas capacity not to exceed 40 lbs. (2 containers).
3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 2 ½ pounds (nominal 1 pound 0.454 kg) LP-gas capacity)

Section 311.5 Placards. the International Fire Code is amended to read as follows:

Section 311.5 Placards. The fire code official is authorized to require marking of any vacant or abandoned buildings or structures determined to be unsafe pursuant to Section 110 of this code relating to structural or interior hazards, as required by Section 311.5.1 through 311.5.5.

Section 401 Making false report. the International Fire Code is amended as follows:

401.5 Making false report. It shall be unlawful for a person, device or system to give, signal or transmit a false fire or medical alarm.

Section 403.5 Group E occupancies. the International Fire Code is amended to read as follows:

403.5 Group E occupancies. An approved fire safety and evacuation plan in accordance with Section 404 shall be prepared and maintained for Group E occupancies and for buildings containing both a Group E occupancy and an atrium. A diagram depicting two evacuation routes

shall be posted in a conspicuous location in each class room. Group E occupancies shall also comply with Sections 403.5.1 through 403.5.3.

Section 404.2.2 Fire safety plans. the International Fire Code is amended by adding a sentence to read as follows:

Section 404.2.2 Fire safety plans. 4. Floor plans identifying the locations of the following:
4.10 Fire extinguishing system controls.

Section 405.4 Time. the International Fire Code has been amended to read as follows:

405.4 Time. The fire code official may require an evacuation drill at any time. Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in case of fire.

Section 501.4 Timing of installation. the International Fire Code is changed to read as follows:

501.4 Timing of installation. When fire apparatus access roads or a water supply for fire protection is required to be installed for any structure or development, they shall be installed, tested, and approved prior to the time of which construction has progressed beyond completion of the foundation of any structure.

Section 503.1 Where required. the International Fire Code has been amended to read as follows:

503.1 Where required. Fire lanes and other emergency access routes shall be provided in accordance with sections 503.1.1 through 503.1.3 or as approved by the Fire Chief or the Fire Chief's designee.

Section 503.2.1 Dimensions. the International Fire Code has been amended to read as follows:

503.2.1 Dimensions. Fire lanes and other emergency access routes shall have an unobstructed width of not less than 24-feet and an unobstructed vertical clearance of not less than 14-feet. Turning radii, weight capacity, marking and all other dimensions or factors affecting fire lanes or emergency access routes shall be as specified in the code or as approved by the Fire Chief or the Fire Chief's designee.

Section 503.2.3 Surface. the International Fire Code has amended to read as follows:

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support imposed loads of 100,000 lbs. for fire apparatus and shall be surfaced to provide all-weather driving capabilities.

Section 503.3 Marking. the International Fire Code has been amended to read as follows;

503.3 Marking. Striping, signs, or other markings, when approved by the fire code official shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction

thereof-shall always be maintained in a clean and legible condition and be replaced or repaired when necessary to provide adequate visibility.

(1) Striping – Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches (6”) in width to show the boundaries of the lane. The words “**NO PARKING FIRE LANE**” or “**FIRE LANE NO PARKING**” shall appear in four (4”) white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available the striping shall be on the vertical face of the curb.

(2) Signs- Signs shall read “**NO PARKING FIRE LANE**” or “**FIRE LANE NO PARKING**” and shall be 12” wide and 18” high. Signs shall be painted on a white background with letters and borders in red, using not less than 2” lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches (6’6”) above finished grade. Signs shall be spaced not more than fifty feet (50’) apart along both sides of the fire lane. Signs may be installed on permanent buildings or walls or as approved by the Fire Chief.

Section 505.1 Address identification. the International Fire Code has been changed to read as follows:

505.1 Address Identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be a minimum of 6 inches (102 mm) high with a minimum stroke width of 1 /2 inch (12.7 mm), unless more stringent requirements are required by the building official. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building address cannot be viewed from the public way, a monument, pole or other approved sign or means shall be used to identify the structure. Address identification shall be maintained.

Section 507.4 Water supply test. the International Fire Code has been amended to read as follows:

507.4 Water Supply Test Date and Information. The water supply test used for hydraulic calculation of fire protection systems shall be conducted in accordance with NFPA 291 “Recommended Practice for Fire Flow Testing and Marking of Hydrants” and within six months of sprinkler plan submittal. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official or a member of the Addison Fire Department as required. The exact location of the static/residual hydrant and the flow hydrant shall be indicated on the design drawings. All fire protection plan submittals shall be accompanied by a hard copy of the water-flow test report or as approved by the fire code official. The report must indicate the dominant water tank level at the time of the test and the maximum and minimum operating levels of the tank, as well or identify applicable water supply

fluctuation. The licensed contractor must then design the fire protection system based on this fluctuation information as per the applicable referenced NFPA standard. Reference Section 903.3.5 for additional design requirements.

Section 507.5.4 Obstruction. the International Fire Code has been amended to read as follows:

507.5.4 Obstruction; Unobstructed access to fire hydrants shall always be maintained. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

Section 509.1 Identification. the International Fire Code has been amended by adding a new section to read as follows;

509.1.2 Sign requirements. Unless more stringent requirements apply, lettering for signs required by this section shall have a minimum height of 2 inches (50.8 mm) when located inside a building and 4 inches (101.6 mm) when located outside or as approved by the fire code official. The letters shall be of a color that contrasts with the background.

Section 603.3.1 Fuel oil storage in outside, above -ground tanks. the International Fire Code has been amended to read as follows:

Section 603.3.2 Fuel oil storage inside buildings. Fuel oil storage inside buildings shall comply with Sections 603.3.2.1 through 603.3.2.5 and Chapter 57.

Section 603.3.2.1 Quantity limits. the International Fire Code has been amended to read as follows:

Section 603.3.2.1 Quantity limits. One or more fuel storage tanks containing Class II or III combustible liquid shall be permitted in a building. The aggregate capacity of all tanks shall not exceed the following:

1. 660 gallons (2498 L) in un-sprinklered buildings, where stored in a tank complying with UL 80, UL142, or UL2085 for Class III liquids, and listed as a double-wall/secondary containment tank for Class II liquids.

2. 1,320 gallons (4996 L) in buildings equipped with an automatic sprinkler system in accordance with Section 903.3.1.1 where stored in a tank complying with UL 142 or UL 2085 as a double-wall/secondary containment tank.

3. 3,000 gallons (11,356 L) where stored in protected above-ground tanks complying with UL 2085 and Section 5704.2.9.7 and the room is protected by an automatic sprinkler system in accordance with Section 903.3.1.1.

Section 807 5.2.2 Artwork in corridors. the international Fire Code has been amended to read as follows:

Section 807 5.2.2 Artwork in corridors. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings, and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criterion of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with 903.1.1 shall be limited to 50 percent of the wall area.

Section 807.5.2.3 Artwork in Classrooms. the international Fire Code has been amended to read as follows:

Section 807.5.2.3 Artwork in Classrooms. Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Section 807 5.5.2 Artwork in corridors. the international Fire Code has been amended to read as follows:

Section 807 5.5.2 Artwork in corridors. Artwork and teaching materials shall be limited on the walls of corridors to not more than 20 percent of the wall area. Such materials shall not be continuous from floor to ceiling or wall to wall. Curtains, draperies, wall hangings, and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criterion of NFPA 701 in accordance with Section 807 or be noncombustible.

Exception: Corridors protected by an approved automatic sprinkler system installed in accordance with 903.1.1 shall be limited to 50 percent of the wall area.

Section 807.5.5.3 Artwork in Classrooms. the international Fire Code has been amended to read as follows:

Section 807.5.5.3 Artwork in Classrooms. Artwork and teaching materials shall be limited on walls of classrooms to not more than 50 percent of the specific wall area to which they are attached. Curtains, draperies, wall hangings and other decorative material suspended from the walls or ceilings shall meet the flame propagation performance criteria of NFPA 701 in accordance with Section 807 or be noncombustible.

Section 901.6.1 Standards. the International Fire Code is amended by adding the following;

901.6.1.1 Standpipe Testing. Building owners/managers must maintain and test standpipes systems as per NFPA 25 requirements. The following additional requirements shall be applied to the testing that is required every 5 years.

1. The piping between the Fire Department Connection (FDC) and the standpipe shall be back flushed or inspected by approved camera when foreign material is present or when caps are missing and hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.
2. For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the tester shall connect hose from a fire hydrant or portable pumping system (as approved by the fire code official) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. Confirm that there are no open hose valves prior to introducing water into a dry standpipe. There is no required pressure criterion at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.
3. Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25. All hose valves shall be exercised.
4. If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's as required by the fire code official.
5. Upon successful completion of standpipe test, place a blue tag (as per Texas Administrative Code, Fire Sprinkler Rules for Inspection, Test and Maintenance Service (ITM) TAG) at the bottom of each standpipe riser in the building. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5 Year Standpipe Test" at a minimum.
6. The procedures required by Texas Administrative Code Fire Sprinkler Rules with regard to Yellow Tags and Red Tags or any deficiencies noted during the testing including the required notification of the local Authority Having Jurisdiction (fire code official) shall be followed.
7. Additionally, records of the testing shall be maintained by the owner and contractor, if applicable as required by the State Rules mentioned above and NFPA 25.
8. Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.
9. Contact the fire code official for requests to remove existing fire hose Class II and III standpipe systems where employees are not trained in the utilization of this firefighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the fire code official

Section 901.7 Systems out of service. the International Fire Code has been amended to read as follows:

901.7 Systems out of service. Where a fire protection system is out of service for any reason, or in the event of an excessive number of activations, the fire department shall be notified

immediately and, where required by the Fire Chief or the Fire Chief's designee, the building shall be evacuated, or an approved fire watch shall be provided until the fire protection system has been repaired and returned to service.

Section 903.1.1 Alternative protection. the International Fire code is amended to read as follows:

Section 903.1.1 Alternative protection. Alternative automatic fire-extinguishing systems complying with Section 904 may be permitted in addition to automatic sprinkler protection where recognized by the applicable standard or as approved by the fire code official.

Section 903.2 Where required. the International Building Code has been changed to read as follows:

903.2 Where required. An approved automatic fire sprinkler system shall be installed as follows:

- (1) In all buildings of any area, size or occupancy built, added to or moved into the Town of Addison after December 8, 1992. In the case of an addition to an existing structure or space, an approved automatic fire sprinkler system shall be installed in the addition and the existing structure or space.
- (2) In any existing building of any size, area or occupancy remodeled or reconstructed after the effective date of this ordinance shall provide a sprinkler system shall be installed when one of the following apply:
 - a) Where the remodel or reconstruction involves greater than 50% of the square footage of the structure,
 - b) Where residential additions exceed 1000 square feet in area, in which case an approved fire sprinkler system must be installed in the new addition space in accordance with this code, or
 - c) Where commercial additions exceed 1000 square feet in area, in which case an approved fire sprinkler system must be installed in the new addition space in accordance with this code, or
 - e) Where the costs of the residential or commercial remodel reconstruction are in excess of 50% of the dollar value of the structure as assessed by the Dallas Central Appraisal District, the most restrictive requirement shall apply.
- (3) Any change of an existing occupancy type to a more restrictive fire rated type of occupancy based on proposed use and occupant load, the more restrictive fire protection requirements of this code shall apply.
- (4) Group S-1 occupancies used aircraft hangars are subject to the provisions of NFPA 409 fire-extinguishing systems requirements.
- (5) Exceptions to the requirements in this section shall be as follow:

- (a) Exception 1: Detached Group U occupancies that do not exceed 500 square feet in area and are located six feet from any other building.
- (b) 2. Exception: Automatic Sprinklers shall not be installed in elevator machine rooms, elevator machine spaces, and elevator hoist ways, other than pits where such sprinklers would not necessitate shunt trip requirements under any circumstances. Storage shall not be allowed within the elevator machine room. Signage shall be provided at the entry doors to the elevator machine room indicating **“ELEVATOR MACHINERY – NO STORAGE ALLOWED”**

Section 903.3.1.2.3 Attics. the International Fire Code has been amended by adding a new section 903.3.1.2.4 Garages to read as follows:

Section 903.3.2.3.1 Garages. All garages provided with fire sprinkler protection under NFPA 13, 13R and 13D shall be protected throughout.

Exception:

- 1. Parking garages in Section 406 of the IBC that are not enclosed.

Section 903.3.5 Water supplies. the international Fire Code has been amended by add a second paragraph to read as follows:

Section 903.3.5 Water supplies. Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards: however, every water based-fire protection system shall be designed with a 10psi safety factor.

Section 903.3 Installation requirements. the International Fire Code has been amended by adding Section 903.9 to read as follows:

903.3.7 Freeze protection. Freeze protection systems for automatic fire sprinkler systems shall be in accordance with the requirements of the applicable referenced NFPA standard and this section.

Section 903.3.7.1. Heat trace/insulation. Heat trace/insulation shall only be allowed where approved by the fire code official for small sections of large diameter water-filled pipe.

Section 903.4 Sprinkler system supervision and alarms. the International Fire Code has been amended by adding a paragraph to read as follows:

903.4 Sprinkler system supervision and alarms. Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.

Section 903.4.2 Alarms. the International Fire Code has been amended by adding a paragraph to read as follows:

Section 903.4.2 Alarms. The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating installed as close as practicable to the fire department connection.

Section 905.2 Installation standard. the International Fire Code has been amended to read as follows:

Section 905.2 Installation Standard. Standpipe systems shall be in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of 10 psig and a maximum of 40 psig air pressure with high/low alarm.

Section 907.1 General. the International Fire Code has been amended by adding a new subsection 907.1.4 to read as follows:

907.1.4 Design Standards. Where a new fire alarm system is installed, the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke detectors shall have analog initiating devices.

Section 907.2 Where required-new buildings and structures. the International Fire Code has been amended by adding a third paragraph to read as follows:

Section 907.2 Where required-new buildings and structures; Fire alarm shall be audible throughout with visual notification provided in public and common areas when a fire alarm is not required by other sections of the code but shall apply to Section 903.4 when supervising and monitoring a fire sprinkler system.

Section 907.2.12 High-rise buildings. the International Fire Code has been amending Exception 3 to read as follows:

907.2.12 High-rise buildings. High-rise buildings shall be provided with an automatic smoke detection system in accordance with Section 907.2.12.1, a fire department communication system in accordance with Section 907.2.12.2 and an emergency voice/alarm communication system in accordance with Section 907.5.2.2.

Exceptions:

1. Airport traffic control towers in accordance with Sections 412 and 907.2.21 of the International Building Code.
2. Open parking garages in accordance with Section 406.5 of the International Building Code.
3. Open air portions of buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the International Building Code; however, this exception does not apply

to accessory uses including but not limited to sky boxes, restaurants, and similarly enclosed areas of the International Building Code.

4. Low-hazard special occupancies in accordance with Section 503.1.1 of the International Building Code.

5. Buildings with an occupancy in Group H-1, H-2 or H-3 in accordance with Section 415 of the International Building Code.

6. In Group I-1 and I-2 occupancies, the alarm shall sound at a constantly attended location and occupant notification shall be broadcast by the emergency voice/alarm communication system.

Section 907.4.2 Manual fire alarm boxes. the International Fire Code has been amended by adding 907.4.2.7 to read as follows:

Section 907.4.2.7 Type. Manual alarm initiating devices shall be an approved double action type.

Section 907.6.1 Wiring. the International Fire Code has been amended by adding a new section to read as follows:

907.6.1.1 Wiring Installation. All fire alarm systems shall be installed in such a manner that a failure of any single initiating device or single open in an initiating circuit conductor will not interfere with the normal operation of other such devices. All signaling line circuits (SLC) shall be installed in such a way that a single open will not interfere with the operation of any addressable devices (Class A). Outgoing and return SLC conductors shall be installed in accordance with NFPA 72 requirements for Class A circuits and shall have a minimum of four feet separation horizontal and one foot vertical between supply and return circuit conductors. The initiating device circuit (IDC) from a signaling line circuit interface device may be wired Class B, provided the distance from the interface device to the initiating device is ten feet or less.

Section 907.6.3 Initiating device identification. the International Fire Code has been amended by deletion all four (4) Exceptions.

Section 907.6.3 Initiating device identification. No Exceptions

Section 910. Where required. the International Building Code has been amended by amending exceptions 2 and 3 to read as follows:

910.2 Where required. Smoke and heat vents or a mechanical smoke removal system shall be installed as required by Sections 910.2.1 and 910.2.2.

Exceptions:

1. Frozen food warehouses used solely for storage of Class I and II commodities where protected by an approved automatic sprinkler system.

2. Only manual smoke and heat removal shall be required in areas of buildings equipped with early suppression fast-response (ESFR) sprinklers. Automatic smoke and heat removal are prohibited.
3. Only manual smoke and heat removal shall be required in areas of buildings equipped with control mode special application sprinklers with a response time index of $50(m \cdot S)^{1/2}$ or less that are listed to control a fire in stored commodities with 12 or fewer sprinklers. Automatic smoke and heat removal are prohibited.

Section 910.2 Where required. the International Building Code has been amended by adding a new subsection [F] 910.2.3 Group H to read as follows:

910.2.3 Group H. Buildings and portions thereof used as a Group H occupancy as follows:

1. In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1394 m²) in single floor area.
2. In areas of buildings in Group H used for storing Class 2, 3, and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.

Section 910.3 Smoke and heat vents. the International Fire Code has been amended by adding Section 910.3.4 to read as follows:

Section 910.3.4 Vent operation. Smoke and heat vents shall be capable of being operated by approved automatic and manual means. Automatic operation of smoke and heat vents shall conform to the provisions of Sections 910.3.2.1 through 910.3.2.3.

Section 910.3.4.1 Sprinklered buildings. Where installed in buildings equipped with an approved automatic sprinkler system, smoke and heat vents shall be designed to operate automatically. The automatic operating mechanism of the smoke and heat vents shall operate at a temperature rating at least 100 degrees F (approximately 38 degrees Celsius) greater than the temperature rating of the sprinklers installed.

Exception: Manual only systems per Section 910.2

Section 910.3.4.2 Non-sprinklered buildings. Where installed in buildings not equipped with an approved automatic sprinkler system, smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated at between 100 degrees F (56 degrees C) and 220 degrees F (122 degrees C) above ambient.

Exception: Listed gravity-operated drop out vents

Section 912.2. Location. the International Fire Code has been amended by adding a new subsection section 912.2.3 to read as follows:

Section 912.2.3 Hydrant distance. An approved fire hydrant shall be located within 100 feet of the fire department connection as the fire hose lays along an unobstructed path.

Section 913.2.1 Protection of fire pump room. the International Fire Code has been amended by adding a new subsection [F] 913.2.1.1 to read as follows:

913.2.1. Fire Pump Room Access. When located on the ground level at an exterior wall, the fire pump room shall be provided with an exterior fire department access door that is not less than 3 ft. in width and 6 ft. – 8 in. in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by IFC Section 506.1.

Exception: When it is necessary to locate the fire pump room on other levels or not at an exterior wall, the corridor leading to the fire pump room access from the exterior of the building shall be provided with equivalent fire resistance as that required for the pump room, or as approved by the fire code official. Access keys shall be provided in the key box as required by IFC Section 506.1.

Section 1103.5 Sprinkler systems. the International Fire Code has been amended by adding Section 1103.5.1 to read as follows:

Section 1103.5.1 Installation. Fire sprinkler installation shall be completed within 24 months from date of notification by the fire code official.

Section 1103.7 Fire alarm systems. the International Fire Code is amended by adding a new section to read as follows:

Section 1103.7.7 Fire Alarm System Design Standards. Where an existing fire alarm system is upgraded or replaced the devices shall be addressable. Fire alarm systems utilizing more than 20 smoke and/or heat detectors shall have analog initiating devices.

Section 2304.1 Supervision of dispensing. the International Fire Code has been amended to read as follows:

Section 2304.1 Supervision of dispensing. The dispensing of fuel at motor fuel-dispensing facilities shall be in accordance with the following:

1. Conducted by a qualified attendant, and/or
2. Shall be under the supervision of a qualified attendant; and/or
3. Shall be an unattended self-service facility in accordance with Section 2304.3.

At any time, the qualified attendant of item number 1 or 2 above is not present, such operations shall be considered as an unattended self-service facility and shall comply with Section 2304.3

Section 3310.1 Required access. the International Fire Code is amended by adding new paragraph to read as follows:

Section 3310.1. When fire apparatus access roads are required to be installed for any structure or development, they shall be approved prior to the time at which construction has progressed beyond completion of the foundation of any structure.

Section 5601.1.3 Fireworks. the International Fire Code is amended to delete current exceptions 2, and 4 of the IFC and read as follows:

5601.1.3 Fireworks. The possession, manufacture, storage, transportation, sale, handling, use, and/or presence of fireworks or pyrotechnical material of any type are prohibited by the Town of Addison.

Exceptions:

1. Only when approved for fireworks displays, storage and handling as allowed in Section 5604 and 5608.
2. The use of fireworks for approved fireworks displays as allowed in Section 5608.

Section 5703.6 Piping systems. the International Fire Code is amended by adding a sentence to read as follows:

Section 5703.6 Piping Systems. Piping systems and their component parts for flammable and combustible liquids shall be in accordance with Sections 5703.6.1 through 5703.6.11. An approved method of secondary containment shall be provided for underground tank and piping systems.

Section 5704.1 General. the International Fire Code is amended to read as follows:

Section 5704.1 General Facilities storing or handling hazardous, flammable or combustible liquids or materials in excess of the quantities listed in Table 5003.1.1, may only be located as approved by the Fire Chief or the Fire Chief's designee. The storage of flammable or combustible liquids or hazardous materials in underground tanks is prohibited in residential occupancies.

Section 5704.2.11.4 Leak prevention. the International Fire Code has been amended by adding a sentence to read as follows:

Section 5704.2.11.4.1 Leak Prevention. Leak prevention for underground tanks shall comply with Sections 5704.2.11.1 through 5704.2.11.3 An approved method of secondary containment shall be provided for underground tank and piping systems.

Section 5704.2.11.4.2 Leak detection. the International Fire Code has been amended to read as follows:

Section 5704.2.11.4.2 Leak detection. Underground storage tank systems shall be provided with an approved method of leak detection from any component of the system that is designed and installed in accordance with NFPA 30 and as specified in Section 5704.2.11.4.3.

Section 5704.2.11 Underground tanks. the International Fire Code has been amended by adding Section 5704.2.11.4.3 to read as follows:

Section 5704.2.11.4.3 Observation wells. Approved sampling tubes of a minimum 4 inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank shall provide a sampling tube at the corners of the excavation with a minimum of 4 tubes. Sampling tubes shall be placed in the product line excavation within 10 feet of the tank excavation and one every 50 feet routed along product lines towards the dispensers, a minimum of two are required.

Section 5707.4 Mobile fueling areas. the International Fire Code has been amended by adding the following paragraph to read as follows:

Section 5707.4 Mobile fueling areas. Mobile fueling sites shall be restricted to commercial, industrial, governmental or manufacturing where the parking area having such operations is primarily intended for employee vehicles. Mobile fueling shall be conducted for fleet fueling or employee vehicles only, not for general public. Commercial sites shall be restricted to office-type or similar occupancies that are not primarily intended for use by the public.

Section 6104.2 Maximum capacity within established limits. the International Fire Code has been amended by adding an additional exception to read as follows:

Section 6104.2 Maximum capacity within established limits.

Exception: 2.

Except as permitted in Sections 308 and 6104.3.2. LP-gas containers are not permitted in residential areas.

Section 6104.3 Container location. the International Fire Code is amended by adding Section 6104.3.2 to read as follows:

Section 6104.3.2 Spas, pool heaters and other listed devices. Where natural gas service is not available, an LP-gas container can be used to supply spa and pool heaters or other listed devices. Such containers shall not exceed 250-gallon above ground or 1,000 gallon underground approved containers.

Section 6107.4 Protecting containers from vehicles. the International Fire Code is amended to read as follows

Section 6107.4 Protecting containers from vehicles. Where exposed to vehicular damage due to proximity to alleys, driveways, or parking areas, LP-gas containers, regulators and piping shall be protected in accordance with Section 312.

Section 6109.13 Protection of containers. the International Fire Code has been amended by deleting the exception to read as follows:

Section 6109.13 Protection of containers; LP-gas containers shall be stored within a suitable enclosure approved by the fire official and protected against tampering. Vehicle impact protection shall be provided as required by Section 6107.4

ARTICLE III. - FIRE DEPARTMENT GENERALLY

Sec. 38-54. - Emergency ambulance service.

- (a) **Scope:** Emergency ambulance service within the corporate limits of the Town of Addison shall be provided by, supervised by and under the control and authority of the Fire Department.
- (b) **False statements of emergency:** It shall be unlawful for any person to willfully request emergency ambulance service when such person knows that the need for emergency ambulance service does not exist at the reported place and time.

(c) **Fees for service:**

Service	Resident Fee (see (d) below)	Non-Resident Fee
ALS (advanced life support)	\$850.00	\$950.00
ALS-2 (advanced life support level 2)	950.00	1,050.00
BLS (basic life support)	750.00	850.00
ALS disp (disposable supplies)	400.00	400.00
BLS disp (disposable supplies)	200.00	200.00
O ₂ (use of oxygen)	150.00	150.00
Mileage (per mile)	15.00	15.00

Such fees shall be paid by the person(s) receiving or contracting for the emergency ambulance service. In the case of service received by a minor, the parent or guardian shall be responsible for payment of the fee(s).

- (d) **Addison resident zero billing:** Addison residents will be charged for ambulance services through their insurance company or through Medicare or Medicaid. No deductible, out-of-

pocket charge or cash fee will be charged to Addison residents. It is the City's intent that all fees for ambulance services will be paid by third parties. Residency shall be determined by current driver's license or state-issued identification card.

- (e) **Right to refuse service:** The Fire Chief or his designated representative retains the right to refuse emergency ambulance transportation to non-emergency medical facilities.

Sec. 38-55. - Fire department; fire chief; personnel; functions.

- (a) The fire department of the town, heretofore provided for and existing, is affirmed.
- (b) The fire chief is and shall be the administrative and operational head of the fire department. The fire chief is and shall be appointed by the city manager and serves at the will and pleasure of the city manager. The fire chief is shall be responsible for the proper administration and operation of the fire department, subject to the approval of the city manager or the city manager's designee.
- (c) The fire department is and shall be composed of the fire chief, qualified fire and emergency medical personnel approved by the fire chief who have complied with all the rules, regulations and orders for the conduct and control of the members thereof, and such other personnel as may be deemed necessary by the fire chief.
- (d) The functions and duties of the fire department are and shall include, but not be limited to, the fighting of fires, the providing of emergency rescue and emergency medical services; the providing of general, prevention arson investigation, and specific fire prevention services and enforcement; and all related activities that may be prescribed from time to time by the city manager or the city manager's designee.

SECTION 3. Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum not to exceed two thousand dollars (\$2000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4. Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 5. Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent

jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 6. Effective Date. This Ordinance shall become effective June 1, 2020.

DULY PASSED AND ADOPTED by the City Council of the Town of Addison, Texas, on this **28th** day of **APRIL 2020**.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma Parker, City Secretary

Brenda N. McDonald, City Attorney

Work Session and Regular Meeting

25.

Meeting Date: 04/28/2020

Department: Parks & Recreation

Pillars: Excellence in Asset Management

Milestones: Implement the Asset Management Plan

AGENDA CAPTION:

Present, Discuss and Consider Action on a **Resolution Updating the Adopted Addison Athletic Club Master Plan to Include Changing Suites.**

BACKGROUND:

On October 11, 2016 Council was presented an overview of the Addison Athletic Club Master Plan and Council adopted the plan at the following meeting October 20, 2016. The plan identified the following four priority areas for future improvements:

- 1. HVAC (Heating, Ventilation & Air Conditioning) Replacement and Upgrades** - Includes new equipment and ductwork as needed.
- 2. Lobby / Core Building Improvements** - Includes new welcome desk, permanent transition of two racquetball courts to exercise space.
- 3. Gymnasium and Track Improvements** - Includes new lighting, wall finishes, new track surface and new guard rail to meet current codes.
- 4. Lock Room Renovations** - Includes updating and bringing the locker rooms into compliance with Texas Accessibility Standards. Improvements will include new floor and wall finishes, updated lighting, new lockers and fixtures.

During the master plan presentation on October 11, Council asked if family changing suites was included in the master plan. The consultant confirmed that changing suites were included and indicated they were accounted for in the locker room floor plan on page 10 of the report. The floor plan does not include labels for the locker room elements. Page 17 of the reports includes a description of the proposed locker room upgrades which does not include changing suites.

Staff is requesting Council to consider updates to the Addison Athletic Club Master plan to clarify that changing suites are included in the locker room renovations. Attached to this document is a copy of the adopted master plan for the athletic club with proposed revisions in red to reflect the inclusion of changing suites. Locker room renovations, including changing suites, was included in the 2019 bond election that was approved by voters.

RECOMMENDATION:

Administration recommends approval.

Attachments

Resolution - Addison Athletic Club Master Plan Update

Addison Athletic Club Master Plan with Updates

RESOLUTION NO. R20-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS
UPDATING THE ADOPTED ATHLETIC CLUB MASTER PLAN TO INCLUDE
CHANGING SUITES AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, in December of 2014, Addison residents were engaged through surveys and focus groups to provide input regarding desired upgrades and improvements to the Addison Athletic Club; and

WHEREAS, in January of 2015, an 11 member Athletic Club Master Plan Committee was created that included two City Council members, seven club members, a club instructor and a club employee (the “Committee”); and

WHEREAS, City staff, the Committee and the City’s consultant, Barker Rinker Seacat Architecture, conducted four charrette workshops to develop recommended elements of the Master Plan; and

WHEREAS, in July 2016, the staff gathered 399 responses to a survey to gather additional public input regarding improvements needed for the Addison Athletic Center; and

WHEREAS, an updated Athletic Club Master Plan has been developed based on input from the City Council and all of the public input; and

WHEREAS, staff provided a preferred Addison Athletic Club renovation listing identifying the minimum renovation elements necessary at this time; and

WHEREAS, in April 2020, Council updated the Athletic Club Master Plan by including changing suites in the locker room preferred-renovations list;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. The above and foregoing recitals are true and correct and are incorporated herein.

SECTION 2. The City Council does hereby adopt and approve the April 2020 update to the Addison Athletic Club Master Plan (the “Master Plan”), a copy of which shall be maintained in the City Secretary’s office and at the Addison Athletic Club.

SECTION 3. This Resolution shall take effect from and after its date of adoption.

DULY RESOLVED AND ADOPTED by the City Council of the Town of Addison, Texas,
on this the 28th day of APRIL 2019.

TOWN OF ADDISON, TEXAS

Joe Chow, Mayor

ATTEST:

APPROVED AS TO FORM:

Irma G. Parker, City Secretary

Brenda N. McDonald, City Attorney

ADDISON ATHLETIC CLUB

Master Plan Update

October, 2016



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CHAPTER ONE - EXECUTIVE SUMMARY

1.1 INTRODUCTION

The Town of Addison's Athletic Club (AAC), located at 3900 Beltway Drive, offers a variety of opportunities for its 3,500 members. The AAC is a 55,000 square foot facility that opened in March of 1987. The Town of Addison desired a feasibility study for the expansion/renovation of the AAC that would include additional programming space, an increase in the square footage of the weight/fitness area, more exercise rooms, new welcome desk/lounge space, and updated locker room facilities. Currently, the Athletic Club offers the following components:



- Fitness room includes weight machines, treadmills, stair climbers, bikes, elliptical machines and free weights
- Classes for adults including fitness, dance, specialty camps, yoga, racquetball, and crafts
- One full-size gym
- Four racquetball courts
- Personal Trainers
- 1/17 mile indoor running/walking track
- Multi-purpose classroom
- Lounge /coffee bar
- Child watch
- Indoor and outdoor aquatics

1.2 PROJECT HISTORY

Over the past year, a committee of Council Liaisons, residents and club instructors have worked with a local architecture firm to develop a new master plan for the Addison Athletic Club.

In December 2014 Addison residents were engaged through surveys and focus group to gain as much feedback as possible for the start of a Master Plan for the 29 year old Addison Athletic Club. In January 2015 an 11-member Master Plan Committee made up of two Council liaisons, seven club members, one club instructor, and one club member/Addison employee were selected. Together with BRS Architecture representatives, the committee held a series of four charrette workshops to develop the recommended elements of the master plan including:

- 5,400 square feet of new programming space
- Updated HVAC system to reduce maintenance costs
- Welcoming lobby and upgraded interior appearance
- Large flexible spaces to adapt to fitness trends
- Flexible locker rooms that support families, seniors and special needs

1.3 PROJECT PROCESS

The diagram below illustrates how this planning process progressed to determine the recommendations included in this report for the Addison Athletic Club Master Plan:



In July 2016 The Town of Addison initiated an on-line survey as well as three community meetings held at the Athletic Club to determine which elements of the committee's findings were the most desired and gauge the community's interest in funding the recommended improvements identified by the previous committee. The top four priorities identified in the community responses are:

1. **HVAC (Heating, Ventilation & Air Conditioning) replacement and upgrades**
Includes new equipment and ductwork as needed
2. **Lobby/Core Building improvements** - New welcome desk, permanent transition of two racquetball courts to exercise space
3. **Gymnasium and Track improvements** - new lighting, wall finishes, new track surface and new guard rail to meet the current codes
4. **Locker Room renovations** - updating and bringing the locker rooms into accessibility compliance with the Texas Accessibility Standards. Improvement will include new floor and wall finishes, updated lighting, new lockers and fixtures

The complete results of the survey and community findings are detailed in Section 2.3.



CHAPTER TWO - COMMUNITY INPUT SUMMARY

2.1 PUBLIC PARTICIPATION PROCESS

As part of the Master Plan Update, there was extensive public input and participation in July 2016. The on-line survey was launched beginning July 13 through July 25, 2016. In addition to the on-line survey, three community meetings were held at the Athletic Club on July 13, July 16 and July 20, 2016.

A brief presentation outlining the results of the Phase 1 study and a review of the recommendations of the committee were presented. Attendees could ask questions or make comments on the presentation and express their interest in the proposed improvements.

Display boards were set up to help indicate the level of improvements proposed along with images of similar types of facilities displayed to help members identify the concept of the proposed changes. At each meeting, the members were also given the opportunity to fill out the survey form on-line or by paper copy. The results of the survey are in Appendix 1.

2.2 CURRENT RECREATION TRENDS

The current facility offers a variety of activities to address the needs of the community. Currently the biggest trends in recreation facilities are:

- **Adult fitness programming**
- **Indoor walking tracks**
- **Leisure water**
- **Therapeutic water**
- **Gymnasiums**

The current AAC provides space for the most of the popular activities trends. The one exception is adequate adult exercise space. During the phase one study several areas were identified as possible areas to expand current programming options with more flexibility. One of these changes has taken place through the re-use of existing racquetball courts to provide more exercise space. A recommendation of this study is to make this change in a permanent way.

2.3 SURVEY RESULTS

A total of 399 responses were submitted and analyzed.

- Almost 99% of the respondents are current members of the Athletic Club.
- 55% of all survey respondents regularly visited the facility at least 12 times per month.
- Almost 2/3 of the respondents are age 50 or older.
- 54% of the respondents are female and 46% are male.
- **94%** of the respondents ranked the proposed improvements with the top four in following priority:
 - 1. Replace the Heating and Air Conditioning system**
 - 2. Lobby / Core Building Improvements**
 - 3. Gymnasium & Track Upgrades**
 - 4. Locker Room Upgrades**

2016 Athletic Club Master Plan

Please rank the Master Plan components. (Refer to slides 7-16) Dollar figures are estimates only. 1=Highest Priority

Answer Options	1	2	3
HVAC (Heating Ventilating, Air Conditioning) (\$616,000)	214	34	19
Lobby/Core Building (\$2,734,600)	23	66	30
Gymnasium & Track (\$588,000)	25	49	49
Locker Rooms/Changing Suites (\$1,028,500)	36	36	43
Multi-Use Room (\$51,000)	11	34	44
Indoor Pool Upgrades (\$230,500)	17	33	41
New Indoor Spa (\$181,000)	13	29	37
Outdoor Pool Shade Structure & Patio (\$226,000)	19	28	43

In addition to the priorities for proposed improvements, the survey responses also indicated the following:

- **51%** of the respondents indicated they would be willing to consider an increase in membership fees to support the improvements.
- Almost **80%** of the respondents indicated they would NOT support a tax increase to fund the improvements.

Based on the community meetings input, the following items were noted:

- There is a demand for keeping some racquetball courts.
- A vocal desire to keep the steam/sauna facilities although the maintenance upkeep is high averaging \$2,500/year for repairs.
- More exercise room space is needed to offer varied programming.

The complete survey results are located in the Appendix 1 this report.

24 CURRENT ATHLETIC CLUB FEE STRUCTURE

As a part of the study process, membership fee structures of similar facilities across the metroplex were studied to compare with the current AAC fee structure. Currently members of the Addison Athletic Club are required to register and pay a one-time fee of \$10.00. There is no fee for renewal of the yearly membership. This fee arrangement is unique to the Town of Addison as other surrounding communities charge a monthly or yearly fee based on the type of membership offered.

Examples of surrounding community annual fee structure:

Coppell	Family - \$500; Individual - \$250
Plano	Family - \$700; Individual - \$228
Grapevine	Family - \$300; Individual - \$120
Frisco	Family - \$900; Individual - \$530
Flower Mound	Family - \$500; Individual - \$250
Lewisville	Family - \$ 45; Individual - \$ 15
Farmers Branch	Family - \$360; Individual - \$180
Carrollton	Family - \$163; Individual - \$ 95
Richardson	Family - \$135; Individual - \$ 60
Addison (\$10.00 one-time fee)	Family - \$ 0; Individual - \$ 0



CHAPTER THREE – CORE PROGRAMS

3.1 EXISTING PROGRAMS - AMENITIES

Core programs include the essential program areas that the Athletic Club currently offers. These programs fulfill a large number community needs, and have proven popular over the years.

- Limited group exercise space
- Basketball
- Racquetball
- Cardio/weight room/Circuit training
- Spin bikes
- Personal training
- Senior programming
- Yoga
- Indoor and outdoor aquatics
- Walking / Jogging track
- Meeting rooms
- Locker rooms
- Sauna and steam rooms

3.2 FUTURE PROGRAM OPPORTUNITIES - AMENITIES

Based on comments heard at the community meetings and in addition to the program options above, the proposed improvements will allow for the following:

- Additional group aerobic exercise space
- Small group exercise space
- Enhanced meeting room and social space
- Improved accessible locker room/family change room
- New welcome desk and visibility

CHAPTER FOUR – CONCEPT DESIGN AND DEVELOPMENT

4.1 PROJECT DESCRIPTION

Based on the top priorities from the community input sessions, the conceptual design of the Addison Athletic Center Renovation centers around the top four elements identified by the survey results. The design envisions the renovation to be limited to the spaces most important to the members of the club.

- First on the list of priorities is replacement of the existing HVAC system in the original building and the addition. This item was identified by 62% of the respondents as being either the 1st or 2nd highest priority.
- The second most identified element was the updating of the lobby and core of the building. This will include not only new finishes on the walls and floors, but updated welcome desk and lighting.
- Third on the list was updating the gymnasium and track, to include new lighting, wall finishes, new track surface and new guard rail to meet the current codes.
- Also in the top four is updating and bringing the locker rooms into accessibility compliance with the Texas Accessibility Standards. Improvement will include new floor and wall finishes, updated lighting, new lockers and fixtures. **Proposed locker room renovations also include the addition of changing suites.**

In addition to the priorities listed above, this report also includes changes to the facility required to make necessary accessibility modifications to comply with current codes. The phase one study identified several areas within the AAC that do not meet current accessible requirements. Most of these deficiencies will be addressed as modifications to different areas of the facility are completed. At the completion of all future work, a review by an outside agency will be required to assure compliance.



An Engineering Assessment and Master Plan conducted during the phase 1 study recommends replacement of the existing mechanical system due to the age of the current equipment. Also recommended is the proper sizing of equipment to help insure member comfort while using the facility. Currently several of the air conditioning components are undersized for the use of the space.



42 BUILDING FLOOR PLANS

The existing and proposed floor plan views are below. The proposed plans are conceptual and were used to help develop project costs for the proposed improvements. Further refinement and detail will be developed once the project moves forward.



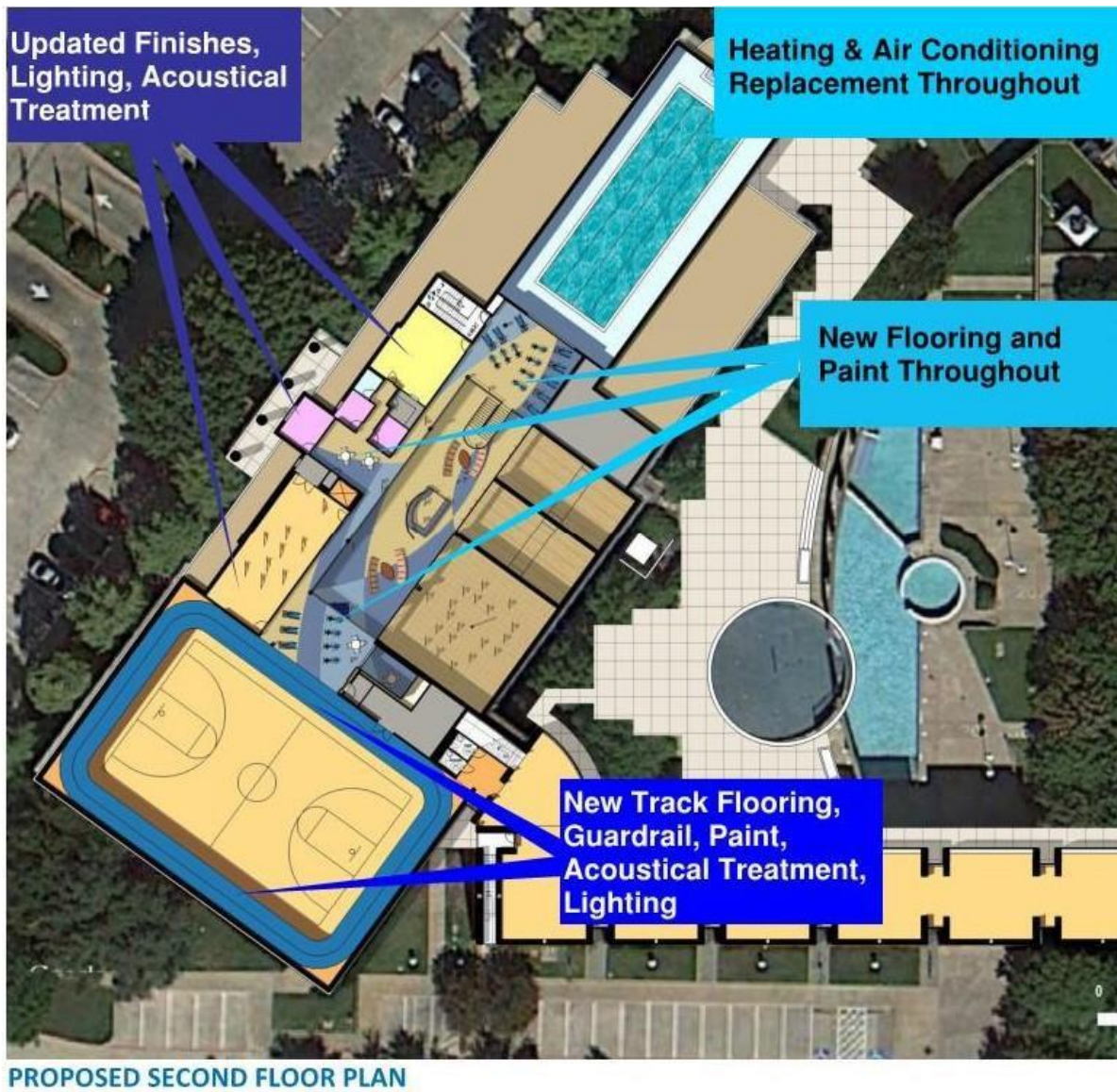
EXISTING FIRST FLOOR PLAN

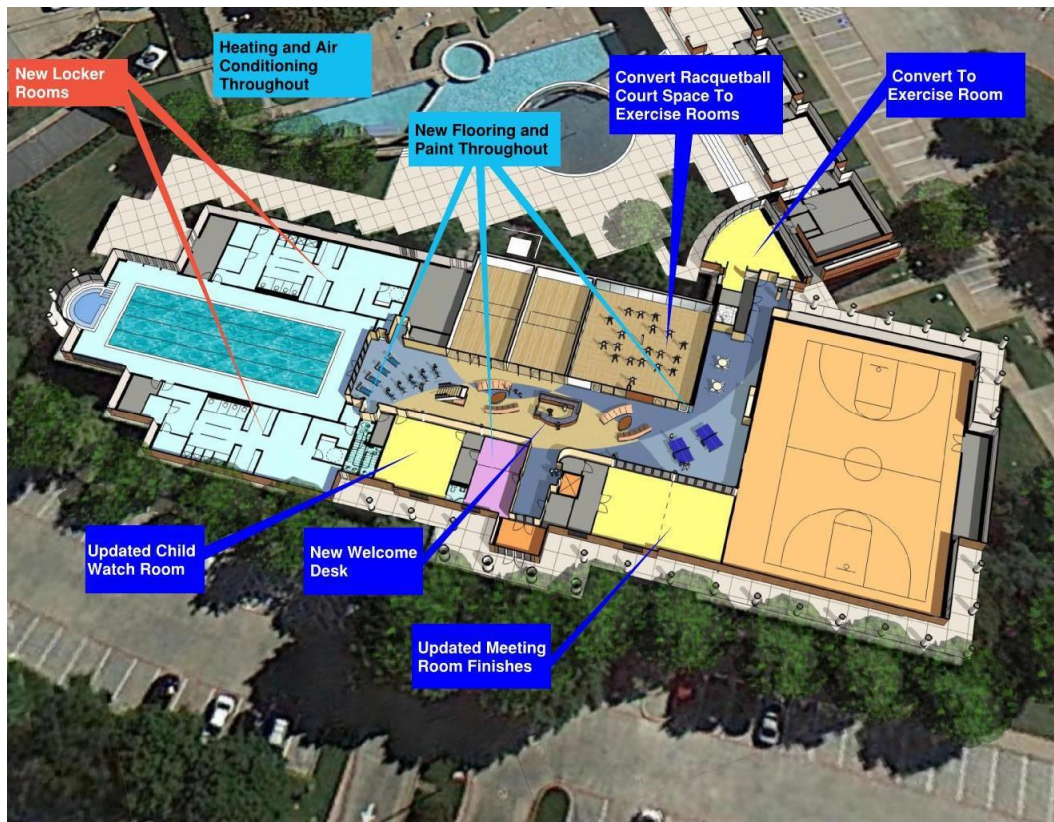


EXISTING SECOND FLOOR PLAN

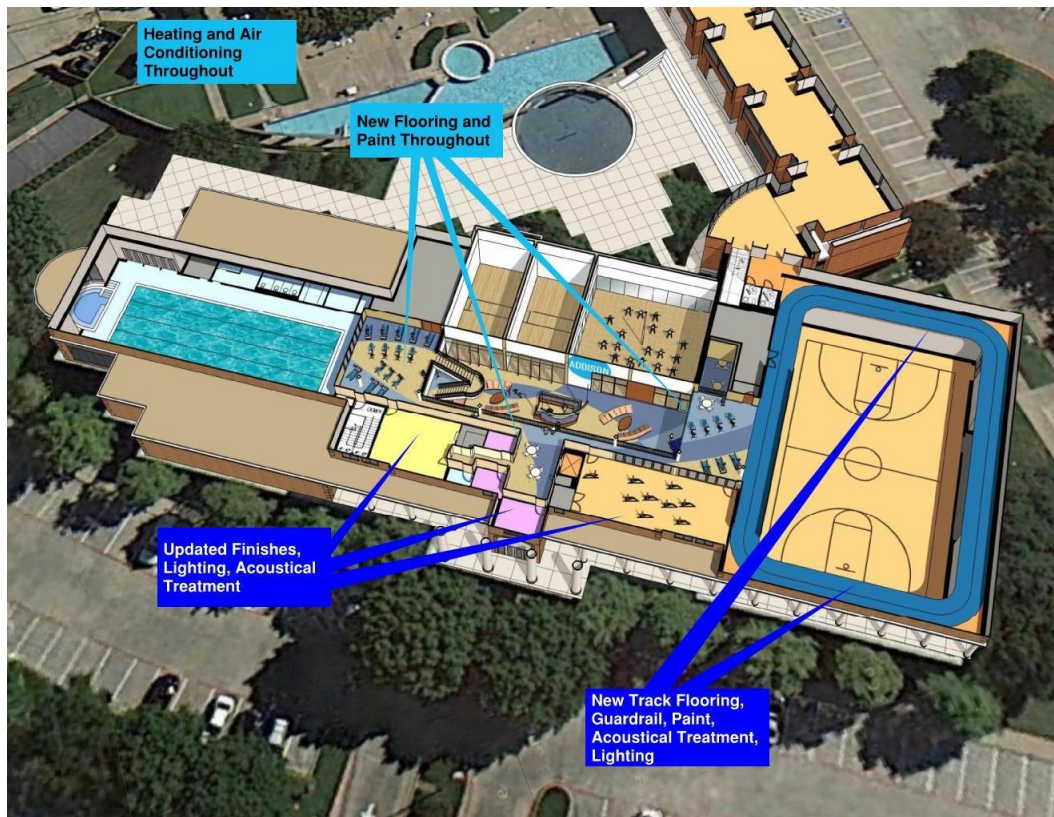


PROPOSED FIRST FLOOR PLAN





PROPOSED FIRST FLOOR PLAN



PROPOSED SECOND FLOOR PLAN

PROPOSED INTERIOR LOBBY SKETCHES



VIEW OF LOBBY



NEW ENTRY DESK



VIEW FROM TOP OF STAIR

4.3 SITE IMPROVEMENTS

Based on the site and building accessibility review report authorized during the Phase 1 master plan study, much of the needed site accessibility improvements have been completed prior to this master plan update.

The accessible route from the street to the building has been completed, as well as improvements to the accessible parking space route and access to the adjacent fire station cited in the report.





CHAPTER FIVE - BUDGET

5.1 ESTIMATED COST OF IMPROVEMENTS

The cost estimates listed below are provided using 2016 construction dollars. The estimates shown identify the top four priorities from the survey and community meetings. Annual inflation rates should be considered when the work is performed in the future. Since the first estimates were completed in 2015, the cost have escalated as shown below:

	<u>March 2015</u>	<u>Sept. 2016</u>
Mechanical Systems Upgrades	\$ 600,000	\$ 616,000
Lobby/Core Building	\$ 2,420,000	\$ 1,997,500
Gymnasium and Track improvements	\$ 520,000	\$ 385,120
Locker Room Upgrades	\$ 910,000	\$ 1,028,500

Construction costs have been consistently increasing for the last several years. This escalation was approximately 13% for the past year. These estimated costs should be updated to account for future escalation at a rate of 10% - 12% every year.

The current budget request is for a total of \$ 841,000. This number includes the following costs:

Mechanical Systems: \$616,000 – HVAC only - Includes new equipment and ductwork throughout the existing facility. Upgrading of the equipment for better efficiency and comfort throughout the facility. The replacement equipment will be designed to handle the proposed changes to the existing plans. The estimated time to complete entire system replacement is five months.

Elevator: \$80,000 - Replacement of the existing almost 30 year old elevator. The estimated time to replace the existing elevator once new equipment is on site is 45 days once equipment is on site.

Painting: \$75,000 - Selective interior painting of the existing facility. This amount is budgeted for the coming fiscal year and the location of the areas to be painted will be determined based on need. The estimated time to phase the painting in selected areas of the facility is two months.

Flooring: \$70,000 - Replacement of the existing flooring in selected areas. This amount is budgeted for the coming fiscal year and the location of the areas to receive new flooring will be determined based on need. Coordination will be addressed based on future use of the spaces as well. The estimated time to phase the painting in selected areas of the facility is two months.

Future considerations not addressed in the budgets listed above but recommended for interior improvements to the facility and their associated costs:

Lobby/Core Building improvements - \$1,997,500 - New welcome desk; transition of two racquetball courts into permanent exercise space; new flooring; updated paint palette; improved coffee bar area; improved acoustics; additional 2nd floor exercise space. A breakdown for each item is identified in Appendix 2.

• Selective Demolition	\$150,430
• New Welcome Desk	\$ 75,000
• Improved Acoustics	\$ 58,360
• New Flooring	\$114,740
• New Interior Walls	\$185,650
• Interior Painting	\$151,310
• Floor Finishes	\$112,470
• New Cabinets	\$125,800
• New Interior Glass, Mirrors and Frames	\$ 95,545
• New Doors and Hardware	\$105,525
• New Fire Protection	\$ 91,700
• Toilet Accessories	\$ 7,465
• Operable Walls	\$ 32,270
• Signage and Graphics	\$ 25,800
• Sound System	\$ 95,040
• Access Control/Security	\$ 132,100
• New Lighting and Electrical	\$ 438,295

Gymnasium and Track improvements - \$385,120 Includes new track surface, new guardrail around the track, new lighting and sound system, new paint on walls and ceilings. A breakdown for each item is identified in Appendix 2.

• New Track Surface	\$ 59,840
• New Guardrail	\$ 69,350
• New Lighting	\$ 74,500
• New Basketball Goals/Operators	\$ 45,960
• New Wall Pads	\$ 40,635
• New Sound System	\$ 25,330
• Painting	\$ 41,155
• Misc. Improvements	\$ 28,350

Locker Room Upgrades - \$1,028,500 - new men's and women's showers to meet current accessibility requirements, new toilet fixtures, new wall finishes and tile, new lockers **and changing suites**. A breakdown for each item is identified in Appendix 2.

• Demolition	\$ 46,850
• New Interior Partitions	\$149,345
• New Showers/Toilets/Sinks	\$510,625
• Locker Room Tile/Carpet/Waterproofing	\$252,600
• Toilet Partitions/Accessories	\$ 25,700
• Painting	\$ 15,000
• New Lockers	\$ 28,380

52 PHASING OF THE WORK

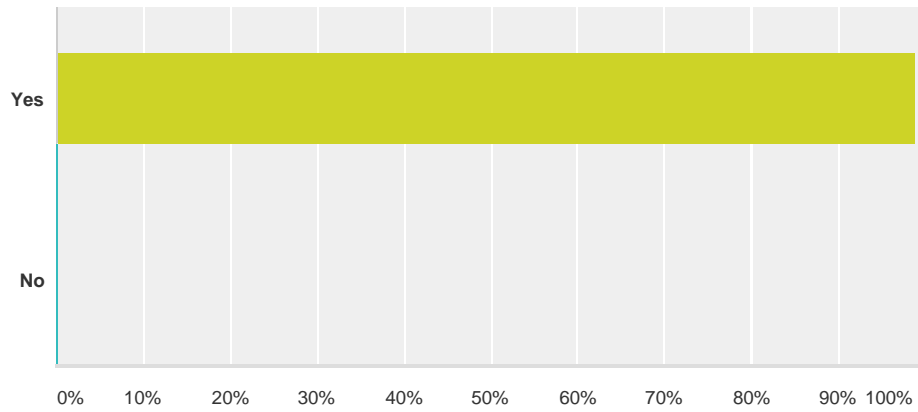
During the discussions at the community meetings, concerns were raised about closing the Athletic Club during the periods when construction activities are taking place. Phasing of the work has been discussed where only portions of the facility would have to close to perform the work, while keeping the majority of the facility open and operational. Safety of club members will be the primary determining factor when choosing to close some of the facility for the improvements.

If the work is phased, the overall time to complete the work will take longer, which also may result in higher construction costs. When a decision is made to move forward with any construction activity, careful consideration will be given to the feasibility to phase the work so members can continue to utilize the facility.

APPENDIX 1 – STATISTICALLY VALID SUREVY RESULTS

Q1 Are you a member of the Addison Athletic Club?

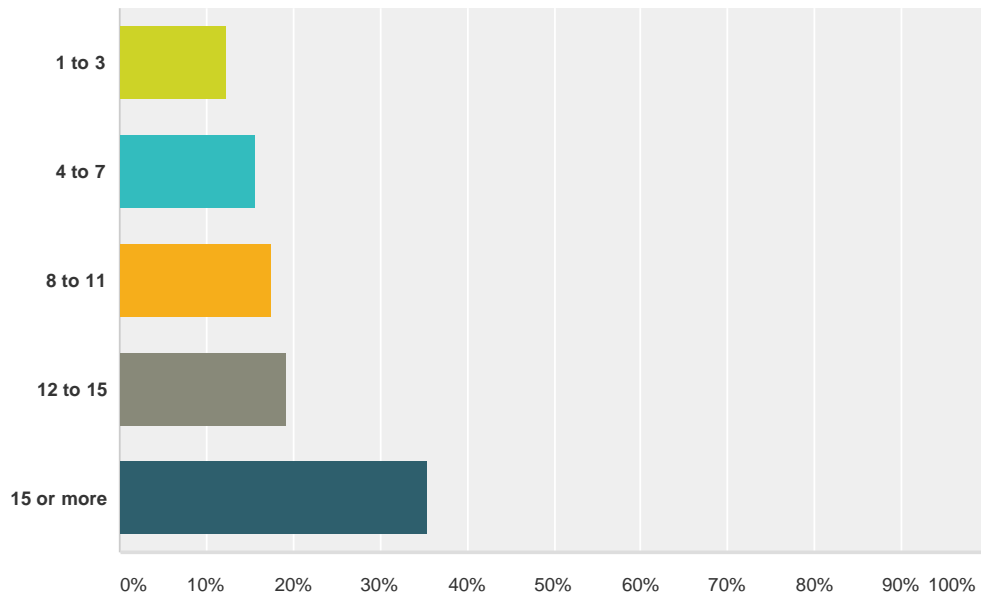
Answered: 398 Skipped: 1



Answer Choices	Responses	
Yes	98.74%	393
No	1.26%	5
Total		398

Q2 If you are a member, how often do you visit the Athletic Club each month?

Answered: 392 Skipped: 7



Answer Choices	Responses	
1 to 3	12.24%	48
4 to 7	15.56%	61
8 to 11	17.60%	69
12 to 15	19.13%	75
15 or more	35.46%	139
Total		392

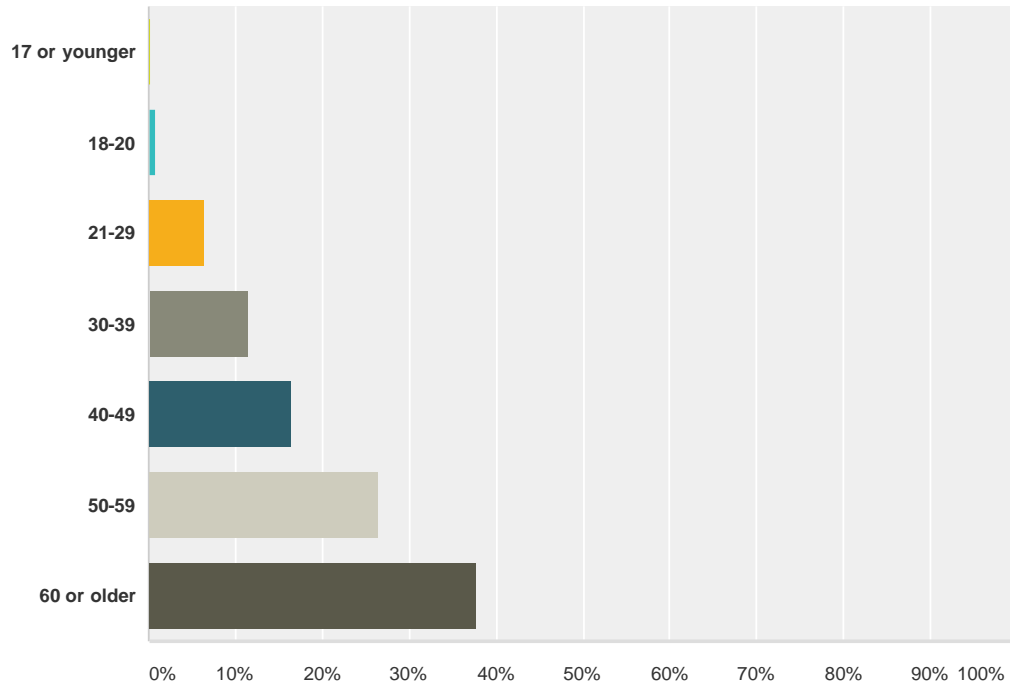
Q3 If you are not a member, please tell us why?

Answered: 14 Skipped: 385

#	Responses	Date
1	Recently moved to Addison	7/24/2016 8:20 PM
2	n/a	7/23/2016 10:27 AM
3	I'm not able to join because I do not live in the Addison area. Would love to join by paying a monthly membership fee.	7/22/2016 5:45 PM
4	It's basically free, I don't like large gyms and I think the equipment is good. Love the new weight equipment!	7/22/2016 3:57 PM
5	I am a member, my husband is not.	7/22/2016 3:35 PM
6	I don't live in addison	7/22/2016 10:54 AM
7	Recently moved here. Excited to join.	7/21/2016 10:32 PM
8	Work out	7/18/2016 6:37 PM
9	n/a	7/18/2016 3:17 PM
10	Great equipment and locker shower rooms	7/18/2016 1:20 PM
11	Soon to be a resident of Savoye. My husband and I plan to join shortly after my move date of August 15th	7/17/2016 11:18 PM
12	#6. does not work !!!	7/14/2016 5:00 PM
13	na	7/13/2016 11:24 AM
14	na	7/13/2016 11:13 AM

Q4 What is your age?

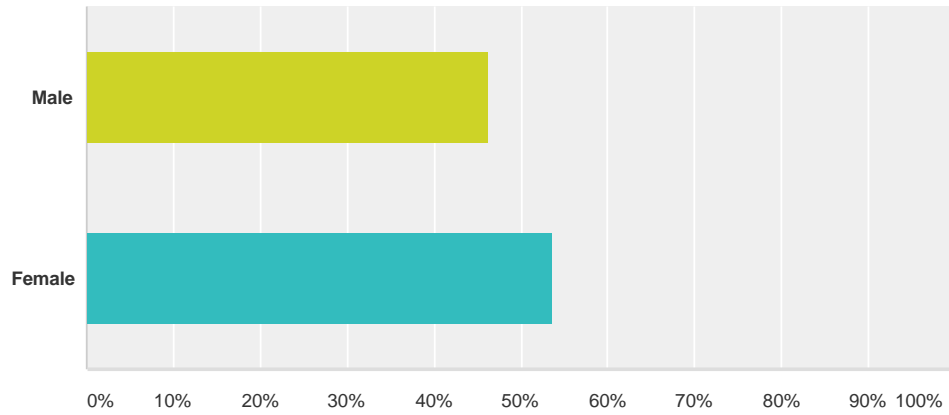
Answered: 399 Skipped: 0



Answer Choices	Responses
17 or younger	0.25% 1
18-20	0.75% 3
21-29	6.52% 26
30-39	11.53% 46
40-49	16.54% 66
50-59	26.57% 106
60 or older	37.84% 151
Total	399

Q5 Are you male or female?

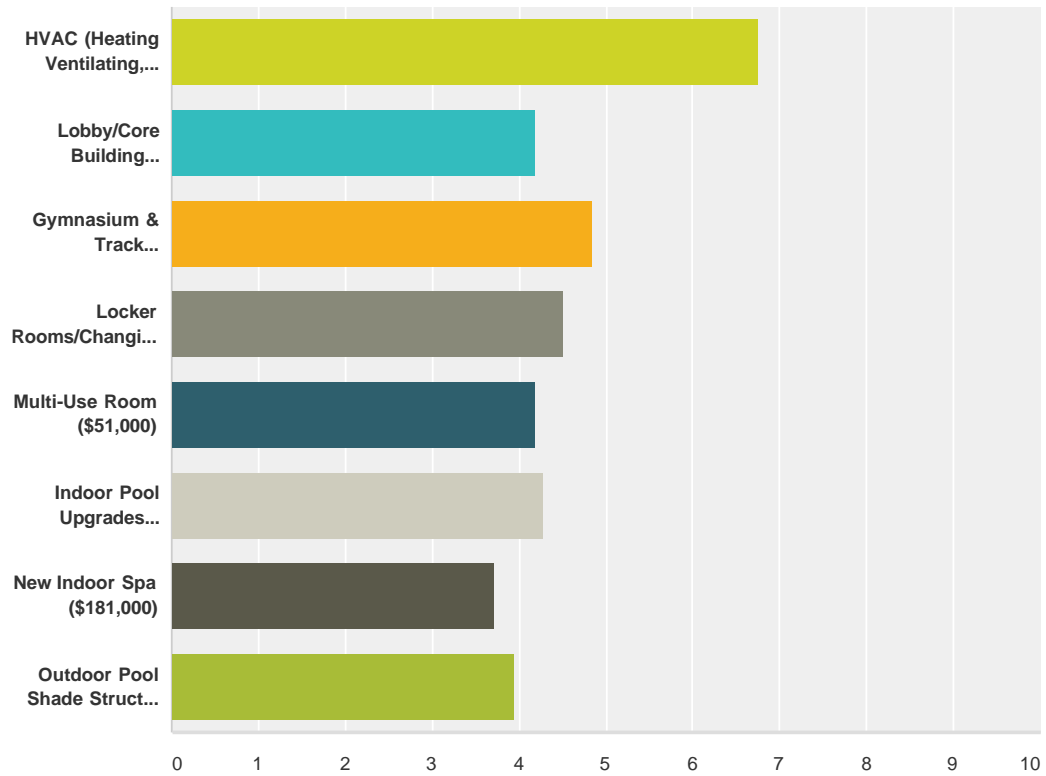
Answered: 391 Skipped: 8



Answer Choices	Responses	
Male	46.29%	181
Female	53.71%	210
Total		391

Q6 Please rank the Master Plan components. (Refer to slides 7-16) Dollar figures are estimates only. 1=Highest Priority, 8=Lowest Priority

Answered: 375 Skipped: 24



	1	2	3	4	5	6	7	8	Total	Score
HVAC (Heating Ventilating, Air Conditioning) (\$616,000)	63.13% 214	10.03% 34	5.60% 19	6.19% 21	3.54% 12	4.72% 16	2.06% 7	4.72% 16	339	6.77
Lobby/Core Building (\$2,734,600)	7.14% 23	20.50% 66	9.32% 30	10.56% 34	10.56% 34	9.01% 29	8.07% 26	24.84% 80	322	4.20
Gymnasium & Track (\$588,000)	8.39% 25	16.44% 49	16.44% 49	16.78% 50	13.76% 41	13.09% 39	9.73% 29	5.37% 16	298	4.84
Locker Rooms/Changing Suites (\$1,028,500)	11.96% 36	11.96% 36	14.29% 43	11.30% 34	14.62% 44	9.97% 30	14.29% 43	11.63% 35	301	4.50
Multi-Use Room (\$51,000)	3.69% 11	11.41% 34	14.77% 44	13.42% 40	15.44% 46	18.79% 56	13.09% 39	9.40% 28	298	4.19
Indoor Pool Upgrades (\$230,500)	5.59% 17	10.86% 33	13.49% 41	15.46% 47	15.46% 47	16.45% 50	16.45% 50	6.25% 19	304	4.29
New Indoor Spa (\$181,000)	4.35% 13	9.70% 29	12.37% 37	10.70% 32	12.71% 38	12.37% 37	15.72% 47	22.07% 66	299	3.72
Outdoor Pool Shade Structure & Patio (\$226,000)	6.17% 19	9.09% 28	13.96% 43	13.96% 43	11.04% 34	11.69% 36	15.58% 48	18.51% 57	308	3.95

2016 Athletic Club Master Plan

Q7 What are your favorite elements of the Master Plan?

Answered: 311 Skipped: 88

#	Responses	Date
1	HVAC	7/25/2016 9:24 AM
2	Gymnasium and Track	7/25/2016 9:21 AM
3	New fitness studio space New fitness equipment space	7/25/2016 9:18 AM
4	Gym/Track	7/25/2016 9:16 AM
5	None	7/25/2016 9:13 AM
6	New AC and more room for equipment	7/25/2016 9:12 AM
7	Lobby Core plans	7/24/2016 8:20 PM
8	Better air conditioning in each area	7/23/2016 10:16 PM
9	need additional exercise studio space. However the yoga room show is much too small and new design is smaller than current second floor studio.	7/23/2016 5:25 PM
10	New indoor Spa & upgrades of any type to gym. (Especially the upper floor weight lifting areas)	7/23/2016 4:54 PM
11	We need new HVAC system.	7/23/2016 2:37 PM
12	The upgrades to the indoor pool	7/23/2016 11:10 AM
13	none	7/23/2016 10:27 AM
14	New gym	7/22/2016 10:43 PM
15	Flex room	7/22/2016 10:11 PM
16	Pool shade and family changing rooms.	7/22/2016 10:07 PM
17	The addition of family changing areas	7/22/2016 9:36 PM
18	Hvac repair, locker room remodeling	7/22/2016 8:04 PM
19	I like the extra space and open air feeling in the lobby and core building.	7/22/2016 5:45 PM
20	more room for fitness classes	7/22/2016 5:41 PM
21	Better use of space--more classrooms that can be used for many purposes	7/22/2016 5:26 PM
22	This plan was developed by the Council Members and not presented for vote by the people of Addison. Please let me and the residents of Addison if this is going to be a decision made by the Council or put to vote to the residents of Addison (or at least those Addisonians who attend the Addison Athletic Club). Thank you.	7/22/2016 4:22 PM
23	refreshing of aging mechanical infrastructure	7/22/2016 4:05 PM
24	pool/spa.	7/22/2016 4:01 PM
25	HVAC system upgrade and lobby/core upgrades	7/22/2016 3:57 PM
26	Exercise facilities, indoor/outdoor swimming pools areas.	7/22/2016 3:35 PM
27	upgrade and maintain existing facility.	7/22/2016 2:54 PM
28	The proposed upgrade of family locker facilities to accommodate families like ours with special needs.	7/22/2016 2:26 PM
29	HVAC Windows in the gym	7/22/2016 2:13 PM
30	AC	7/22/2016 2:10 PM
31	Like them all	7/22/2016 2:09 PM
32	AC Locker Rooms	7/22/2016 2:03 PM
33	HVAC Indoor Spa	7/22/2016 1:57 PM

2016 Athletic Club Master Plan

34	HVAC system Lobby/core bldg	7/22/2016 1:54 PM
35	New AC and updated look	7/22/2016 1:51 PM
36	New HVAC unit	7/22/2016 1:26 PM
37	Better Cooling System	7/22/2016 12:24 PM
38	elimination of handball courts	7/22/2016 12:17 PM
39	Hvac	7/22/2016 11:58 AM
40	Updates to track/gymnasium and changes to HVAC.	7/22/2016 11:29 AM
41	equipment upgrades	7/22/2016 11:23 AM
42	New bathrooms	7/22/2016 11:21 AM
43	upgrades in general	7/22/2016 11:17 AM
44	HVAC upgrade	7/22/2016 11:16 AM
45	Indoor pool upgrade	7/22/2016 10:42 AM
46	None- the addison HOMEOWNERS cannot afford this -there is a 38 million bill to be paid for midway rd improvements	7/22/2016 10:22 AM
47	More space for fitness/yoga classes. Updated reception area & locker rooms.	7/22/2016 10:06 AM
48	Fixing air	7/22/2016 10:06 AM
49	Track improvements HVAC upgrades	7/22/2016 10:04 AM
50	Do not want dues or down time of gym use	7/22/2016 9:54 AM
51	refreshed felling at the club	7/22/2016 9:51 AM
52	None of it cost to much	7/22/2016 9:49 AM
53	New Ac	7/22/2016 9:48 AM
54	Improving the HVAC. New gym equipment and weights. shade at the pool. Cafe.	7/22/2016 9:45 AM
55	none	7/22/2016 9:42 AM
56	none	7/22/2016 9:40 AM
57	none, tax money wasted	7/22/2016 9:39 AM
58	none	7/22/2016 9:38 AM
59	New Locker Rooms	7/22/2016 9:36 AM
60	Spa	7/22/2016 9:35 AM
61	Gym Locker rooms	7/22/2016 9:32 AM
62	Improve HVAC system only!	7/22/2016 9:28 AM
63	Locker rooms Exercise Equipment	7/22/2016 9:26 AM
64	New dedicated yoga room	7/22/2016 9:24 AM
65	Nothing	7/22/2016 9:22 AM
66	updated HVAC system, new exercise equipment and updated locker/shower areas	7/22/2016 9:18 AM
67	Locker room changes and multi-use room.	7/22/2016 9:06 AM
68	Expanding the space for the weight room. Updating the Gym and track.	7/22/2016 9:04 AM
69	The family changing rooms	7/22/2016 9:01 AM

2016 Athletic Club Master Plan

70	Nothing really! Athletic center as it stands is one of the best in the area.... we do not need a country club athletic center. We own (6) homes in Addison and our property taxes have gone through the roof due to unnecessary showy projects but less police protection seen in our area, weeds growing so high behind our properties on Addison property we have to call several times several times, as we do for brush,limbs pickup seems to be less service and more glitz these days. Have been a home owner since mid 80's and our roads have never been t this bad and you are talking about upgrading a rec center.....not a smart move..... get your proprieties right.	7/22/2016 8:58 AM
71	Increasing class room space	7/22/2016 8:54 AM
72	Refresh of some of the outdated parts of the Addison Athletic Club.	7/22/2016 8:52 AM
73	New spa, dedicated yoga space and concept of 2nd floor above existing racquetball courts and lobby (with caveat of keeping one racquetball court).	7/22/2016 8:48 AM
74	I use the club approximately 3 times per week. The men's showers, restrooms, and sink areas are so out of date and unclean. I'd like to see this as a priority.	7/22/2016 8:48 AM
75	Shade outside at the pool! And a new open lobby area.	7/22/2016 8:24 AM
76	outdoor pool shade structure, adding space for more group exercise classes	7/22/2016 8:13 AM
77	Updating the HVAC.	7/22/2016 8:13 AM
78	Updating the HVAC.	7/22/2016 8:13 AM
79	Fixing the locker rooms	7/22/2016 8:12 AM
80	Indoor Pool Upgrades	7/22/2016 7:50 AM
81	track changes	7/22/2016 7:46 AM
82	Necessary maintenance items including HVAC and track upgrades and potential for adding section for kids older than 7.	7/22/2016 7:44 AM
83	Upgraded space for cardio equipment and much much needed upgraded locker facilities. Also, a welcome area	7/22/2016 7:29 AM
84	Better HAVAC	7/22/2016 7:24 AM
85	Improving air conditioning and renovating pool.	7/21/2016 11:23 PM
86	The HVAC unit	7/21/2016 11:22 PM
87	the modern look and feel is needed. im very excited about most of the elements..	7/21/2016 8:01 PM
88	Additional work out machines	7/21/2016 6:53 PM
89	Gymnasium and track improvements	7/21/2016 5:40 PM
90	no	7/21/2016 4:31 PM
91	outdoor pool shade and eliminating racquetball courts.	7/21/2016 4:30 PM
92	lobby	7/21/2016 4:30 PM
93	hvac, lobby and multi-use rooms	7/21/2016 4:27 PM
94	getting rid of rball courts, sauna and steam.	7/21/2016 4:25 PM
95	the changing suites are important for families with children and seniors who are disables.	7/21/2016 4:24 PM
96	maintenance.	7/21/2016 4:21 PM
97	n/a	7/21/2016 4:20 PM
98	track and lobby	7/21/2016 4:16 PM
99	gym track	7/21/2016 4:15 PM
100	outdoor pool upgrades	7/21/2016 4:14 PM
101	none	7/21/2016 4:13 PM
102	MORE EXERCISE ROOM FOR CLASSES	7/21/2016 3:31 PM
103	another exercise room.	7/21/2016 3:25 PM
104	the updated lobby and the multi use rooms	7/21/2016 3:12 PM
105	additional exercise rooms.	7/21/2016 3:08 PM

2016 Athletic Club Master Plan

106	hvac	7/21/2016 3:02 PM
107	hvac upgrade. gym and track	7/21/2016 3:01 PM
108	improving the air conditioning! AC has never been adequate in the east wing since it was built.	7/21/2016 2:58 PM
109	more bathroom ADA friendly.	7/21/2016 2:55 PM
110	getting rid of racquetball courts and updating the lobby/core building. Our current layout is super outdated, we definitely need some upgrades!! Super excited about the possibility of this remodel	7/21/2016 2:46 PM
111	exercise room	7/21/2016 2:18 PM
112	outdoor pool upgrades.	7/21/2016 2:16 PM
113	pool upgrades, locker rooms and multi-use room.	7/21/2016 2:06 PM
114	upgrade locker room-mens	7/21/2016 2:03 PM
115	outdoor shade and gazebo at the pool.	7/21/2016 2:01 PM
116	hvac	7/21/2016 1:58 PM
117	no need for this	7/21/2016 1:56 PM
118	waste of money	7/21/2016 1:53 PM
119	none! the club is fine like it is	7/21/2016 1:51 PM
120	none	7/21/2016 1:47 PM
121	new HVAC system and updates to building larger fitness studios and fitness personal room	7/21/2016 1:45 PM
122	gym/exercise upgrades.	7/21/2016 1:42 PM
123	more shade in outdoor pool area. updating locker rooms would be nice, but let's not go overboard- we don't need luxury.	7/21/2016 1:40 PM
124	2nd floor space above lobby and new lobby/1st floor space	7/21/2016 1:12 PM
125	hvac	7/21/2016 1:04 PM
126	yoga room	7/21/2016 12:53 PM
127	better HVAC and more open space	7/21/2016 12:48 PM
128	removal of rball courts	7/21/2016 12:41 PM
129	new fitness spot	7/21/2016 12:27 PM
130	shade for outdoor pool	7/21/2016 12:25 PM
131	none	7/21/2016 12:21 PM
132	Increased space for fitness equipment. Upgrade Spa.	7/21/2016 12:19 PM
133	outdoor and indoor pool upgrades	7/21/2016 12:16 PM
134	new fitness spot.	7/21/2016 9:58 AM
135	locker room upgrades	7/21/2016 9:48 AM
136	indoor pool	7/21/2016 9:45 AM
137	i love the look of the new multi use room	7/21/2016 9:41 AM
138	upgraded equipment	7/21/2016 9:30 AM
139	game room & child watch.	7/21/2016 9:25 AM
140	HVAC system. That's it.	7/21/2016 9:14 AM
141	Family changing room, more exercise space.	7/21/2016 9:05 AM
142	Must do items: HVAC, elevator	7/21/2016 8:38 AM
143	Lobby / core building	7/20/2016 11:12 PM
144	Don't see need to expand	7/20/2016 11:10 PM

2016 Athletic Club Master Plan

145	Family locker rooms will keep mommas with little boys OUT of the ladies locker room. Also, good to upgrade HVAC to Texas heat standards.	7/20/2016 10:53 PM
146	the updated AC	7/20/2016 7:28 PM
147	Indoor pool upgrades	7/20/2016 6:24 PM
148	HVAC, Pool shade	7/20/2016 6:05 PM
149	More meeting space	7/20/2016 5:52 PM
150	New updated cardio equipment	7/20/2016 3:44 PM
151	Yoga studio	7/20/2016 3:26 PM
152	hvac	7/20/2016 3:05 PM
153	ac	7/20/2016 3:01 PM
154	heating ac	7/20/2016 3:00 PM
155	upgrades with HVAC and out door pool area	7/20/2016 2:57 PM
156	ac and gym upgrades	7/20/2016 2:55 PM
157	new hvac renovated showers	7/20/2016 2:53 PM
158	Upper area, above lobby.	7/20/2016 2:53 PM
159	none	7/20/2016 2:50 PM
160	child watch, new exercise rooms/fitness center lofts, cafe	7/20/2016 2:42 PM
161	new gym equipment	7/20/2016 2:38 PM
162	new lobby area, larger fitness classrooms.	7/20/2016 2:36 PM
163	none! is money like water? we are not plano or Allen TX	7/20/2016 2:33 PM
164	meeting room/kitchen?? pool indoor and outdoor. locker room layout.	7/20/2016 2:32 PM
165	locker rooms	7/20/2016 2:27 PM
166	over all new look	7/20/2016 2:24 PM
167	extra space	7/20/2016 2:22 PM
168	locker rooms	7/20/2016 2:20 PM
169	overall just the modernization of the facility	7/20/2016 2:16 PM
170	nothing	7/20/2016 2:14 PM
171	none, keep rball courts	7/20/2016 2:12 PM
172	general update, improvement of fitness experiences.	7/20/2016 2:10 PM
173	additional exercise class space	7/20/2016 2:07 PM
174	The newness the changes will make.	7/20/2016 1:57 PM
175	The lobby and indoor pool upgrades.	7/20/2016 1:48 PM
176	More flexible function space/lobby.	7/20/2016 12:53 PM
177	Increased footprint of the children's center and the addition of a game room for older children. Plus the increase of multipurpose room space.	7/20/2016 12:23 PM
178	extra fitness/yoga room. Hopefully you can have more classes in the evening. I also like the new stretching and balance area	7/20/2016 12:12 PM
179	Indoor pool and spa upgrades	7/20/2016 12:08 PM
180	Family bathroom and shade for outside pool	7/20/2016 12:04 PM
181	Family bathroom and shade for outside pool	7/20/2016 12:00 PM
182	additional exercise space repairs that reduce cost.	7/20/2016 10:51 AM

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183	I think the upgrades are good, especially to the locker rooms- they are old and smelly and not taken care of as they should be for cleanliness	7/20/2016 10:40 AM
184	necessary repairs. new exercise studio rooms- badly needed.	7/20/2016 10:34 AM
185	upgrades to lobby are nice, indoor pool needs it.	7/20/2016 10:09 AM
186	eye appeal	7/20/2016 10:05 AM
187	locker room updates.	7/20/2016 9:42 AM
188	Shade for outdoor space. We love being outdoors but Texas heat is so bad ??	7/20/2016 9:37 AM
189	Flexible rooms and new changing rooms	7/20/2016 9:29 AM
190	HVAC upgrade	7/20/2016 8:46 AM
191	updated locker rooms and showers; new programmable spaces for cross fit & other multi-use; more yoga & exercise flexible spaces; better track & indoor spa;	7/20/2016 12:16 AM
192	New gym, locker rooms and indoor pool upgrade.	7/19/2016 8:42 PM
193	I'd rather have these funds refunded to the tax payers than spent on renovation.	7/19/2016 8:25 PM
194	New lobby	7/19/2016 6:48 PM
195	Modern updated look makes the Addison Club as nice as competitive gyms	7/19/2016 4:46 PM
196	HVAC, Multi Use Room	7/19/2016 4:08 PM
197	The master plan doesn't discuss the new spa addition at all...? Closing the second floor for extra square footage would be nice. Integrating an upper level viewing deck for racquetball I think could generate some extra interest for current members.	7/19/2016 2:52 PM
198	separate showers more free weights more treadmills and more ellipticals.	7/19/2016 1:14 PM
199	not really sure what's better. maybe the gym	7/19/2016 1:09 PM
200	i wish we could do it all	7/19/2016 1:06 PM
201	new equipment	7/19/2016 1:04 PM
202	HVAC multi-use room	7/19/2016 12:59 PM
203	NEW AC FOR UPSTAIRS	7/19/2016 12:58 PM
204	AC only, nothing else needed.	7/19/2016 12:57 PM
205	none	7/19/2016 12:53 PM
206	locker and spa upgrades	7/19/2016 12:52 PM
207	new equipment more lively colors (our current interior is out dates- looks so old)	7/19/2016 12:47 PM
208	ac	7/19/2016 12:43 PM
209	Keep steam room and sauna	7/19/2016 12:29 PM
210	Improve A/C More exercise rooms More places for racquetball	7/19/2016 12:25 PM
211	Don't have any.	7/19/2016 11:03 AM
212	New A/c	7/19/2016 10:45 AM
213	I really like all parts	7/19/2016 10:30 AM
214	new fitness loft and running track	7/19/2016 9:30 AM
215	I	7/19/2016 6:47 AM
216	Improvement n the outdoor pool.	7/18/2016 11:00 PM
217	ADA accessibility/family changing areas & lobby/core bldg improvements	7/18/2016 9:50 PM
218	dealing with the A/C issue, a new system will probably save on utility bill. The club is already modern and practical. Keeping equipment maintained and replaced is 2nd thing.	7/18/2016 9:34 PM
219	New equipment and track.	7/18/2016 8:42 PM

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220	I like all of it	7/18/2016 7:22 PM
221	making it colder in summer	7/18/2016 5:27 PM
222	exercise room	7/18/2016 5:20 PM
223	exercise	7/18/2016 5:19 PM
224	New HVAC, new painting & carpet, Indoor pool upgrades & maybe Multi purpose to better utilize the library and downstairs multipurpose rooms for exercise classes	7/18/2016 4:19 PM
225	Bigger room for classes and better AC Shade area	7/18/2016 4:06 PM
226	Making good the facility as it stands. Improving ventilation. Emphasis on relaxation as well as exercise	7/18/2016 3:36 PM
227	new indoor spa	7/18/2016 3:22 PM
228	Upgrade to HVAC and the addition of fitness rooms	7/18/2016 3:18 PM
229	hvac	7/18/2016 3:17 PM
230	youth oriented programming and equipment	7/18/2016 3:13 PM
231	bigger multi use room	7/18/2016 3:10 PM
232	individual showers in mens locker room	7/18/2016 3:05 PM
233	leave child care as is	7/18/2016 3:02 PM
234	upgraded indoor pool and more space for treadmills and weights	7/18/2016 2:45 PM
235	spa-assuming sauna and steam rooms. new lockers	7/18/2016 2:45 PM
236	Family Locker Rooms.	7/18/2016 2:36 PM
237	Heating & Air	7/18/2016 2:33 PM
238	Skylights in the Gymnasium	7/18/2016 2:29 PM
239	gym/track	7/18/2016 2:15 PM
240	New equipment, more space, track area.	7/18/2016 2:13 PM
241	expanded exercise loft	7/18/2016 2:12 PM
242	Spa upgrades	7/18/2016 2:08 PM
243	expanded exercise loft.	7/18/2016 2:04 PM
244	Indoor pool and locker room need good maintenance.. They are very worn down currently.	7/18/2016 1:58 PM
245	replacing HVAC	7/18/2016 1:55 PM
246	air conditioning and fitness areas with new equipment, also shade for the pool.	7/18/2016 1:52 PM
247	new HVAC and new equipment	7/18/2016 1:50 PM
248	Indoor and outdoor pool upgrades	7/18/2016 1:44 PM
249	HVAC	7/18/2016 1:42 PM
250	General upgrading of the facility	7/18/2016 1:41 PM
251	new AC	7/18/2016 1:40 PM
252	I love the new lobby that opens up to the pool and features a cafe. Side note, it would be nice if the pool area was open year round - it's a really pretty space that's nice to enjoy even if you're not swimming.	7/18/2016 1:36 PM
253	A/C	7/18/2016 1:28 PM
254	Flexible design that can be used for multiple new classes or activities	7/18/2016 1:26 PM
255	Maximizing use of space and improving HVAC	7/18/2016 1:25 PM
256	locker rooms and showers	7/18/2016 1:20 PM
257	fixing HVAC	7/18/2016 1:17 PM
258	2 ping pong tables and more yoga space	7/18/2016 1:14 PM

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259	HVAC and outdoor pool shade.	7/18/2016 1:10 PM
260	better use of existing space	7/18/2016 1:07 PM
261	outdoor pool shade structure	7/18/2016 1:05 PM
262	pool	7/18/2016 1:01 PM
263	none/ waste of money	7/18/2016 12:51 PM
264	improved kids area and more space	7/18/2016 12:48 PM
265	the modern look	7/18/2016 12:44 PM
266	the modern look	7/18/2016 12:44 PM
267	Upgraded Gym	7/18/2016 12:34 PM
268	gym	7/18/2016 12:25 PM
269	Nothing	7/18/2016 12:22 PM
270	Locker room improvements	7/18/2016 12:16 PM
271	More workout equipment	7/18/2016 8:06 AM
272	New spa, updates to gym	7/17/2016 11:18 PM
273	Increasing the sf and making more aerobic/fitness rooms.	7/16/2016 9:35 PM
274	Increasing the sf and making more aerobic/fitness rooms.	7/16/2016 9:34 PM
275	HVAC AND GYMNASIUM & TRACK UPGRADES.	7/16/2016 6:38 PM
276	Family Locker Rooms and Multi-Purpose Room. I have a 5 year old who is not allowed to use the women's restroom and I do not feel comfortable sending him into the men's room alone. Therefore we are constantly having to interrupt staff members and request to use the employee/childcare bathroom. I love the multi-purpose room because it provides an area for school aged children. My son is about to age out of the childcare area but won't be old enough to work out with me until he is 15.	7/16/2016 11:27 AM
277	I love the family changing areas which has been a challenge when my wife has my son at the club.	7/16/2016 11:04 AM
278	Updated lobby, shade around pool	7/16/2016 10:41 AM
279	multi-use room	7/16/2016 10:07 AM
280	A/C Upgrade	7/16/2016 9:58 AM
281	improved indoor pool and spa	7/16/2016 9:56 AM
282	As a dad (who doesn't care to swim) with two kids who love to swim... please (for the love of all things holy) bring on the shade.	7/16/2016 9:46 AM
283	New lobby and core area	7/16/2016 8:49 AM
284	Like the open space	7/15/2016 9:31 PM
285	more square footage, more options for classes	7/15/2016 9:27 PM
286	Lots of modern updates.	7/15/2016 6:49 PM
287	My favorite part of the new Master Plan is the increased space upstairs for fitness equipment.	7/15/2016 6:28 PM
288	Improve lobby and locker rooms	7/15/2016 6:10 PM
289	Overall improvements	7/15/2016 5:03 PM
290	None.	7/15/2016 4:43 PM
291	That you are asking members for their opinion I like the idea of a sitting area in the locker room	7/15/2016 4:37 PM
292	The walking track with skylights, new locker rooms, the new lobby, freshen up of inside pool area, shade covering over outside pool area, and new HVAC	7/15/2016 4:35 PM
293	I like the idea of upgrading the existing AC Units. Along with upgrading the exterior look of the building.	7/15/2016 4:29 PM
294	hvac	7/15/2016 4:27 PM
295	My most favorite is that thought was given to the future and a Master Plan developed for future needs.	7/14/2016 6:19 PM

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296	a/c, heating. Apparently the roof leaks are not in this plan.	7/14/2016 5:00 PM
297	Redoing the entry area to hopefully be more welcoming and useful	7/14/2016 2:11 PM
298	there was a picture of a rock slide in some of the mock ups, that is very exciting, the larger child care area is exciting, and I am hoping this would mean that children older than 8 would be allowed to start attending...once the kids turn 8 there they are not allowed in the child care area, and there are not many programs for that age group.	7/13/2016 5:32 PM
299	More flexible rooms to adapt to additional classes and trends .	7/13/2016 5:21 PM
300	Improved Air Conditioning.	7/13/2016 4:24 PM
301	The AC & then new lobby & 2nd story additional floor space 4 more aerobic equipment..	7/13/2016 4:20 PM
302	Just a new look, more inviting.	7/13/2016 3:20 PM
303	Heating ventilation and air conditioning Outdoor pool shade structure and patio	7/13/2016 12:40 PM
304	More space for everyone	7/13/2016 12:14 PM
305	gymnasium indoor pool upgrade	7/13/2016 12:13 PM
306	Nothing	7/13/2016 11:59 AM
307	family changing rooms new HVAC Overall I think plan is well thought out	7/13/2016 11:48 AM
308	Improved locker rooms	7/13/2016 11:24 AM
309	It's a tie: Improved locker rooms AND improved childwatch area.	7/13/2016 11:13 AM
310	We do need to upgrade HVAC	7/13/2016 10:08 AM
311	Outdoor pool upgrades & more room/machines in exercise area	7/13/2016 9:54 AM

2016 Athletic Club Master Plan

Q8 What are your least favorite elements of the Master Plan?

Answered: 306 Skipped: 93

#	Responses	Date
1	Indoor Spa	7/25/2016 9:24 AM
2	Indoor Pool upgrades	7/25/2016 9:21 AM
3	Lobby	7/25/2016 9:16 AM
4	Cost	7/25/2016 9:13 AM
5	Locker Room is fine no need to spend \$ on it	7/25/2016 9:12 AM
6	spa	7/23/2016 10:16 PM
7	1)overall plan is too expensive and wasteful. It does not appear any attempt was made to use building, as configured to keep reno costs down 2) private offices for staff and trainers 3) family locker rooms, and larger childcare area 4) game room, lounge & cafe - completely unnecessary and this space is serveral times larger than yoga room 5) the addition of 50 NEW pieces of equipment... are you kidding??? Why when most equipment sits idle all day! 6) the entire new annex was added several years back, now even more equipment is encroaching into the lobby area for the men. And yet, the exercise classes heavily used by women members continue to get no relief!! 7) I do not understand why any thought would be given to spending more money on the outdoor pool, when it is only used 25% of the year (more poor planning by prior city manager). The ducks get more use out of it than then members. 8) I actually am strongly opposed to ALL upgrades, except the HVAC, but the survey would not let me reflect that answer. Survey seems to be designed to make you say you support something when if fact, I do not. Same applies to Quest #11, my answer is definety no to both, but survey would not allow me to give same answer on both questions. Online survey does not allow residents to give answers they want.	7/23/2016 5:25 PM
8	Pool upgrades (especially indoor) & locker room.	7/23/2016 4:54 PM
9	I don't think the aesthetic upgrades are necessary. Keep it fiscal. Do not take all the racquetball courts. Keep 2.	7/23/2016 2:44 PM
10	Very costly. I would be strongly opposed to anything which might cause annual fees or added taxes. The current club design is functional.	7/23/2016 2:37 PM
11	The elimination of the steam rooms/saunas	7/23/2016 11:10 AM
12	Why are all of the racquetball courts being eliminated?	7/23/2016 10:27 AM
13	cost	7/22/2016 10:43 PM
14	Lobby	7/22/2016 10:11 PM
15	No racquetball court. Just need one.	7/22/2016 10:07 PM
16	removal of racquetball courts	7/22/2016 9:36 PM
17	New indoor spa and outside pool shade	7/22/2016 8:04 PM
18	I think it would be a big mistake to get rid of all the racquetball courts. The courts can be used for everything, volley ball, handball, squash, wallyball, personal training.	7/22/2016 5:45 PM
19	spa	7/22/2016 5:41 PM
20	Lobby plans	7/22/2016 5:26 PM
21	I want to know who will decide this: the people of Addison or the Council members.	7/22/2016 4:22 PM
22	The Cost	7/22/2016 4:01 PM
23	Emphasis on elements that I don't care about and wouldn't use. Time to implement and the club being a construction site in the interim.	7/22/2016 4:01 PM
24	Outdoor shade are....but I don't use the outdoor pool.	7/22/2016 3:57 PM
25	Lobby improvements...	7/22/2016 3:35 PM
26	Expense	7/22/2016 3:03 PM

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27	Don't need more than one family changing room. Don't need more lounging areas or fancy locker room upgrades. Fix what does not work. Keep at least one racketball court.	7/22/2016 2:54 PM
28	Gymnasium/track	7/22/2016 2:26 PM
29	Removal of the racquetball courts	7/22/2016 2:13 PM
30	elimination of steam room	7/22/2016 2:09 PM
31	Missing sauna and steam room	7/22/2016 2:01 PM
32	Outdoor pool shade	7/22/2016 1:59 PM
33	Looby/core gym/track	7/22/2016 1:57 PM
34	Outdoor Pool Indoor Pool	7/22/2016 1:54 PM
35	Elimination of the steam room and sauna. Please keep them but update and keep sanitary.	7/22/2016 1:51 PM
36	Some improvements are needed but the Master Plan is TOO MUCH and unnecessary	7/22/2016 1:26 PM
37	Outdoor pool shade and Structure patio	7/22/2016 12:24 PM
38	amount of spending for entrance way	7/22/2016 12:17 PM
39	Elimination of racquetball courts.	7/22/2016 11:58 AM
40	Changes to locker rooms. Family lockers are not needed at this time. Mens locker room is at capacity during peak hours so making it smaller is a very bad idea.	7/22/2016 11:29 AM
41	wood floors	7/22/2016 11:23 AM
42	Getting rid of all the racquetball courts, does this fix the hvac in gym so that we can play volleyball?	7/22/2016 11:21 AM
43	I'm just learning to play racquetball with my boyfriend, I would like for the courts to remain	7/22/2016 11:17 AM
44	Why eliminate racquetball courts	7/22/2016 11:16 AM
45	I come to addition to visit a friend and sometime we play racquetball and I enjoy it very much. I would be disappointed if that went away	7/22/2016 10:54 AM
46	Eliminating the steam rooms & saunas is a big mistake. It's the best thing for my sinuses.	7/22/2016 10:50 AM
47	Multi use room	7/22/2016 10:42 AM
48	spending too much money (give the money back to citizens in form of tax refund)- why such a huge admin expansion?	7/22/2016 10:10 AM
49	Outdoor pool.	7/22/2016 10:06 AM
50	Spending money on things not really needed That don't change the functionality	7/22/2016 10:06 AM
51	Do not need upgrades like this	7/22/2016 9:56 AM
52	don't need upgrades	7/22/2016 9:54 AM
53	do not understand why the library and family changing rooms are needed	7/22/2016 9:51 AM
54	Locker rooms	7/22/2016 9:48 AM
55	yoga room	7/22/2016 9:46 AM
56	Track. Indoor pool.	7/22/2016 9:45 AM
57	none	7/22/2016 9:42 AM
58	none	7/22/2016 9:40 AM
59	none	7/22/2016 9:39 AM
60	to much \$	7/22/2016 9:38 AM
61	Removing the racquetball courts and steam room/sauna	7/22/2016 9:36 AM
62	Locker Room	7/22/2016 9:35 AM
63	Do not see racquetball courts anymore? This sucks!!	7/22/2016 9:31 AM
64	Too many improvements	7/22/2016 9:30 AM

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65	All the other recommended changes. No pressing need to 'upgrade' or change existing facilities. Definitely don't change the current locker rooms.	7/22/2016 9:28 AM
66	HVAC	7/22/2016 9:26 AM
67	Do we really need to do anything to the indoor track	7/22/2016 9:24 AM
68	The excessive cost	7/22/2016 9:22 AM
69	To costly, pay off other projects first	7/22/2016 9:20 AM
70	I have no interest in the swimming pools	7/22/2016 9:18 AM
71	Removal of the steam rooms.	7/22/2016 9:06 AM
72	I don't really use the cafe or lounge but I think it's for children's programs in the Summer. I feel like they are right in the middle of the building. I don't like that we are getting rid of the racquetball courts/current multi-space rooms that include free weights and other exercise equipment. There is not enough space to lift upstairs.	7/22/2016 9:04 AM
73	removing racquetball court	7/22/2016 9:01 AM
74	Eliminating steam TMS,saunas,racquetball courts, lobby is perfectly fine as is if Addison has so much money spend it on midway road which is a mess and has been promised for years..seems like money is spent on show rather than needed repair projects these past few years	7/22/2016 8:58 AM
75	Locker rooms	7/22/2016 8:54 AM
76	Overall cost. Eliminating steam room, sauna and all racquetball courts! Expanding inside pool deck. See additional comments below under question 10.	7/22/2016 8:48 AM
77	elimination of racquetball courts	7/22/2016 8:13 AM
78	I do not understand the whole lobby renovation. While it is beautiful, that is a large sum of money to spend for something that is not a problem. The utilization of the club will not be enhanced because of this change, and from what I see you are eliminating the racquetball courts.	7/22/2016 8:13 AM
79	I do not understand the whole lobby renovation. While it is beautiful, that is a large sum of money to spend for something that is not a problem. The utilization of the club will not be enhanced because of this change, and from what I see you are eliminating the racquetball courts.	7/22/2016 8:13 AM
80	Not enough going to the gym and horrible track	7/22/2016 8:12 AM
81	Additional Children Play Equipment at the Outdoor Pool.	7/22/2016 7:50 AM
82	locker room changes.	7/22/2016 7:46 AM
83	Removing racquetball courts, shade structure for outdoor pool. People can only access baby pool from that shade structure. You can't keep an eye on kids swimming in either of the bigger pools.	7/22/2016 7:44 AM
84	Upgraded spa. Seems to be accommodating to those that use it	7/22/2016 7:29 AM
85	New Indoor Spa	7/22/2016 7:24 AM
86	Family changing area, spa, multiple multi purpose rooms - is there actually a demand for this? Where is your data? Make it public!	7/21/2016 11:23 PM
87	Changing suites, multi-purpose rooms, lounge area in entrance	7/21/2016 11:22 PM
88	the locker room design, seems to reduce the number locker rooms.. if not, then im also ok with it..	7/21/2016 8:01 PM
89	lounge area in locker rooms	7/21/2016 6:53 PM
90	Don't take out the racquetball courts	7/21/2016 5:40 PM
91	Cost	7/21/2016 5:39 PM
92	no	7/21/2016 4:31 PM
93	indoor pool upgrades, love the pool how it is.	7/21/2016 4:30 PM
94	nothing	7/21/2016 4:30 PM
95	no	7/21/2016 4:27 PM
96	the spa	7/21/2016 4:24 PM
97	everything else	7/21/2016 4:21 PM

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98	cost	7/21/2016 4:20 PM
99	rball	7/21/2016 4:18 PM
100	lobby	7/21/2016 4:14 PM
101	what it will cost	7/21/2016 4:13 PM
102	-family locker rooms -game room -cafe/lounge -new offices for staff and trainers -expanded childcare -failuer to use existing layout to keep costs down	7/21/2016 3:31 PM
103	yoga room too small or smaller than a game room!! no cafe/lounge(STUPID!) no expanded day care and for whom?! only 20 kids in addison. No offices for staff! why?! they need to be seen-use existing space in back.	7/21/2016 3:25 PM
104	nothing-everything looks great!	7/21/2016 3:12 PM
105	a. yoga room is smaller than game room AND existing 2nd floor room b. family locker rooms, game room, cafe/lounge; expanded daycare c. new offices for staff-too big. They don't use current back office space. d. failure to present a plan that uses existing floor plan as much as possible, to keep costs down.	7/21/2016 3:08 PM
106	spending too much money for not needed changes.	7/21/2016 3:02 PM
107	locker room upgrade	7/21/2016 3:01 PM
108	outdoor pool shade new indoor spa, indoor pool upgrade, locker rooms, changing suites, gym track, lobby/core	7/21/2016 2:58 PM
109	nothing. love it all!	7/21/2016 2:55 PM
110	none	7/21/2016 2:46 PM
111	locker rooms.	7/21/2016 2:18 PM
112	locker room changes.	7/21/2016 2:16 PM
113	the 2.7 m price tag on the lobby upgrade, really???	7/21/2016 2:03 PM
114	indoor spa.	7/21/2016 2:01 PM
115	it is much more than we need.	7/21/2016 1:58 PM
116	no sauna/steam rooms	7/21/2016 1:53 PM
117	closure/cost	7/21/2016 1:51 PM
118	the cost	7/21/2016 1:47 PM
119	please keep the rball courts-atleast 2- I use it regularly. I also use sauna and steam room. Please keep if possible	7/21/2016 1:45 PM
120	we love the rball court and used them often.	7/21/2016 1:42 PM
121	updating gym and track	7/21/2016 1:40 PM
122	locker room/changing suites-somehow families have worked this out for the last 30 years.	7/21/2016 1:34 PM
123	too much locker room space	7/21/2016 1:12 PM
124	don't see any rball courts in new plan	7/21/2016 1:04 PM
125	locker room reconfiguration loss of rball court! keep one!	7/21/2016 12:53 PM
126	smaller locker room	7/21/2016 12:48 PM
127	keeping the rball courts and steam rooms	7/21/2016 12:41 PM
128	update to lobby	7/21/2016 12:25 PM
129	We are losing the steam room - but not the end of the world.	7/21/2016 12:19 PM
130	indoor spa	7/21/2016 12:16 PM
131	eliminating the rball courts.	7/21/2016 9:58 AM
132	outdoor pool, which is only used 3 months out of the year. lobby-looks fine as is.	7/21/2016 9:48 AM
133	lobby	7/21/2016 9:45 AM
134	I think the current lobby is fine	7/21/2016 9:41 AM
135	spa	7/21/2016 9:39 AM

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136	steam room and sauna	7/21/2016 9:25 AM
137	Everything except the HVAC system. This is a terrible plan. A waste of money. I dont. know what you are thinking!	7/21/2016 9:14 AM
138	Spa	7/21/2016 8:38 AM
139	I don't like that you are getting rid of the steam rooms and saunas.	7/20/2016 11:12 PM
140	The cost	7/20/2016 11:10 PM
141	Not sure if the locker room space will be adequate. No racquetball courts or sauna.	7/20/2016 10:53 PM
142	I like it all!	7/20/2016 7:28 PM
143	Removal of the racquetball courts. New lounge space and cafe.	7/20/2016 6:24 PM
144	Spa	7/20/2016 5:52 PM
145	do not need a spa it is a waste of money	7/20/2016 3:44 PM
146	Losing the sauna & steam rooms, and having the yoga studio next to the child care room.	7/20/2016 3:26 PM
147	pool shade	7/20/2016 3:05 PM
148	lounge areas relocating sign-in.	7/20/2016 3:01 PM
149	fixing things that are not broken. money! taxes! membership fees!	7/20/2016 3:00 PM
150	multi use room gymnasium and track	7/20/2016 2:57 PM
151	lobby	7/20/2016 2:55 PM
152	i'm a single person so family concerns are less important to me	7/20/2016 2:53 PM
153	Locker rooms. Shrinking down the men's and women's locker rooms too much. While the family locker rooms take as much space as the other two combined.	7/20/2016 2:53 PM
154	way too much cost	7/20/2016 2:51 PM
155	all	7/20/2016 2:50 PM
156	classrooms? what are those for?	7/20/2016 2:45 PM
157	locker rooms need to be bigger	7/20/2016 2:42 PM
158	upgrades to outdoor pool.	7/20/2016 2:38 PM
159	removal of rball courts	7/20/2016 2:36 PM
160	new entrance	7/20/2016 2:33 PM
161	coffee bar	7/20/2016 2:32 PM
162	lobby	7/20/2016 2:27 PM
163	none	7/20/2016 2:24 PM
164	no rball	7/20/2016 2:22 PM
165	excessive plans. too much not necessary is being suggested.	7/20/2016 2:20 PM
166	no rball	7/20/2016 2:14 PM
167	no rball courts	7/20/2016 2:12 PM
168	complete eliminations of rball courts	7/20/2016 2:10 PM
169	-overall design is costly and over the top. -plan does not use any of the existing foot print. -expanded staff offices and large second floor restroom not needed! -why 2 classrooms?! one multi use room is plenty! -planto add 50 more pieces of equipment?! - are you kidding me?!	7/20/2016 2:07 PM
170	None	7/20/2016 1:57 PM
171	Multi-use room	7/20/2016 1:48 PM
172	Inefficient re-layout of locker room space. Two busy locker rooms are crammed into the space of one, and the other space (currently men's locker room) is very low density, a few individual rooms. With growing membership, this seems the wrong direction. The small amount of space recovered from the sauna doesn't make up for halving the locker room size.	7/20/2016 12:53 PM

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173	gymnasium. I've only seen it used for random basketball. Who uses a library at the athletic club?	7/20/2016 12:12 PM
174	Don't fix (waste money) on things that don't need it	7/20/2016 12:08 PM
175	Wasting money on cosmetics	7/20/2016 12:04 PM
176	Wasting money on cosmetics	7/20/2016 12:00 PM
177	-the complete redesign of core building. -no attempt to use existing space where possible. -private offices for all staff-trainers- NO!! -the intent to add 50 new pieces of equipment- why when current is used most of the day. -expanding childcare and family lockerooms - strongly against this.	7/20/2016 10:51 AM
178	The family changing suites- I do not feel that we need a complete separate area for this.	7/20/2016 10:40 AM
179	1. private offices for trainers/staff 2. expanding childcare room 3. family locker room 4. case, lounge and game room for kids. 5. overall plan to expand and add all new equipment when current equipment is under utilized. 6. new yoga room is smaller than current room on level two	7/20/2016 10:34 AM
180	I can't think of one except \$\$\$-it seems too high.	7/20/2016 10:09 AM
181	cost	7/20/2016 10:05 AM
182	lobby / core building	7/20/2016 9:42 AM
183	Fancy lobby and lounge take up a lot of space	7/20/2016 9:29 AM
184	Lobby Core/Building upgrades.	7/20/2016 8:46 AM
185	new HVAC; cafe; more children's areas; lifeguard room considering the pool is open 3 months and they do have shaded areas to sit it;	7/20/2016 12:16 AM
186	None	7/19/2016 8:42 PM
187	I'd rather have these funds refunded to the tax payers than spent on renovation.	7/19/2016 8:25 PM
188	elimination of rqbball courts	7/19/2016 8:24 PM
189	Where will the dry and wet saunas be?	7/19/2016 6:48 PM
190	Closing the "lobby/core bldg" - leave it open as it is. Taking away pocket of cardio outside library overlooking indoor pool. Taking away current "fitness studio" on 2nd floor.	7/19/2016 4:08 PM
191	No racquetball courts.	7/19/2016 2:52 PM
192	too much money on lobby core, gym and track.	7/19/2016 1:14 PM
193	changing to more kids at the expense of other features.	7/19/2016 1:09 PM
194	too many offices included	7/19/2016 1:06 PM
195	eliminating sauna/steam	7/19/2016 1:04 PM
196	way too much money for as nice of a facility we presently have.	7/19/2016 1:00 PM
197	lobby	7/19/2016 12:59 PM
198	all but HVAC	7/19/2016 12:58 PM
199	everything. Uses our tax dollars to remodel a club that already functions well.	7/19/2016 12:57 PM
200	track upgrades. your bidding is too high!	7/19/2016 12:52 PM
201	it looks great but no money to do it.	7/19/2016 12:43 PM
202	all of it. too much money.	7/19/2016 12:22 PM
203	PLEASE DO NOT REMOVE THE RACQUETBALL COURTS.	7/19/2016 12:10 PM
204	Elimination of steam rooms/sauna. No mention of fixing roof.	7/19/2016 11:03 AM
205	Costs	7/19/2016 10:45 AM
206	Gym,but I don't use it	7/19/2016 10:30 AM
207	lesser racquet ball rooms	7/19/2016 9:30 AM
208	The reduction of locker room space. The loose of the racquetball courts, they are used by Addison firemen. Why would any good athletic club have no steam rooms or saunas?	7/19/2016 6:24 AM

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209	While it's time for a renovation, this goes too far and is much too expensive. I would encourage a thrifter way when I comes to tax dollars.	7/18/2016 11:55 PM
210	The lobby is a bit dated but looks ok.	7/18/2016 11:00 PM
211	Eliminating the STEAM ROOMS, at least keep a WET steam room. Both steam rooms are used by many. One of the BEST part of the gym. Redoing the dressing rooms is a WASTE of money. They were redone 3 yrs ago. Why getting rid of STEAM ROOM???? Can't they build family changing room some where else. Lots of upheaval and MONEY to accommodate the family changing room bit when club MAINLY used by adults.	7/18/2016 9:34 PM
212	Removing the racket ball courts	7/18/2016 8:42 PM
213	None	7/18/2016 7:22 PM
214	do not use outdoor pool- so not interested in shade	7/18/2016 5:27 PM
215	none	7/18/2016 5:25 PM
216	eliminating racquetball rooms	7/18/2016 5:23 PM
217	lounge space	7/18/2016 5:20 PM
218	lounge space	7/18/2016 5:19 PM
219	Locker rooms/changing suite, lobby/core building, Outdoor pool shade structure, gymnasium & track, New Indoor Spa all not necessary or needed	7/18/2016 4:19 PM
220	Indoor pool and spa	7/18/2016 4:06 PM
221	Expenditure on renovating facilities that are perfectly adequate (locker rooms/lobby)	7/18/2016 3:36 PM
222	outdoor pool shade	7/18/2016 3:22 PM
223	Do not use the outdoor pool so not interested in that. Not certain about the changes to the locker areas. will they still be separate?	7/18/2016 3:18 PM
224	outdoor pool and locker rooms	7/18/2016 3:17 PM
225	closing gym	7/18/2016 3:13 PM
226	full gym shut down	7/18/2016 3:10 PM
227	lobby/core bldg.	7/18/2016 3:05 PM
228	steam rooms and saunas	7/18/2016 2:59 PM
229	locker rooms	7/18/2016 2:56 PM
230	lobby	7/18/2016 2:53 PM
231	do not remove mens spa, steam room and sauna	7/18/2016 2:50 PM
232	family area	7/18/2016 2:45 PM
233	multipurpose room	7/18/2016 2:45 PM
234	Removal of existing Racquetball Courts.	7/18/2016 2:36 PM
235	why are you spending so much for lobby?	7/18/2016 2:33 PM
236	Getting rid of steam rooms or saunas, racquetball courts in favor of the new lobby.	7/18/2016 2:29 PM
237	pool	7/18/2016 2:15 PM
238	No racquetball courts. I play alot, this makes me sad.	7/18/2016 2:13 PM
239	the bathroom style looks out dates	7/18/2016 2:12 PM
240	Lobby	7/18/2016 2:08 PM
241	pool (outside)	7/18/2016 2:04 PM
242	Personal Fitness Room...not sure what this is.	7/18/2016 1:50 PM
243	I don't think any of it is necessary.	7/18/2016 1:48 PM
244	Indoor spa	7/18/2016 1:44 PM
245	lobby/locker room updates. BIG \$!	7/18/2016 1:42 PM

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246	First floor redesign is less about fitness and more about staff and sitting around. The locker rooms look smaller. I see people using the racquetball courts all of the time and you're proposing eliminating all of them (a fitness activity) to add a café?!!	7/18/2016 1:41 PM
247	n/a it all looks great.	7/18/2016 1:36 PM
248	fix A/C ---the other are over kill ---waste of money--hell its a gym not a country club	7/18/2016 1:28 PM
249	It's very expensive for a town community center that is not used by more than 15% of the people	7/18/2016 1:26 PM
250	Lobby living room feel seems a bit unnecessary	7/18/2016 1:25 PM
251	lobby outside enclosure around pool	7/18/2016 1:20 PM
252	all except #1	7/18/2016 1:17 PM
253	everything else	7/18/2016 1:10 PM
254	unnecessary changes	7/18/2016 1:05 PM
255	multi-use room	7/18/2016 1:01 PM
256	The lobby,outdoor pool and locker rooms.	7/18/2016 12:55 PM
257	lobby core building	7/18/2016 12:51 PM
258	none	7/18/2016 12:48 PM
259	not enough focus on sports training	7/18/2016 12:44 PM
260	not enough focus on sports training	7/18/2016 12:44 PM
261	scale back on lobby cost!	7/18/2016 12:41 PM
262	outdoor pool- don't use	7/18/2016 12:34 PM
263	removal of racquet ball courts	7/18/2016 12:25 PM
264	The fact you are wanting to spend my tax \$	7/18/2016 12:22 PM
265	Eliminating the steam room please keep it	7/18/2016 12:20 PM
266	Lobby area looks ok now	7/18/2016 12:16 PM
267	Family Locker Room	7/18/2016 12:08 PM
268	Cost	7/18/2016 8:06 AM
269	Pumping money into locker rooms. It's a large part of the budget but adds little to the function of the facility as a health and wellness destination.	7/17/2016 11:18 PM
270	Adding/improving spa	7/16/2016 9:35 PM
271	Adding/improving spa	7/16/2016 9:34 PM
272	LOBBY/ CORE BUILDING - CHILD CARE CENTER AND REMOVING RACQUETBALL COURTS. WE DON'T NEED A CHILD CARE CENTER AND I ENJOY THE RACQUETBALL COURTS.	7/16/2016 6:38 PM
273	The spa. It's something we never use.	7/16/2016 11:27 AM
274	I don't use the spa too much so I don't have an opinion.	7/16/2016 11:04 AM
275	high price of the locker rooms	7/16/2016 10:41 AM
276	NA	7/16/2016 10:07 AM
277	removing racquet ball courts	7/16/2016 9:58 AM
278	removing dry sauna	7/16/2016 9:56 AM
279	Nothing really	7/16/2016 9:46 AM
280	can't tell but hoping there are still indoor showers and dressing rooms? I always appreciated those when my children were younger and in the childrens center. I still use from time to time.	7/16/2016 8:49 AM
281	Suggest keeping 1 raquet ball court, some of the ideas seem "nice to haves"	7/15/2016 9:31 PM
282	Pools inside and out	7/15/2016 9:27 PM

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283	1. I don't see ANY racquetball courts in the new plan. 2. Seems like kind overkill for a community athletic center. That money that could be spent elsewhere in the city.	7/15/2016 6:49 PM
284	My least favorite part of the new Master Plan involves the diminishing of the locker rooms. I understand that the locker rooms are not heavily used now, but that is largely because they are dated, so residents avoid them. I also think it is poor planning to allocate so much space to "Family Lockers" at the expense of Mens and Ladies. We all understand that parents with little ones need a place to take care of business, but children are only at the athletic center for occasional camps and babysitting--they are not allowed on the exercise equipment, etc. Therefore, a couple of "Family" restroom stalls should suffice, and the additional locker room space should be allocated to the adults who are the primary users of the gym facilities and need to use locker room facilities to change clothes before/after work, and shower. I've never seen little ones changing out of their work clothes before hitting the treadmill. :)	7/15/2016 6:28 PM
285	none	7/15/2016 5:03 PM
286	elimination of racquetball courts	7/15/2016 4:43 PM
287	It is difficult to understand improvements to locker rooms ~ they look smaller and co-ed?	7/15/2016 4:37 PM
288	The loss of a racquetball court. The new Fitness connection on Trinity Mills built 2 in their space. It is still a relevant sport.	7/15/2016 4:35 PM
289	I do not like the idea of removing the steam rooms and saunas. I would like to see some funds diverted from the classroom upgrades or other areas to improve the steam rooms.	7/15/2016 4:29 PM
290	pool	7/15/2016 4:27 PM
291	I see no need to undertake this expense at this time. As it stands this is an excellent facility as it now exists.	7/14/2016 6:19 PM
292	Roof leaks not included. Not using the roof line in the front (columns) to expand the all-purpose room.	7/14/2016 5:00 PM
293	I never use the lock rooms since I'm local so hard to get excited about so much being spent there.	7/14/2016 2:11 PM
294	The huge expense of the Lobby/Core building modifications.	7/13/2016 5:21 PM
295	Cost	7/13/2016 4:24 PM
296	locker rooms.. I am there almost every day in the morning & again around 4pm & rarely are the steam & sauna rooms not in use... Every one uses them & to give them up for family style rooms which are a huge waste of space & a huge minus for many people.. Maybe 2 enclosed family style restrooms added to the downstairs somewhere would be helpful.	7/13/2016 4:20 PM
297	I don't do anything with the pool, so it's my least.	7/13/2016 3:20 PM
298	all others	7/13/2016 12:40 PM
299	Keep one racquetball court	7/13/2016 12:14 PM
300	lobby / core building	7/13/2016 12:13 PM
301	I cannot believe you are taking the last 2 racquetball courts out. You need to keep at least . Who was part if your focus group? A bunch of senior citizans who have no interest in-ball?	7/13/2016 11:59 AM
302	do we really need rooms for 50 more machines?	7/13/2016 11:48 AM
303	new indoor spa	7/13/2016 11:24 AM
304	It appears that outdoor pool users might be able to walk through/past the family-locker area to access the men's/women's lockers. If so, this seems to reduce the privacy/security that family-locker users need.	7/13/2016 11:13 AM
305	Lobby/Core	7/13/2016 10:08 AM
306	New indoor SPA	7/13/2016 9:54 AM

Q9 Are there elements you think should be included on the Master Plan that were not listed?

Answered: 284 Skipped: 115

#	Responses	Date
1	no	7/25/2016 9:21 AM
2	Keep at least 2 of the racquetball courts	7/25/2016 9:18 AM
3	Steam Room, Saunas, and Racquetball	7/25/2016 9:16 AM
4	No	7/25/2016 9:13 AM
5	I would like for the steam rooms to be kept	7/25/2016 9:12 AM
6	Steam room saunas and racquetball are all used daily and should be kept	7/23/2016 10:16 PM
7	I do not think any of the above should be completely eliminated if current adult members want them. The most pressing need is exercise studio space, which so far does not seem to be a priority. The current priority continues to be more rooms and exercise machines that benefit the male members.	7/23/2016 5:25 PM
8	I would greatly miss the steam sauna, but do understand that the cost for upkeep is considerable.	7/23/2016 4:54 PM
9	Not sure if I saw that a free weights section was part of the presentation.. Free weights would be nice.	7/23/2016 2:44 PM
10	Yes. Please retain the racquetball courts, sauna and steam rooms.	7/23/2016 2:37 PM
11	Add back the sauna	7/23/2016 11:10 AM
12	keeping at least one racquetball court	7/23/2016 10:27 AM
13	I don't really play racquetball, but I think you guys should keep the courts for the guys that do use them. 4 courts are probably too many, but I think I see people playing in both courts pretty consistently when I'm here after work, and I think it'd be a shame if they didn't have that anymore. Other guys I play basketball with agree.	7/22/2016 10:43 PM
14	I would like the steam rooms and saunas to remain	7/22/2016 10:11 PM
15	Racquetball court. Juice/smoothie/coffee bar or cart in reception area or outdoor court yard. More inviting or better use of outdoor areas around pool.	7/22/2016 10:07 PM
16	yes, I think the steam rooms, saunas and 2 racquetball courts should stay	7/22/2016 9:36 PM
17	Yes: Retain one or 2 racquetball courts.	7/22/2016 8:04 PM
18	Yes, Racquetball courts should be included in the Master Plan. They need to keep at least 2 racquetball courts.	7/22/2016 5:45 PM
19	no	7/22/2016 5:41 PM
20	no	7/22/2016 5:26 PM
21	none should be included until put to vote by the club members and residents of Addison.	7/22/2016 4:22 PM
22	Replace door from indoor pool to lobby. It has huge gaps with cold air from the lobby streaming into the pool area and makes it impossible to use the indoor pool. Keep saunas and maintain sauna temperature (not about 90F as it is now). Keep reasonable temperature in the lobby and locker rooms, now it's like a meat locker. Keep outdoor pool open longer than just Memorial to Labor Day, we have good enough weather in April and October (lifeguards not necessary).	7/22/2016 4:01 PM
23	Steam rooms, saunas would be appropriate to keep, but if costs were considered high to support keeping them, then they shouldn't be kept.... A play area/small playground by swimming pool outside would be nice...	7/22/2016 3:35 PM
24	no	7/22/2016 2:54 PM
25	Steam & sauna rooms should remain. I don't play racquetball.	7/22/2016 2:26 PM
26	A space for kids older then 7 to hang out while parents work out	7/22/2016 2:13 PM
27	Steam rooms	7/22/2016 2:09 PM

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28	Steam and Sauna Rooms	7/22/2016 2:03 PM
29	sauna and steam room	7/22/2016 2:01 PM
30	steam room and sauna	7/22/2016 1:57 PM
31	Sauna and steam room	7/22/2016 1:54 PM
32	Elimination of the steam room and sauna. Please keep hem but update and keep sanitary.	7/22/2016 1:51 PM
33	Yes, at least a couple of racquetball courts should stay	7/22/2016 1:26 PM
34	Better Trainers in the facility and more classes for the evening people that work doing the day!!!	7/22/2016 12:24 PM
35	no	7/22/2016 12:17 PM
36	Using the new work out rooms for classes that would appeal to 30-40 year old members.	7/22/2016 11:29 AM
37	Don't like the eliminatinn of all racquetball courts	7/22/2016 11:21 AM
38	Racquetball should be kept, I think.	7/22/2016 11:17 AM
39	we need at least 1-2 racquetball courts Add a cinema room	7/22/2016 11:16 AM
40	Racquetball	7/22/2016 10:54 AM
41	I like the cafe' idea Should retain either steam or sauna	7/22/2016 10:10 AM
42	Steam rooms are a must in any health club locker room!	7/22/2016 10:06 AM
43	Instead of huge locker room changes, I would like one family friendly changing room added.	7/22/2016 10:06 AM
44	no	7/22/2016 10:04 AM
45	Keep sauna, steam room and racquetball courts	7/22/2016 9:56 AM
46	we only need maintains	7/22/2016 9:54 AM
47	no	7/22/2016 9:51 AM
48	no	7/22/2016 9:49 AM
49	windows around the track deeper outdoor pool	7/22/2016 9:46 AM
50	I think raquetball courts are unique and should remain.	7/22/2016 9:45 AM
51	none	7/22/2016 9:42 AM
52	none	7/22/2016 9:40 AM
53	no	7/22/2016 9:39 AM
54	new carpet and paint	7/22/2016 9:38 AM
55	Keep steam room Racquetball courts	7/22/2016 9:32 AM
56	Racquetball!	7/22/2016 9:31 AM
57	Racquetball Courts	7/22/2016 9:30 AM
58	Keep the steam rooms and saunas. Keep but limit the racquetball courts to two.	7/22/2016 9:28 AM
59	Yes, Why do this	7/22/2016 9:22 AM
60	I observe very few women using the steam or sauna, but feel at least the steam room should perhaps be included	7/22/2016 9:18 AM
61	More than one multi-use room.	7/22/2016 9:06 AM
62	Racquetball courts need to be included. At least 1 or 2.	7/22/2016 9:05 AM
63	The multi purpose room is located in an awkward place. I'm assuming members can use this room for exercise? I would like to keep free space downstairs(old racket ball rooms) like we currently have for exercise. There's not enough space upstairs to lift freely and do push-ups all in the same space.	7/22/2016 9:04 AM
64	Racquetball court and child care combined with games so older kids can be watched over too	7/22/2016 9:01 AM
65	No	7/22/2016 8:58 AM
66	no	7/22/2016 8:54 AM

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67	Get a timer for the water features of the outdoor pool and keep the water features in use when the Athletic Club is in use. The view of the pool is one of the premier features of the athletic club. We need to keep the outdoor pool clean and looking great as it's a premium feature of the athletic club all year long.	7/22/2016 8:52 AM
68	Steam room, sauna and 1 racquetball court	7/22/2016 8:48 AM
69	Updated, upgraded bathrooms, showers, sink areas.	7/22/2016 8:48 AM
70	increase number of group exercise classes, promote classes more - you will lose folks to gyms like Crunch who offer a variety of classes all through the day and evening hours.	7/22/2016 8:13 AM
71	No	7/22/2016 8:13 AM
72	No	7/22/2016 8:13 AM
73	Removing racquetball is a bad plan...must have 2 courts. Ever consider a rock climbing section?	7/22/2016 7:55 AM
74	Additional outdoor tennis courts.	7/22/2016 7:50 AM
75	The track is getting too small as certain times of the day it can be very crowded. It will only get worse with the additional Addison residents. We should take the new residents into consideration now, so we don't have to put money back into things we have just changed. Let's get it right the first time.	7/22/2016 7:46 AM
76	Yes, instead of yoga room on the other side of child watch area, consider adding a fun/study room for kids over age 7. You could have desks, games, puzzles separated with child watch by glass or other transparent wall. This would give kids a safe area to hang out in. Other ways for the AAC to make money on building with upgrades might include : birthday parties, viewing area for firework viewing on roof.	7/22/2016 7:44 AM
77	I would recommend a juice/smoothie/nutrition bar/station. Not only would it be great for members to replenish after intense workouts, but could also be a revenue source, and social environment for members as well	7/22/2016 7:29 AM
78	No	7/22/2016 7:24 AM
79	Steam rooms, sauna and racquetball courts!!!	7/21/2016 11:23 PM
80	Steam rooms, saunas and racquetball courts.	7/21/2016 11:22 PM
81	One of the reasons I am excited to join us because my apartment building does not have sauna or steamroll mom which I love. I want to do water aerobics and use sauna.	7/21/2016 10:32 PM
82	don't eliminate the steam room!	7/21/2016 8:51 PM
83	sauna and steam room will be missed... having one racketball court would be ideal.	7/21/2016 8:01 PM
84	New steam and sauna	7/21/2016 6:53 PM
85	N/a	7/21/2016 5:40 PM
86	no	7/21/2016 4:31 PM
87	no	7/21/2016 4:30 PM
88	please eliminate all of these items- NO NEED!	7/21/2016 4:30 PM
89	no	7/21/2016 4:27 PM
90	no	7/21/2016 4:24 PM
91	rball	7/21/2016 4:20 PM
92	no	7/21/2016 4:15 PM
93	no	7/21/2016 4:14 PM
94	no	7/21/2016 4:13 PM
95	Steam Rooms and Saunas should stay.	7/21/2016 4:01 PM
96	-they should not be eliminated	7/21/2016 3:31 PM
97	cut it down a bit. ball court in half. make 2 offices out of one. stop throwing money away.	7/21/2016 3:25 PM
98	no- racquetball courts need to go. You don't see these in fitness facilities at all anymore. These spaces could be utilized so much better if they were eliminated.	7/21/2016 3:12 PM
99	yes, I would keep these over bball court. You could take 1/2 of basketball court and make 2 new exercise studios.	7/21/2016 3:08 PM
100	no	7/21/2016 3:02 PM

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101	yes an area for free weights.	7/21/2016 3:01 PM
102	no	7/21/2016 2:58 PM
103	more outlets in fitness rooms.	7/21/2016 2:55 PM
104	no, everything looks great! racquetball courts and saunas need to be eliminated. Doesn't seem like they get much use.	7/21/2016 2:46 PM
105	mtg tonight said steam, sauna and racquetball courts were in different phases. now this is being eliminated.	7/21/2016 2:16 PM
106	steam room and rball courts	7/21/2016 1:58 PM
107	none	7/21/2016 1:56 PM
108	maybe combine male/female sauna and steam rooms.	7/21/2016 1:53 PM
109	improve jacuzzi	7/21/2016 1:49 PM
110	I never use them, but if people use them atleast keep one or two	7/21/2016 1:47 PM
111	adding free weights rooms as above- courts	7/21/2016 1:45 PM
112	add squat rack and bench press	7/21/2016 1:42 PM
113	master plan should have a greater budgeted amount for maintenance of exercise equipment.	7/21/2016 1:40 PM
114	keep 2 rball courts and the gym.	7/21/2016 1:34 PM
115	dedicated spin room?	7/21/2016 1:12 PM
116	want to keep a few rball courts. also, use the ping pong and foosball tables.	7/21/2016 1:04 PM
117	please consider meditation room/quiet room/ larger yoga studip/consider adding pilates machines.	7/21/2016 12:53 PM
118	steam room-keep one rball court	7/21/2016 12:48 PM
119	rball	7/21/2016 12:37 PM
120	while i will miss the steam room it needs to go due to low use and high maintenance.	7/21/2016 12:25 PM
121	no	7/21/2016 12:21 PM
122	No	7/21/2016 12:19 PM
123	no	7/21/2016 12:16 PM
124	no	7/21/2016 9:48 AM
125	sauna & rball court	7/21/2016 9:30 AM
126	No	7/21/2016 9:14 AM
127	Racquetball court.	7/21/2016 9:05 AM
128	Keep a steam room and sauna that is unisex.	7/20/2016 11:12 PM
129	no	7/20/2016 11:10 PM
130	Please keep at least two racquetball courts. Also. keep the saunas. I liked the idea of a free weight area, too. Make sure you keep an elevator, too. Make sure we still have the centrifuges for drying our swimming suits.	7/20/2016 10:53 PM
131	Drinking fountain at end of upstairs weight arrea	7/20/2016 6:05 PM
132	new cardio equipment that is closer to sate of the art and more variety	7/20/2016 3:44 PM
133	Steam rooms & sauna.	7/20/2016 3:26 PM
134	one rball court	7/20/2016 3:01 PM
135	raq ball atleast one court	7/20/2016 3:00 PM
136	no	7/20/2016 2:57 PM
137	steam rooms	7/20/2016 2:55 PM
138	I'd be disappointed to see the above go. I could see taking out some of the racquetball courts. But not all of them. The steam room and sauna seemed to get used quite a bit.	7/20/2016 2:53 PM
139	the pavement around the pool is blistering hot	7/20/2016 2:51 PM

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140	yes- the leaks in the roof/ceiling need repair. And the crazy weird shelves for the free weights need to be scrapped. they are a safety hazard	7/20/2016 2:50 PM
141	should be on rball court. Why update nice locker rooms and eliminate sauna/steam.	7/20/2016 2:45 PM
142	steam rooms and sauna should be reconsidered	7/20/2016 2:42 PM
143	better gym equipment	7/20/2016 2:38 PM
144	keep rball courts- this was a major reason why we joined. can't find these in many fitness centers.	7/20/2016 2:36 PM
145	rball courts should be available at and health club	7/20/2016 2:32 PM
146	rballX10	7/20/2016 2:22 PM
147	rball rooms and saunas should remain.	7/20/2016 2:20 PM
148	eliminating rball is a bad idea. Downsizing makes sense, but there are quite a few people who use them regularly.	7/20/2016 2:16 PM
149	keep rball	7/20/2016 2:14 PM
150	rball courts	7/20/2016 2:12 PM
151	rball courts	7/20/2016 2:10 PM
152	-focus should be using majority of AAC as designed -basket ball court has low usage. 50 percent of this space could be converted to 2 new exercise rooms.	7/20/2016 2:07 PM
153	Keep steam rooms	7/20/2016 1:57 PM
154	no...looks good	7/20/2016 1:48 PM
155	I see the racketball courts frequently in use. I don't personally use the courts, but it seems misguided to remove a popular function.	7/20/2016 12:53 PM
156	Storage in all the multipurpose rooms and storage at the tennis court.	7/20/2016 12:23 PM
157	keep steam rooms	7/20/2016 12:08 PM
158	There is no place for children age 7 and up. The child center doesn't allow them, but cannot go into gym until they are a teenager. Can there be a room attached or enclosed area to kid center for that age group to do activities (play Wii, puzzles, board games, books, legos, etc)/still be supervised by the care giver.	7/20/2016 12:04 PM
159	There is no place for children age 7 and up. The child center doesn't allow them, but cannot go into gym until they are a teenager. Can there be a room attached or enclosed area to kid center for that age group to do activities (play Wii, puzzles, board games, books, legos, etc)/still be supervised by the care giver.	7/20/2016 12:00 PM
160	repurpose 50-100 percent of basketball courts to exercise rooms as the wood flooring is already there. Just add walls and mirrors. one racquetball court could be a exercise studio.	7/20/2016 10:51 AM
161	I would like to see at least a sauna and one racquetball court. Possibly access to a restroom and rinse off station for people using the volleyball, basketball and tennis courts- Also if lights could be added on the poles to the lights to the tennis courts facing the sand volleyball courts so there is at least one court lit until 10 PM	7/20/2016 10:40 AM
162	a. these options are used by many adults and better use of space than a game room or enlarged day care! b. why not look at basketball courts?	7/20/2016 10:34 AM
163	love the steam rooms and racquetball will be missed.	7/20/2016 10:09 AM
164	steam and sauna	7/20/2016 9:42 AM
165	Needs more space for multi-sports including soccer or futsal! Needs more elements tied to sports training.	7/20/2016 9:29 AM
166	individual TV's on each cardio machine	7/20/2016 8:46 AM
167	yes, the dry sauna and steam room need to be kept!. However, only 1 racquetball court is needed. As I said in the forum, the men's showers are prison showers out of code, yet not specifics were given. There should be individual stalls which accommodate privacy. This is one reason I don't work out there more. In addition, the towel service should be either complimentary or an upgraded charge for members who wish to pay annually should be allowed. Other amenities should be part of the locker rooms also lotion, Q-tips, combs, mouthwash, etc, out by the "grooming stations". Locker rooms should be a "high" priority not moderate.	7/20/2016 12:16 AM
168	None	7/19/2016 8:42 PM
169	I'd rather have these funds refunded to the tax payers than spent on renovation.	7/19/2016 8:25 PM
170	raquetballbcourts	7/19/2016 8:24 PM

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171	Please keep racquetball!!!!	7/19/2016 7:41 PM
172	Yes steam rooms and saunas and the workout rooms in the racketball courts Do not eliminate them We use them every visit	7/19/2016 6:48 PM
173	Why would we not have it all? Yes, the sauna, steam rooms, and racquet ball courts aren't used much, but so what?	7/19/2016 4:46 PM
174	Individual TVs on each cardio machine that are controlled by the user of the machine. Ceiling fans in most recent addition area.	7/19/2016 4:08 PM
175	Racquetball courts are a must. Also, I'm not sure what the difference between the steam rooms and the sauna is, but I feel like these are features of higher end facilities, and their existence is a nice feature.	7/19/2016 2:52 PM
176	keep sauna	7/19/2016 1:14 PM
177	steam, sauna and rball	7/19/2016 1:09 PM
178	racquetball courts and sauna	7/19/2016 1:04 PM
179	Like to see new Spin Spikes. The ones we have are pretty old.	7/19/2016 1:00 PM
180	no. extend club hours on weekends.	7/19/2016 12:57 PM
181	definetly. Rball, steam rooms are important. It should be in the plan.	7/19/2016 12:52 PM
182	steam room's and saunas should stay.	7/19/2016 12:47 PM
183	restroom convenient to front door for park users	7/19/2016 12:43 PM
184	Steam room and saunas	7/19/2016 12:29 PM
185	Include racquetball courts	7/19/2016 12:25 PM
186	Don't touch the steam & sauna room.	7/19/2016 12:22 PM
187	INCLUDE THE RACQUETBALL COURTS	7/19/2016 12:10 PM
188	Roof Steam rooms Saunas	7/19/2016 11:03 AM
189	no	7/19/2016 10:45 AM
190	No	7/19/2016 10:30 AM
191	Cool surface on the outdoor pool deck. Pool could use some repair.	7/18/2016 11:00 PM
192	Outdoor pool renovations	7/18/2016 10:41 PM
193	Keep the STEAM ROOMS. They are used by many. Is it a maintenance issue or what?? Most gyms don't have STEAM ROOMS, Addison sets itself apart by having them. KEEP THE STEAM ROOMS as they are used!!!!	7/18/2016 9:34 PM
194	No	7/18/2016 7:22 PM
195	no	7/18/2016 5:27 PM
196	better pool furniture	7/18/2016 5:25 PM
197	rock climbing wall is missing	7/18/2016 5:23 PM
198	no	7/18/2016 5:20 PM
199	no	7/18/2016 5:19 PM
200	one racquetball court is all that is needed and the steam room, do away with the sauna	7/18/2016 4:19 PM
201	NO	7/18/2016 4:06 PM
202	Yes! The Steam rooms, sauna and racquetball courts. These are always busy when I am in and appear to be in high demand. Whereas the gym is always empty...	7/18/2016 3:36 PM
203	Leave one racquetball court	7/18/2016 3:22 PM
204	None	7/18/2016 3:18 PM
205	steam room, sauna and racquetball	7/18/2016 3:17 PM
206	equipment for youth that cannony workout on equipment upstairs. more youth classes	7/18/2016 3:13 PM
207	outdoor lap pool. more 10-15 yr old activities	7/18/2016 3:10 PM

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208	include racquetball courts, steam rooms and saunas	7/18/2016 3:05 PM
209	sauna and steam room	7/18/2016 2:56 PM
210	hot sauna/steam	7/18/2016 2:53 PM
211	more study areas	7/18/2016 2:51 PM
212	racquetball	7/18/2016 2:50 PM
213	the steam room should be included	7/18/2016 2:45 PM
214	steam and sauna for sure. see #7	7/18/2016 2:45 PM
215	Retain at least one existing racquetball court, or build a new one in a new location, if necessary.	7/18/2016 2:36 PM
216	include steam room & sauna	7/18/2016 2:33 PM
217	steam rooms/saunas, racquetball courts	7/18/2016 2:29 PM
218	bball equipment, shooting machines	7/18/2016 2:15 PM
219	Racquetball courts should be included as well as more tennis courts.	7/18/2016 2:13 PM
220	expanded weights- bench, squat racks and smith machine	7/18/2016 2:12 PM
221	Yes	7/18/2016 2:08 PM
222	cafeteria area. need better chairs and tables	7/18/2016 2:04 PM
223	Indoor pool really need to be upgrade - better lighting, new paint everywhere. The locker room area is very old. This need to be upgraded including the showers..	7/18/2016 1:58 PM
224	lobby/core building	7/18/2016 1:55 PM
225	don't eliminate all racquetball courts.	7/18/2016 1:52 PM
226	keep saunas	7/18/2016 1:45 PM
227	Concessions improvements	7/18/2016 1:44 PM
228	I would reconsider the removal of ALL of the racquetball courts.	7/18/2016 1:41 PM
229	No.	7/18/2016 1:36 PM
230	A/C only	7/18/2016 1:28 PM
231	Steam room unless it has too much liability	7/18/2016 1:26 PM
232	Additional free weight benches/space for them looks to be a current need.	7/18/2016 1:25 PM
233	Yes ... More indoor pool "lap" lanes!!!!!!	7/18/2016 1:20 PM
234	new spin bikes	7/18/2016 1:17 PM
235	how about a joint steam room and sauna for men and women. Keep one rball court.	7/18/2016 1:14 PM
236	upgrade of bathroom/shower for the outdoor pool	7/18/2016 1:10 PM
237	ceiling fans in weight room and basketball court	7/18/2016 1:07 PM
238	absolutely! shower before entering pool. showers right outside outdoor pool entrance.	7/18/2016 1:01 PM
239	convert pools to salt water or ozone. Chlorine is toxic. WELLNESS should be a priority.	7/18/2016 12:55 PM
240	no- fix A/C	7/18/2016 12:51 PM
241	specific kids area to include ages 8-13	7/18/2016 12:48 PM
242	would be great to have a court to play soccer with kids	7/18/2016 12:44 PM
243	would be great to have a court to play soccer with kids	7/18/2016 12:44 PM
244	benches outside in the front	7/18/2016 12:41 PM
245	Yes- please do not remove Racquetball courts or steam rooms!	7/18/2016 12:34 PM
246	More study areas	7/18/2016 12:25 PM
247	Steam room	7/18/2016 12:24 PM

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248	NO	7/18/2016 12:22 PM
249	Steam room/sauna	7/18/2016 12:20 PM
250	Would it be possible to have only one coed steam room and sauna	7/18/2016 12:16 PM
251	Elimination of soda, unhealthy snacks in place of whole and healthy food. Some attention to nutrition especially geared towards the youth.	7/17/2016 11:18 PM
252	I would like the steam room and racquetball courts to remain.	7/16/2016 6:38 PM
253	Desks/homework stations and a more permanent children's library/bookcase.	7/16/2016 11:27 AM
254	No. I think the plan is extremely thorough and comprehensive.	7/16/2016 11:04 AM
255	Any way to fit in 2 racquet ball courts? They seem well used. We have fun playing in one occasionally.	7/16/2016 10:41 AM
256	sauna and racquetball courts	7/16/2016 10:07 AM
257	racquetball courts, Steam room	7/16/2016 9:58 AM
258	need dry sauna	7/16/2016 9:56 AM
259	Racquetball courts seem pretty important. Our family has used them frequently. We could also stand to make our weight room more robust. I think that's why more ppl don't use the facilities.	7/16/2016 9:46 AM
260	Looks good	7/16/2016 8:49 AM
261	Improved technology to update membership and prove Addison citizenship. Antiquated to have to bring in a bill with mailing address.	7/15/2016 9:31 PM
262	No	7/15/2016 9:27 PM
263	Racquetball Courts!	7/15/2016 6:49 PM
264	I absolutely think the steam and saunas should be reinstated. It's difficult to lose amenities in a makeover, but we all understand that is necessary to some extent. Given the space the racquetball courts require, it's a painful, but fair, tradeoff. However, removing the steam and saunas is moving backward--there is even more evidence now of the health benefits of steam and sauna, and the higher end athletic centers (which AAC should be) have these amenities. The health benefits (see: http://www.huffingtonpost.com/entry/saunas-might-be-good-for-_n_6736242) are also why many stand alone sauna and steam spas are opening. I understand they are difficult to maintain and keep clean, but so are the two pools and the spa. Please reconsider the elimination of the steam and sauna.	7/15/2016 6:28 PM
265	If not in the plan, an additional group exercise room.	7/15/2016 6:10 PM
266	Racquetball courts.	7/15/2016 4:43 PM
267	Maybe offer personal trainers who would share 50% of their charges with the club. Update/clean day care area for those who wish to have care givers for their little children while they work out.	7/15/2016 4:37 PM
268	Yes, I would like to see space created for a cardio cinema. Gold's Gym and Fitness Connection have them. It is a great way to workout and not realize how long you have been there!	7/15/2016 4:35 PM
269	See above concerning the saunas	7/15/2016 4:29 PM
270	Those necessary maintenance items such as the A/C, Heating and Ventilating. Other maintenance as occasional painting, etc., to keep the facility fresh and desirable. .	7/14/2016 6:19 PM
271	At least one raq.court	7/14/2016 5:00 PM
272	Not really. For me it's more about the variety and affordability of the class offerings. Would be nice to have an area for more social gatherings/food/beverage but perhaps that's included.	7/14/2016 2:11 PM
273	I think potential uses for the spaces should be included, I would hope that after the renovation there would be an increase in children classes and programming, after school basketball classes, tennis classes, soccer classes...more options for group or private swimming lessons(I have been trying for a year to have private lessons with the contact listed at the club, her schedule never works with my children's...maybe there could be more people offering lessons.	7/13/2016 5:32 PM
274	Aren't there some members who use the racquetball courts? You might leave one or two courts.	7/13/2016 5:21 PM
275	A water fountain should be added to the far end of the weight room. Add a dip/pull-up assist machine to the weight area.	7/13/2016 4:24 PM
276	we should retain the steam & sauna... these are in use all the time... I hear the same from the men... They are a huge PLUS to the club.	7/13/2016 4:20 PM

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277	Can't think of anything, since I workout w/trainer.	7/13/2016 3:20 PM
278	A theatre for presentations and family movie night Party room Childcare separated for older kids	7/13/2016 12:14 PM
279	Keep a Racquetball court	7/13/2016 11:59 AM
280	More activities for Seniors	7/13/2016 11:48 AM
281	The plan "as is" appears to include increased security for childwatch area. Great! Perhaps a two-phase entry with a locked second door would increase security. Also, childwatch area should have separation of spaces for babies/toddlers and older kids.	7/13/2016 11:24 AM
282	maybe keep at least 1 racquetball court	7/13/2016 11:13 AM
283	Why eliminate these?	7/13/2016 10:08 AM
284	Small towels in workout area to use to cover machines from sweat...put in basket at end of workout.	7/13/2016 9:54 AM

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Q10 Are there elements listed you think should be excluded from the Master Plan?

Answered: 226 Skipped: 173

#	Responses	Date
1	no	7/25/2016 9:21 AM
2	Lobby	7/25/2016 9:16 AM
3	Redoing Locker Rooms	7/25/2016 9:12 AM
4	n/a	7/23/2016 10:16 PM
5	1) private offices for the staff and trainers. This is completely unnecessary. Except for Randy, cubicles are fine. In business world, only directors and higher get a private office. 2) expanded childcare - it is not the Town's or taxpayers responsibility to provide free childcare all day long. The ACC was designed to be ADULT centered facility and should remain so. If you try and turn it in to child focus rec center, I will stop coming. Kids are not allowed in exercise areas until 15 yrs of age. M-F they run wild in the lobby area and noise is awful!	7/23/2016 5:25 PM
6	My lowest ranked, being indoor pool & locker room.	7/23/2016 4:54 PM
7	Generally speaking the upgrades to the lobby area are not needed. I think upgrading HVAC and refresh of current areas is sufficient.	7/23/2016 2:37 PM
8	The new spa	7/23/2016 11:10 AM
9	eliminating ALL of the racquetball courts...it's ridiculous that there can not be at least one court remaining	7/23/2016 10:27 AM
10	Offices	7/22/2016 10:11 PM
11	Special yoga room	7/22/2016 10:07 PM
12	the work done on the outside pool area -- not really needed or necessary	7/22/2016 9:36 PM
13	Lobby remodeling is not necessary.	7/22/2016 8:04 PM
14	I think the cafe is too big. Most people use the gym to workout, not to socialize.	7/22/2016 5:45 PM
15	no	7/22/2016 5:41 PM
16	no	7/22/2016 5:26 PM
17	all until put to vote by the people.	7/22/2016 4:22 PM
18	do not waste money on offices. it looks like the overall plan will increase management/labor costs of operating the facility. re-organize the entire plan to minimize the need for supervision.	7/22/2016 4:05 PM
19	Cosmetic things, e.g. graphics and banners, game room, expensive sound systems.	7/22/2016 4:01 PM
20	Lobby improvements... There is no need to spend a lot of money on 'beautifying' this area.	7/22/2016 3:35 PM
21	yes - just fix and replace what is existing and add one multi purpose room.	7/22/2016 2:54 PM
22	No	7/22/2016 2:26 PM
23	Please do not remove any of the racquetball courts	7/22/2016 2:13 PM
24	lobby/core building	7/22/2016 1:57 PM
25	This is just too many improvements. Please keep adding improved equipment and keep the gym clean. All new flooring etc is just unnecessary.	7/22/2016 1:26 PM
26	some rated as low as 3	7/22/2016 12:17 PM
27	Elimination of raquetteball courts. This has been one of my most favorite activities to share with my daughter's.	7/22/2016 11:58 AM
28	Eliminating the sauna's and steam rooms. I use these on a regular basis as do many other club members.	7/22/2016 11:29 AM
29	exclude removing the racquetball courts	7/22/2016 11:23 AM
30	Don't really care about new lobby or game room	7/22/2016 11:21 AM

2016 Athletic Club Master Plan

31	No	7/22/2016 11:17 AM
32	Locker rooms do not need that much change	7/22/2016 11:16 AM
33	Admin expansion	7/22/2016 10:10 AM
34	no	7/22/2016 10:04 AM
35	maintenance only needed	7/22/2016 9:56 AM
36	Keep sauna and steam room	7/22/2016 9:54 AM
37	yes, family locker room and library expansion	7/22/2016 9:51 AM
38	most of it	7/22/2016 9:49 AM
39	none	7/22/2016 9:42 AM
40	none	7/22/2016 9:40 AM
41	no	7/22/2016 9:39 AM
42	all	7/22/2016 9:38 AM
43	Game room doesn't have to be that big as proposed	7/22/2016 9:32 AM
44	Classrooms and bigger daycare.	7/22/2016 9:31 AM
45	Expanding the exercise areas, renovating lobby space, relocating admin. offices, and doing anything in the track and gymnasium should not be in the plan. The current space is adequate for the amount of usage it gets.	7/22/2016 9:28 AM
46	Do we really need to do anything to the indoor track	7/22/2016 9:24 AM
47	All of it	7/22/2016 9:22 AM
48	probably don't need family changing/locker rooms	7/22/2016 9:18 AM
49	Removal of the steam rooms.	7/22/2016 9:06 AM
50	I had no idea we had a library. Is this for members? If not, I don't think it's really necessary to have a library in a fitness facility.	7/22/2016 9:04 AM
51	Whole plan should be voted down	7/22/2016 8:58 AM
52	no	7/22/2016 8:54 AM
53	Eliminate second classroom, reduce the amount of admin space and eliminate dedicated game area. Eliminate lounge space in locker room. Reduce number of family changing rooms (note: I have two children and believe two changing rooms - one in each locker room is sufficient).	7/22/2016 8:48 AM
54	I'm happy with the current locker rooms but I do understand that others may need an upgrade.	7/22/2016 8:24 AM
55	elimination of racquetball courts	7/22/2016 8:13 AM
56	Why would you eliminate racquetball, Diana's, and steam rooms?	7/22/2016 8:13 AM
57	Why would you eliminate racquetball, Diana's, and steam rooms?	7/22/2016 8:13 AM
58	Saunas	7/22/2016 8:12 AM
59	We don't need a library, as Addison resident we have access to other real library in the area. We don't need a dedicated yoga room, any room can serve as a yoga room.	7/22/2016 7:50 AM
60	Does anyone use the indoor spa?	7/22/2016 7:46 AM
61	Racquetball court removal. Please consider leaving one or 2 courts.	7/22/2016 7:44 AM
62	No	7/22/2016 7:29 AM
63	No	7/22/2016 7:24 AM
64	Facial spa, lounge, cafe... It's a fitness center/gym not an assisted living complex.	7/21/2016 11:23 PM
65	Family changing suites, the several extra multi-purpose rooms and the lounge area in the entrance.	7/21/2016 11:22 PM
66	The track and gym looked fine to me. We have a shade pool at our apartment. Unless you hear it...too cold.	7/21/2016 10:32 PM
67	do not remove steam and sauna from locker rooms	7/21/2016 6:53 PM

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68	Leave the racquetball courts in	7/21/2016 5:40 PM
69	Scrap the whole thing. The club is fine as it is.	7/21/2016 5:39 PM
70	no	7/21/2016 4:31 PM
71	no	7/21/2016 4:30 PM
72	no	7/21/2016 4:27 PM
73	no spa	7/21/2016 4:24 PM
74	anything not aiding to fitness	7/21/2016 4:20 PM
75	no	7/21/2016 4:15 PM
76	no	7/21/2016 4:14 PM
77	no	7/21/2016 4:13 PM
78	no expanded childcare. and no additional pieces and equipment. try using what is already there.	7/21/2016 3:25 PM
79	no	7/21/2016 3:12 PM
80	everything listen in 8b/8b above. The plan to add 50 new pieces of equipment. Most of existing equipment is idle majority of the day.	7/21/2016 3:08 PM
81	all but the hvac and repaint	7/21/2016 3:02 PM
82	locker room upgrade. lifeguard room	7/21/2016 3:01 PM
83	game room/coffee bar.	7/21/2016 2:55 PM
84	no	7/21/2016 2:46 PM
85	everything I ranked with an 8. A central desk is absolutely unnecessary. what we have works just fine.	7/21/2016 1:58 PM
86	cafe, etc... if this is to be a social club as opposed to "athletic club" change the name.	7/21/2016 1:53 PM
87	the front lobby is nice- doesn't need changing.	7/21/2016 1:49 PM
88	do we need all the classrooms	7/21/2016 1:45 PM
89	keep a few racquetball courts, keep sauna and steam room.	7/21/2016 1:40 PM
90	I don't think we should spend so much on a new lobby area. This is not a resort and we're trying to impress people.	7/21/2016 1:34 PM
91	indoor space. do locker areas need to be so lage?	7/21/2016 1:12 PM
92	family locker rooms downsized!	7/21/2016 12:53 PM
93	I really don't get the need for family lockers rooms atleast so many. I use the lockers and showers when I come in, the new locker rooms seem cramped.	7/21/2016 12:48 PM
94	there are lots of whistles and bells, should be scaled down.	7/21/2016 12:25 PM
95	no	7/21/2016 12:21 PM
96	No	7/21/2016 12:19 PM
97	no	7/21/2016 12:16 PM
98	lobby looks fine	7/21/2016 9:48 AM
99	spa and locker room updates	7/21/2016 9:39 AM
100	Everything except HVAC upgrades.	7/21/2016 9:14 AM
101	Library. We could always use other city library. It's very convenient and multiple choices. It's too small in the new center. Also, do we need that much admin space?	7/21/2016 9:05 AM
102	Everything except A/C	7/20/2016 11:10 PM
103	Not sure the lobby needs that much expenditure (over 1/3 of the budget). It seems OK to me the way it is.	7/20/2016 10:53 PM
104	indoor spa	7/20/2016 7:28 PM
105	Removal of racquetball courts. We use it multiple times a week. Suggest that the removal of racquetball courts be excluded from the master plan.	7/20/2016 6:24 PM

2016 Athletic Club Master Plan

106	Spa	7/20/2016 3:44 PM
107	Game area	7/20/2016 3:26 PM
108	doesn't need to be ultra money for the lobby, seating, decorations, etc...	7/20/2016 3:05 PM
109	do maintenance only. no redo needed.	7/20/2016 3:01 PM
110	lots of things! why?!?! lets fix AC, heating, roo, maybe enlarge exercise rooms, make upstairs restrooms as family.	7/20/2016 3:00 PM
111	locker rooms and suites	7/20/2016 2:57 PM
112	no	7/20/2016 2:55 PM
113	The huge family locker room. How about a couple of smaller family locker rooms so that the men's and women's locker rooms aren't so tiny.	7/20/2016 2:53 PM
114	all	7/20/2016 2:50 PM
115	family locker rooms use same space as mens/womens combined... make smaller family locker rooms.	7/20/2016 2:45 PM
116	the locker rooms proposed are too small and should be reconsidered. It does not seem like very many people use indoor track.	7/20/2016 2:42 PM
117	spa	7/20/2016 2:40 PM
118	ceiling fans 2nd floor	7/20/2016 2:33 PM
119	coffee bar	7/20/2016 2:32 PM
120	do we need all the extra admin space?	7/20/2016 2:22 PM
121	upgraded lobby and no more ping pong tables or upgraded expanded child care areas... REALLY?!	7/20/2016 2:20 PM
122	admin space is excessive.	7/20/2016 2:16 PM
123	keep rball	7/20/2016 2:14 PM
124	yes, keep rball courts	7/20/2016 2:12 PM
125	game room, new front desk and lounge. cafe, new office for staff.	7/20/2016 2:07 PM
126	No	7/20/2016 1:57 PM
127	no	7/20/2016 1:48 PM
128	The locker room redesign needs to be examined closer and justified based on volumes of members served. The current plan appears to halve the locker room space at a fairly high expense (over \$1 million). The members using the specialize low density locker rooms won't offset much of the utilization of the half sized main locker rooms.	7/20/2016 12:53 PM
129	As I've listed above...ditch the gymnasium.	7/20/2016 12:12 PM
130	Unnecessary visuals like bannars and murals.	7/20/2016 12:04 PM
131	Unnecessary visuals like bannars and murals.	7/20/2016 12:00 PM
132	new front desk, cafe & lounge, game room (it's bigger than yoga room!!!) expanded childcare. our childcare should not be the responsibility of the town and taxpayers.	7/20/2016 10:51 AM
133	1. private offices for staff and trainers (except ACC director); in corporate world, these people are in cubicles. NO PRIVATE TRAINER ROOMS! 2. case, lounge and game room 3. large daycare room- free daycare not responsibility of town and taxpayers. 4. family locker room	7/20/2016 10:34 AM
134	no	7/20/2016 10:09 AM
135	yes	7/20/2016 10:05 AM
136	Fancy lounge and reduce size of lobby	7/20/2016 9:29 AM
137	Most of it. No major changes are needed, just maintenance.	7/20/2016 8:46 AM
138	The cafe or lounge areas are not necessary or practical, especially with such limited space. The indoor area for lifeguards for reasons already stated.	7/20/2016 12:16 AM
139	None	7/19/2016 8:42 PM
140	I'd rather have these funds refunded to the tax payers than spent on renovation.	7/19/2016 8:25 PM
141	yoga room	7/19/2016 8:24 PM

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142	The multi purpose room takes up to much area, reduce and keep sauna and steam room	7/19/2016 6:48 PM
143	A lot of it. Don't need expanded fitness area on second floor taking away the charm of the current structure. Extravagant locker room/changing facilities. Put in one family changing room in each locker room and take away some lockers. Don't overkill. Sound system in gym/track Expanded kitchen and "cafe" areas.	7/19/2016 4:08 PM
144	I don't understand the grossly extravagant expansion of classroom and admin space. I get that it's needed, but the current proposal seems to have gone a little overboard, especially considering have the racquetball courts at AAC are the main reasons I chose Addison over some other parts of Dallas when I moved earlier this year.	7/19/2016 2:52 PM
145	mayor	7/19/2016 1:09 PM
146	no	7/19/2016 1:06 PM
147	steam room	7/19/2016 1:04 PM
148	new spin bikes	7/19/2016 12:58 PM
149	no	7/19/2016 12:57 PM
150	carpet areas?? should be replaced, please add to the who cares, large hall?	7/19/2016 12:52 PM
151	no	7/19/2016 12:43 PM
152	Family changing rooms	7/19/2016 12:29 PM
153	most of it is unnecessary	7/19/2016 12:22 PM
154	Frankly, I do not see much need for any of these changes.	7/19/2016 11:03 AM
155	Everything but new A/C	7/19/2016 10:45 AM
156	No	7/19/2016 10:30 AM
157	The entire plan	7/19/2016 6:24 AM
158	Plan should try to work with the existing space instead of moving everything around at great expense.	7/18/2016 11:55 PM
159	I wish we could keep the steam room.	7/18/2016 11:00 PM
160	The shade thing by the pool. Seems silly to go to an outside pool then hunt for shade. It would have to be substantial due to wind. Pool used only 4 months of yr. Waste of money. Save MONEY on that entrance (too fancy and EXPENSIVE). It is a bit much.	7/18/2016 9:34 PM
161	I would like to see at least one racket ball court remain.	7/18/2016 8:42 PM
162	No	7/18/2016 7:22 PM
163	no	7/18/2016 5:27 PM
164	no	7/18/2016 5:25 PM
165	locker rooms are fine	7/18/2016 5:23 PM
166	game room	7/18/2016 5:20 PM
167	game room child watch	7/18/2016 5:19 PM
168	Yes the ones I listed above	7/18/2016 4:19 PM
169	Multipurpose room(s) no one uses them now so why would you expect them to be used if you multiply their numbers?	7/18/2016 3:36 PM
170	Fewer family changing rooms---3 or 4.	7/18/2016 3:22 PM
171	None	7/18/2016 3:18 PM
172	new indoor spa	7/18/2016 3:17 PM
173	closing gym long term	7/18/2016 3:13 PM
174	a full gym shut down	7/18/2016 3:10 PM
175	no	7/18/2016 3:05 PM
176	multi rooms	7/18/2016 2:53 PM
177	steam room, sauna	7/18/2016 2:50 PM
178	the lobby isn't so important to me	7/18/2016 2:45 PM

2016 Athletic Club Master Plan

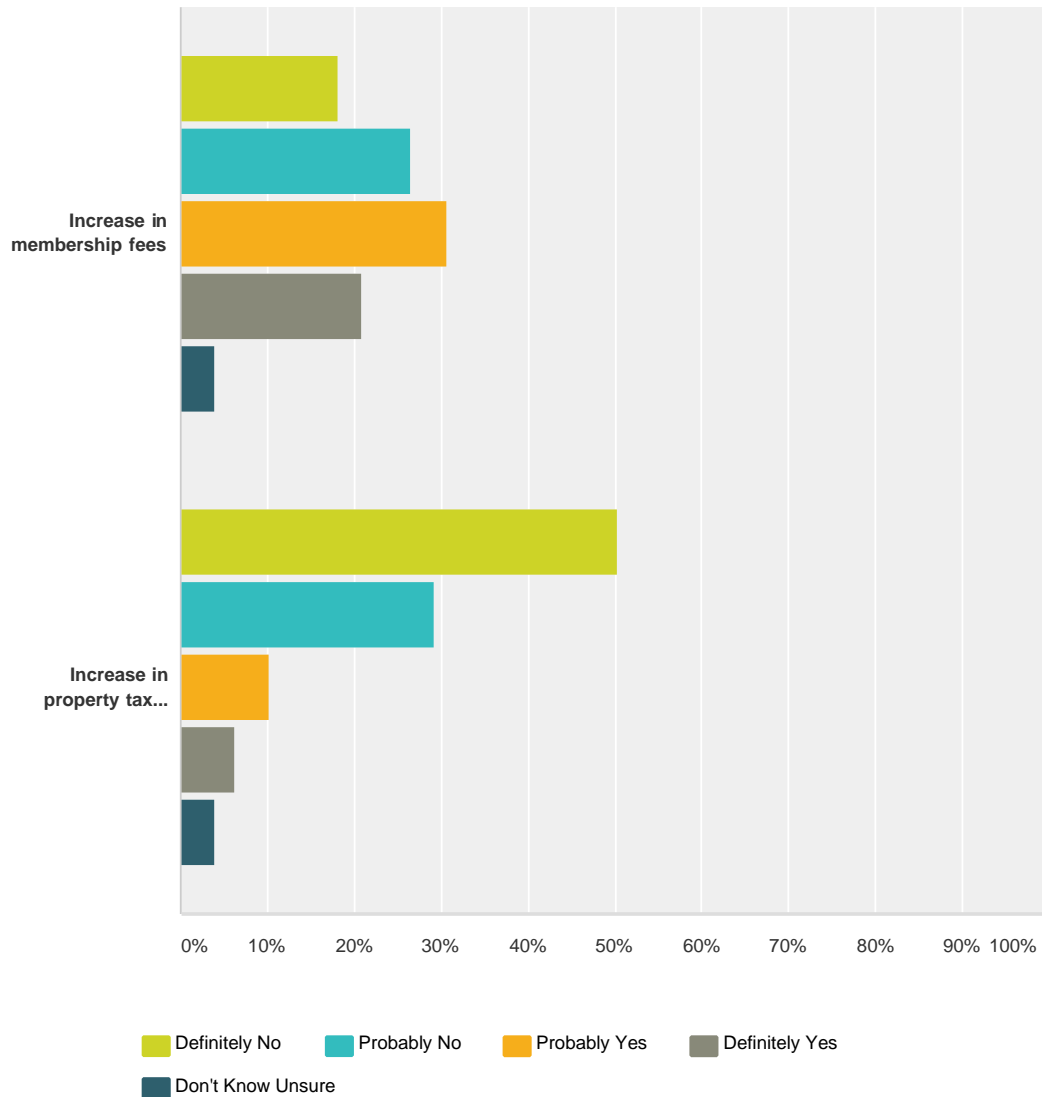
179	no	7/18/2016 2:45 PM
180	why an expensive lobby?	7/18/2016 2:33 PM
181	AC	7/18/2016 2:15 PM
182	New lockers are not necessary and neither is a new lobby. I don't go to socialize, I go to workout.	7/18/2016 2:13 PM
183	No	7/18/2016 2:08 PM
184	no	7/18/2016 2:04 PM
185	Lobby and indoor spa	7/18/2016 1:44 PM
186	lobby 2.7 million	7/18/2016 1:42 PM
187	The café. And is there really a need for TWO very large classrooms? What type of programs are to be held in these classrooms? They're both larger than the space allotted to yoga, the downstairs fitness area, the child watch area. How often are they anticipated to be in use verses the amount of space being dedicated to them?	7/18/2016 1:41 PM
188	No.	7/18/2016 1:36 PM
189	everything but A/C upgradeits gym, not a country club	7/18/2016 1:28 PM
190	Although I do not play racquetball, it does appear to me that the 2 remaining courts are used.	7/18/2016 1:25 PM
191	- 0 -	7/18/2016 1:20 PM
192	all except number one	7/18/2016 1:17 PM
193	cafe- make a rball court instead	7/18/2016 1:14 PM
194	no	7/18/2016 1:01 PM
195	yes, lobby redo and locker rooms.	7/18/2016 12:55 PM
196	Everything but A/C	7/18/2016 12:51 PM
197	none	7/18/2016 12:48 PM
198	there seems to be a lot of wasted space for open look and lobby is too big.	7/18/2016 12:44 PM
199	there seems to be a lot of wasted space for open look and lobby is too big.	7/18/2016 12:44 PM
200	lobby re-do	7/18/2016 12:34 PM
201	all but HVAC	7/18/2016 12:22 PM
202	Lobby, Also outside area is only used 3 mouths a year	7/18/2016 12:16 PM
203	Steam room and racquetball courts should remain. Also the building redesign should be scaled down and we don't need a child care center.	7/16/2016 6:38 PM
204	No	7/16/2016 11:04 AM
205	All looks good	7/16/2016 10:07 AM
206	Not reall	7/16/2016 9:46 AM
207	I think it looks good.	7/16/2016 8:49 AM
208	The sauna and steam rooms--too expensive to maintain. Racquetball courts used by too few people to justify keeping them to the exclusion of more flexible, useable square footage. We can't be all things to all people.	7/15/2016 9:27 PM
209	Yes, the large Family Locker room should be right-sized to a couple of stand alone "Family" restrooms. Also, if space is an issue, the Master Plan shows 2 large classrooms in addition to expanded yoga and fitness rooms; these spaces could be multipurpose and combined.	7/15/2016 6:28 PM
210	Lobby/core upgrades and multi-use room	7/15/2016 4:43 PM
211	Have you considered eliminating the indoor pool to allow for more space for locker rooms, spa, etc?	7/15/2016 4:37 PM
212	I think one racquetball court needs to stay. I think it is busy enough to keep at least one. Cafe - I like the idea of it, not sure if it will it be used enough	7/15/2016 4:35 PM
213	I don't feel as if any capital items should be undertaken at this time.. For reason see #13 below.	7/14/2016 6:19 PM
214	Lots. And how many people use this facility??? The exercise equip. is never with a waiting line! #11 doesn't work-"NO, NO" to both questions	7/14/2016 5:00 PM

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215	Not really.	7/13/2016 5:21 PM
216	Walking track area does not need to be redone.	7/13/2016 4:24 PM
217	way to much space is devoted to family changing rooms.. It's like the raquet ball courts... I don't see how the number of people that need this out weighs what the plans show we are giving up.. in men / women space & sauna/ steam rooms..	7/13/2016 4:20 PM
218	No, I'm all for it, unless it raises the cost for me.	7/13/2016 3:20 PM
219	Steam rooms, saunas and racquetball courts.	7/13/2016 12:40 PM
220	lobby is not an essential part of the club	7/13/2016 12:13 PM
221	Area to keep a racquetball court	7/13/2016 11:59 AM
222	Nix sauna, steam rooms--too costly to maintain Is there medical documentation to support healthy use of steam room. I think steam/sauna rooms put the club at great risk-	7/13/2016 11:48 AM
223	Anything that reduces security from severe-weather and violent-person perspectives.	7/13/2016 11:24 AM
224	Possibly eliminate the cafe, unless it will be a sure money-earner for the AAC.	7/13/2016 11:13 AM
225	Locker Room changes	7/13/2016 10:08 AM
226	New indoor spa	7/13/2016 9:54 AM

Q11 Would you support any of the following in order to allow the Town to remodel the existing Athletic Club building?

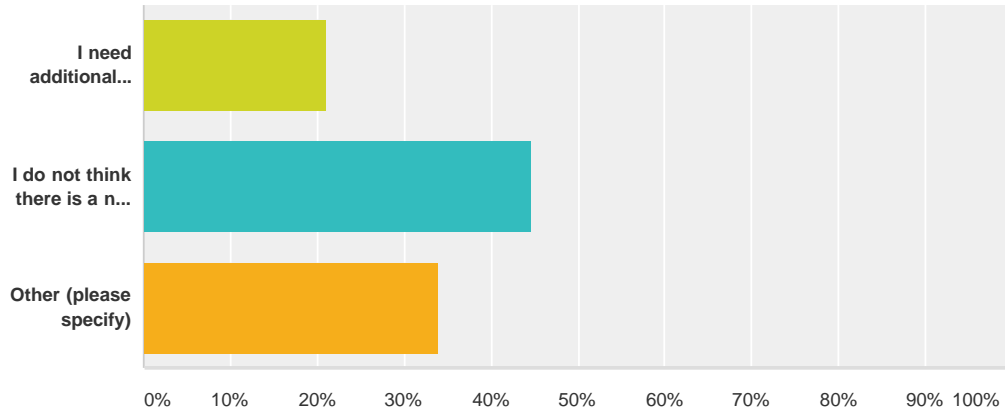
Answered: 394 Skipped: 5



	Definitely No	Probably No	Probably Yes	Definitely Yes	Don't Know Unsure	Total
Increase in membership fees	18.11% 65	26.46% 95	30.64% 110	20.89% 75	3.90% 14	359
Increase in property tax rate	50.40% 188	29.22% 109	10.19% 38	6.17% 23	4.02% 15	373

Q12 If you are unsure or would vote No, which ONE of the following is the major reason for your response?

Answered: 293 Skipped: 106



Answer Choices	Responses	
I need additional information	21.16%	62
I do not think there is a need for a remodel to the current Athletic Club building	44.71%	131
Other (please specify)	34.13%	100
Total		293

#	Other (please specify)	Date
1	I do not want to have to pay a large amount of money per a membership	7/25/2016 9:21 AM
2	It should come from current budget.	7/23/2016 6:12 PM
3	I believe that facility could be updated in a more cost effective way. More of a "cosmetic refresher" vs. plastic surgery approach. (So to speak:-)	7/23/2016 4:54 PM
4	The city can't afford the luxury of remodeling the club at this time. There are other city priorities that are more important than this remodel.	7/23/2016 11:27 AM
5	Our property taxes in Addison have steadily increased. I do not want to pay additional money for taxes. If new member rates could go up, while grandfathering in the existing members, I would not be opposed to that.	7/23/2016 11:10 AM
6	elimination of all racquetball courts	7/23/2016 10:27 AM
7	I don't like the idea of increasing membership fees as that will open the door to contact increases just like with property taxes -- another thing that will constantly go up	7/22/2016 9:36 PM
8	Some remodeling is needed but not that entire plan. Also the work can be carried out in phases such that the cost burden and lifestyle disruptions are minimized.	7/22/2016 8:04 PM
9	The addison athletic club is perfect. They can up grade areas and replace hvac system and locker rooms. And refresh the rest of the areas without spend so much money.	7/22/2016 5:45 PM
10	I do not think such an extensive remodel is necessary	7/22/2016 4:01 PM
11	remodel focuses on areas not important to me	7/22/2016 4:01 PM
12	I would rather pay a higher fee for the athletic club. I don't support my taxes going up. I think seniors should still remain a \$10 joining fee.	7/22/2016 3:57 PM
13	I think the AAC needs improvement but if the membership fee is going up and taxes then NO, leave the gym along.	7/22/2016 12:24 PM

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14	I would recommed a increase in membership fee over taxes so those who use it are paying for it.. If you don't use it, why do you need to fund it.	7/22/2016 11:19 AM
15	Do not want a tax increase	7/22/2016 9:51 AM
16	i think there is a need to upgrade but perhaps to not that extent.	7/22/2016 9:45 AM
17	Minor upgrades	7/22/2016 9:36 AM
18	Some improvments are needed but these are extreme	7/22/2016 9:30 AM
19	simply updating the HVAC, shower rooms and excercise equipment would be sufficient for me	7/22/2016 9:18 AM
20	I need additional information. I want to be able to have better visuals and understanding of how much space each area will be getting before I can say yet to paying more for my membership or paying more in taxes. Maybe you all can provide something like a virtual tour of the proposed facility.	7/22/2016 9:04 AM
21	I only believe the locker rooms need to be redone really.	7/22/2016 8:48 AM
22	Free use was the original intent	7/22/2016 8:43 AM
23	Depends by how much \$ you're talking about!	7/22/2016 8:24 AM
24	Question unclear.	7/22/2016 7:55 AM
25	Addison is on a spending spree. Why? I find it totally irresponsible.	7/22/2016 7:46 AM
26	I like the AAC's current offerings and fee structure and would much rather have a temporary bond solution rather than a permanent increase in taxes.	7/22/2016 7:44 AM
27	I think we could get by with less of a remodel.	7/21/2016 10:32 PM
28	taxes are pretty high in Addison already.	7/21/2016 8:01 PM
29	Have heard that council members want to open the club to the public. I oppose this and hope it stays a facility for Addison residents only	7/21/2016 6:53 PM
30	n/a	7/21/2016 4:20 PM
31	more kids sports activities	7/21/2016 4:17 PM
32	only support maintenance upgrades.	7/21/2016 3:31 PM
33	town is already 20 million in debt. where is the money coming from?	7/21/2016 2:16 PM
34	increase in my cost fees or taxes.	7/21/2016 2:06 PM
35	I haven't thought about it enough.	7/21/2016 2:01 PM
36	It is already more than adequate.	7/21/2016 1:58 PM
37	I don't think a major change needs to be made to the AAC. I do believe we could upgrade the bath/shower area especially the showers. Right now, you have to get in the shower, turn it on and jump over and wait for the water to get warm. need more space	7/21/2016 1:47 PM
38	I would rather pay a monthly fee	7/21/2016 1:45 PM
39	Raise funds through a bond election-raising the fee for members would not provide enough funds- we need large sums of money that bonds would provide.	7/21/2016 1:40 PM
40	I'd accept "some" increase in our memberships fees. But not like some "public" companies charge 50-60 a month!	7/21/2016 1:34 PM
41	no reason to increase tax, increase membership fee to Addison residents only.	7/21/2016 12:53 PM
42	not everyone uses it, and a tax increase would not be fair to those who do. Perhaps too many changes at once are too expensive.	7/21/2016 9:48 AM
43	There is need, but seems not necessary to do so much.	7/21/2016 9:05 AM
44	The facility is a huge amenity to the town. However, I think the people who use it (membership fees) should provide the bulk of the support. I'd consider a modest increase in taxes, but definitely support higher usage fees -- there's so much room for those to defray some of the costs, especially ongoing maintenance costs	7/21/2016 8:38 AM
45	Property taxes are to high	7/20/2016 3:44 PM
46	Property taxes already increase year over year.	7/20/2016 3:26 PM

2016 Athletic Club Master Plan

47	I think there is a need for a remodel. I just don't think that the plan as proposed is the best use of space for that kind of expense.	7/20/2016 2:53 PM
48	make improvements only that are necessary.	7/20/2016 2:51 PM
49	if not using facility would still pay for it.	7/20/2016 2:45 PM
50	this club really is great for our purposes. We don't really see a new to remodel. But would be willing to pay a higher membership fee if it does get remodeled.	7/20/2016 2:36 PM
51	increase property tax rate excludes the addison renters from carrying part of the expense. places more on the long term property owners.	7/20/2016 2:32 PM
52	biggest downside is the filth and mildew in the mens showers! totally unsafe and unsanitary!	7/20/2016 2:27 PM
53	the suggested renovation is excessive	7/20/2016 2:20 PM
54	i rent	7/20/2016 2:16 PM
55	rball is my only interest	7/20/2016 2:14 PM
56	Tax rates are high enough in Addison and Texas.	7/20/2016 1:48 PM
57	Quit buying ugly artwork for entrances and within Addison...so unnessary. Use money wisely. Also with all of the aprtments you want to build, why not increase their taxes to pay for this since they will add people to the athletic club, making it crowded.	7/20/2016 12:12 PM
58	need to focus on maintenance issues and exercise space. repurposing under utilized space.	7/20/2016 10:34 AM
59	percent of increase could make me reconsider, but at 8 per yr I could double it.. haha	7/20/2016 10:09 AM
60	\$10 per year is way too low for the club. The fiscal plan for the town should aid in this, but doing so but less frivolous spending on other city items, not necessarily and increase in taxes.	7/20/2016 12:16 AM
61	I'd rather have these funds refunded to the tax payers than spent on renovation.	7/19/2016 8:25 PM
62	A remodel might be nice, but at what cost (specifically to the members and community, not necessarily a "total budget" figure), and to the detriment of what sports/activities?	7/19/2016 2:52 PM
63	what's selected needs to be more than one option	7/19/2016 1:09 PM
64	racquetball and spa and sauna are more busier than some of our multipurpose areas. How do you eliminate them?!	7/19/2016 12:52 PM
65	Since I use only the water activities, I cannot reply	7/19/2016 10:30 AM
66	costs should be borne by the users	7/19/2016 9:39 AM
67	The remodel is over the top.	7/18/2016 11:55 PM
68	If Addison Council believes they made sound money decisions for the future of Addison, there should be no need to raise taxes or fees. Addison should have plenty to pay for this project.	7/18/2016 11:00 PM
69	Concerned about recent relavation that the utility project on Belt Line will cost considerably more than originally approved.	7/18/2016 9:50 PM
70	Need street improve more	7/18/2016 6:37 PM
71	taxes are too high. a membership fee, maybe \$5-\$10 a month is an idea.	7/18/2016 5:27 PM
72	raising taxes is a NO	7/18/2016 5:25 PM
73	taxes are too high already. A user fee would make more sense.	7/18/2016 3:18 PM
74	i'm all for upgrades, but no complete shut down.	7/18/2016 3:10 PM
75	do not want to pay more taxes	7/18/2016 2:59 PM
76	I do not see the need for a big remodel	7/18/2016 2:50 PM
77	don't want to pay more money	7/18/2016 2:15 PM
78	Property taxes already too high	7/18/2016 2:08 PM
79	I think the main upgrades needed are indoor pool area and locker rooms. The other expenses might not be that critical	7/18/2016 1:58 PM
80	replacing the HVAC ONLY	7/18/2016 1:55 PM
81	I would only do the HVAC and lobby/core building	7/18/2016 1:52 PM

2016 Athletic Club Master Plan

82	I am spoiled by the tax only model we use now. I think it encourages use of the Club.	7/18/2016 1:25 PM
83	I'm currently renting	7/18/2016 1:01 PM
84	stop wasting my money	7/18/2016 12:51 PM
85	scale down remodeling	7/18/2016 12:41 PM
86	two things I use a lot are being eliminated	7/18/2016 12:34 PM
87	Taxes are already too high	7/18/2016 12:16 PM
88	Spend 3 Mil	7/18/2016 12:12 PM
89	Said yes, but depends on final figures	7/18/2016 12:08 PM
90	remodel is too high in cost	7/18/2016 8:06 AM
91	Yes we need an upgrade to the gym but this goes to far.	7/16/2016 6:38 PM
92	Would like to know the proposed increases	7/16/2016 10:07 AM
93	Vote No on what? This question is not clear. I think a short term bond to add to increased membership fees would be best.I	7/15/2016 9:27 PM
94	I'm concerned that raising the cost would price some residents out. Also, I think "tiered" usage of certain amenities is a terrible idea. It raises one of two complaints--"Why do people with more money get access to more resources?" or alternatively, "If I have to pay more for resources I use, then shouldn't others have to pay for resources they use that I don't use?" Bad precedent to set.	7/15/2016 6:28 PM
95	elimination of racquetball courts	7/15/2016 4:43 PM
96	I would want to be sure there were more children's programming available before I could support a tax hike, when my son turns 8, I will be very limited on how I am able to access the club, other than summer months	7/13/2016 5:32 PM
97	I do not think the club needs that large of a redo.. few cities have this type of facility already.. I moved to Addison strictly due to the Club... Its a huge plus they way it is.. & this is a huge amount of money to ask for & we already have the Belt-line Rd completion to pay for...	7/13/2016 4:20 PM
98	I think we are all concerned about our property tax.	7/13/2016 3:20 PM
99	Increase in property tax puts burden on residents who do not use AAC and can inhibit residential growth in the city.	7/13/2016 11:13 AM
100	I own a home. Apartment users would not have to pay tax	7/13/2016 9:54 AM

2016 Athletic Club Master Plan

Q13 Please give us any additional comments on the Addison Athletic Club Master Plan.

Answered: 200 Skipped: 199

#	Responses	Date
1	I believe that \$10.00 a year is way to low. I will not be a member if you increase the membership proses to the cost of other gym costs.	7/25/2016 9:24 AM
2	Try to trim the 6.5 million budget	7/25/2016 9:18 AM
3	No changes needed	7/25/2016 9:13 AM
4	I see no reason for changes it is in good shape. Just needs a few cosmetic changes.	7/25/2016 9:10 AM
5	Look forward to seeing what the next steps are	7/24/2016 8:20 PM
6	n/a	7/23/2016 10:16 PM
7	Do not allow non Addison residents to become members.	7/23/2016 6:12 PM
8	I will strongly oppose such an extravagant plan given all the financial challenges the Town is facing now. Only maintenance issues and exercise studio space is urgent need. Why not take away mens basketball court or at least reduce by 50% for studio space? I learned at my meeting there is also admin office space under the staircase to equipment annex that is never used... more wasted existing space! When I attended the recent meeting I saw another new expensive piece of equipment purchased for the men and added into one of the old racquetball courts. All the while, the exercise and yoga mats, primarily used by women, are old, smelly, and often torn/ripped. The light fixtures in the upstairs room are filthy and full of dust.	7/23/2016 5:25 PM
9	This is a very costly plan and it is not necessary. I would be strongly opposed if there is going to be fees assessed or added taxes.	7/23/2016 2:37 PM
10	I suggest we do the necessary improvements at this time and put the remodeling plan on hold until the city can afford it better.	7/23/2016 11:27 AM
11	The indoor pool DEFINITELY needs an update (or thorough cleaning). The grout is disgusting.	7/23/2016 11:10 AM
12	why eliminate all racquetball courts?	7/23/2016 10:27 AM
13	Will the club be closed during this remodel? If so that is unacceptable .	7/22/2016 10:11 PM
14	Thank you for asking for public input.	7/22/2016 10:07 PM
15	If so much money goes into remodeling I think there should be a cafe in the lounge area that serves nice beverages that can be purchased. I also think the multipurpose meeting space should be available for members to rent out and allow non-members to attend meeting in the rented space. Both these things can bring in good revenues and off set costs.	7/22/2016 9:36 PM
16	Please have the council hold extensive deliberations prior to implementing the entire project.	7/22/2016 8:04 PM
17	Racquetball is one of the greatest sports in America. I think it would be a crime to deny future generations the opportunity to play racquetball. Its super fun to play and provides one of the best aerobic workouts. The only reason racquetball has declined in United States is because a lot of gyms that had racquetball courts went out of business. I live in Frisco, TX and the Frisco athletic has 5 + courts. They offer racquetball classes and tournaments. The addison club can offer the same. The addison athletic club has the perfect balance of amenities for it's members. Please keep it that way!	7/22/2016 5:45 PM
18	need improvements to help attract new residents	7/22/2016 5:41 PM
19	It should be well designed and nice but let's avoid expensive lobbies and other space	7/22/2016 5:26 PM
20	Not needed unless the residents want it not the council members. I don't want to pay membership fees or have my property tax increased for a project that is not needed. Thank you	7/22/2016 4:22 PM

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21	Really, this is a lot of money to accomplish very little. The main thing everyone wants is additional class/programming such as more Yoga and other classes. Addison does not have the critical mass to support additional programming. Have we even thought of buying out the Crunch gym on Beltline and expanding the facility--excellent facility and it is not doing very well financially. The present AAC could be made into a new city hall/finance building and the current city hall and finance buildings could be sold for the commercial land value.	7/22/2016 4:05 PM
22	more focus on indoor/outdoor pool areas	7/22/2016 4:01 PM
23	IF present facility is serving our residents well, then there is no need to add improvements that are not needed...Add improvements only to maintain facility in good condition.	7/22/2016 3:35 PM
24	I love it as is! It is such a great community amenity. And now is not the time to spend tons of money on the club. Just keep it in good repair and replace as needed.	7/22/2016 2:54 PM
25	Hours of operation & classroom schedules also need to be revisited as they are dated & do not reflect a younger/family friendlier Addison who live busy lives, work 50-60 hours, plus tend to families and would like to work out or take a class at hours that accommodate that.	7/22/2016 2:26 PM
26	How would the club function while this is going on	7/22/2016 2:01 PM
27	Whould not want exercise equip room closed at all for any amount of time use it regularly.	7/22/2016 1:51 PM
28	I have attended two of the survey feedback sessions and it seems like people really want to keep at least one racquetball court. As you know I and others also feel strongly about more activities for kids especially when they are over 7 and age out of child care (which perhaps we can change this policy). I joked about having a racquetball court with a sliding wall hiding a climbing wall behind it, or use it as a movie room but I just remembered a very cool interactive gym that utilized large blank walls like a racquetball court. This would be incredible amenity that would set our center apart as there are not many of these in the country. It would also provide our kids (and adults too) with a sports activity in a confined space that they would love. It is an interactive screen projected onto a wall much like a video game but the focus is sports skills like throwing knocking over "bottles", kicking goals, etc. https://www.greatplay.com/about/interactive-gym https://www.greatplay.com/highlandsranch/about/mission I am not sure if this would be a technology we could get or not since they say it is patented (maybe they have a version available for community centers or someone else has a knock off) but I think it is worth looking into if we want to keep a racquetball court and utilize the space as much as possible. Even if the technology of the interactive sports wall is not available to purchase, perhaps even programming could be available for our younger residents on certain days they could project on the racquetball wall a Wii dance game or some other video game that the athletic center already has. Just a thought. (Though I would love to find a way to get a climbing wall in the AAC too ☐) Much of the way that the AAC is currently used is due to the current policies and programming which could be changed to facilitate the use of space by more people.	7/22/2016 1:32 PM
29	I am not a fan - especially with that price tag.	7/22/2016 1:26 PM
30	The club is already a world class facility and the low cost of it is a major draw for future home buyers and renter's. The construction period would also make large portions of the facility unavailable and unsightly for regular users like me. This plan, in my opinion, is major overkill. Please do not do this, except for the hvac upgrade.	7/22/2016 11:58 AM
31	I like the idea of upgrading	7/22/2016 10:54 AM
32	Addison renters should not have a vote as. They will not be footing the bill- only the taxpayers(home owners)	7/22/2016 10:22 AM
33	New spin bikes	7/22/2016 10:02 AM
34	none	7/22/2016 9:42 AM
35	none	7/22/2016 9:40 AM
36	stop wasting are money	7/22/2016 9:39 AM
37	Bad idea for residents	7/22/2016 9:38 AM
38	Do not remove the steam room/sauna	7/22/2016 9:36 AM
39	No due increases no tax increase	7/22/2016 9:30 AM
40	Fix what's broke (if the HVAC needs to be replaced then do it.) But don't 'fix' a very adequate fitness center. People moving to and buying homes in Addison are already more than impressed with the facilities we currently have. I strongly object to any spending money on this overall proposed project.	7/22/2016 9:28 AM
41	I think the club footprint is pretty great as it is. The HVAC needed work or replacement, showers need remodeling and new exercise equipment would be great.	7/22/2016 9:18 AM
42	Could use racquetball space for family things too such as an interactive video game wall, a climbing wall, blow up bounce house on certain days, etc	7/22/2016 9:01 AM

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43	Not needed at this time when you have roads in very poor condition (midway) for one	7/22/2016 8:58 AM
44	I suggest we pay for this in multiple ways. 1) Increase in taxes. 2) In the initial year charge users \$10 per year and assess the dues structure annually. 3) Figure out additional revenue streams such as more revenue via more visitors, selling nutritional drinks, Addison logo work out towels, etc.	7/22/2016 8:52 AM
45	Based on the design and proposed changes, the total cost is woefully under budgeted - expect the overall cost to exceed \$10,000,000. To fund the cost, you might consider a usage based fee system (pay \$x per visit) or a tiered membership plan (different cost per year based on # times use club), thus members deriving the most benefit from the cost (based on usage), pay for the cost of redesign/upgrade.	7/22/2016 8:48 AM
46	If we increase in property tax rate to support how much of an increase are we looking at?	7/22/2016 7:50 AM
47	If Addison does not have the money I don't want any of the changes. Our property taxes have gone up enough already. Enough is enough.	7/22/2016 7:46 AM
48	I agree wholeheartedly that the sauna and steam room need to go. I also think we could do without hot tub based on informal usage observations. Are there any inefficiencies with current staffing that could be cut? For example, it seems like we have life guard overload and many times in the evening front desk staff are not busy. It seems one person might be enough? Just thoughts based on my limited knowledge and observations.	7/22/2016 7:44 AM
49	Your survey has been constructed with bias. It is not possible to select "definitely no" to both increase membership fees AND increase in property tax. Your collected data for this question is therefore inaccurate and the survey should be reissued to all participants for fairness. If one of the goals of the renovation is to make the facility profitable can the council outline how homeowners as stakeholders will benefit financially from their investment via property taxes? I witnessed a very similar facility undertake a very similar renovation. Within six months the day spa, cafe and massage parlour were shut down and mothballed due to lack of demand... Be careful what you wish for... You may end up heating/cooling empty rooms for years to come.	7/21/2016 11:23 PM
50	I use the facility 4-5 times a week. The sauna, steam room and racquetball courts are always busy when I go. I look forward to a nice sauna at the end of a hard workout. I don't care if Grapevine or the entire country don't have these facilities in their new buildings...they are important to us. I think we need to look and see what it is we want our facility to be. Do we want a spa (Equinox) feel with cafes, lounge areas, massage rooms...or do we want an athletic center? Because if the later is not the case, there needs to be a separate town meeting about the overall use of the building. I am a homeowner and therefore pay taxes to fund the athletic center. One of the key perks about living in Addison is not having to pay a separate membership fee to use the athletic club. Again, I could care less if other cities aren't using this model. I do not want our athletic club to turn into some business center. This is a place for the community to come together. I understand that people want to upgrade the facility, and yes, some things need attention. But there is absolutely NO reason for a complete overhaul. We can fix the things that need to be fixed, but please don't take away the charm and uniqueness of our town by turning our athletic club into a corporate community center.	7/21/2016 11:22 PM
51	need the steam room	7/21/2016 8:51 PM
52	Racquetball needs to stay	7/21/2016 5:40 PM
53	Scrap and plan and save the money.	7/21/2016 5:39 PM
54	I think the club is great as is but can see the need to upgrades in the very near future, we shouldn't wait on this too long. I love coming in every day to work out here, and I know these upgrades will make each time more desirable.	7/21/2016 4:30 PM
55	I think the town has really put a lot of thought into this. I love all the ideas that have been presented. Our facility is very outdated and needs a face lift. The wood paneling is horrible now! making these changes will make living in Addison more desirable for families and young adults.	7/21/2016 4:27 PM
56	I think people would be very upset if there are monthly dues. this would work. maybe 10 dollars a month. I feel if we don't make upgrades our property values will go down. Farmers Branch has made many improvements. Have a great community center! Also, we need to make ir more of a community center-or build a new community center. we need more for activities, make more more family friendly/	7/21/2016 4:24 PM
57	please make sure any upgrade backed by proper research	7/21/2016 4:20 PM
58	great ideas	7/21/2016 4:16 PM
59	very disappointed the town would put forth a plan that is not cost efficient and utilize existing (or majority) floor plan. there is too much emphases on things that do not enhance workout experience. Such as: -family locker rooms -game rooms -lounge and coffee bar -new and additional offices for staff and trainers (totally un-necessary) -large 2nd floor bathrooms. Totally unnecessary when there is locker room on first floor! -50 new pieces of equipment when move existing equipment sits idle throughout the day.	7/21/2016 3:31 PM

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60	Very disappointed the town would come up with a plan that is not cost effective and does not utilize existing floor space. Too much emphases on unnecessary and too expensive things. for instance: -Family locker room? are you serious!? -game room; another no-no! -lounge? Stay home and lounge. EXERCISE at the club. sleep, eat and watch TV at home! -cafe/coffee bar? WRONG!!!! -trainers do not need an office. They're here to train-they can sit in their cars and get on their phone or tablet. -there are plenty of restrooms (large enough) on the 2nd floor. Locker room on 1st floor. USE IT! -NO NEW MACHINES! most machines sit unused! When all of us moved to addison we were impressed with AAC in that it is intimate, easy access, with a friendly staff! I LOVE THE STAFF! VERY SHORT AMOUNT OF CHILDREN! since most of the members are 50 or older. How many kids are you talking about? 20? please-no free baby sitting. let them go to a rec center for that. not here! why is and who are the ones who want all this nonsense? do they even live here? "DON'T FIX IT IF IT AIN'T BROKE"	7/21/2016 3:25 PM
61	I like the AAC the way it is. Cost of necessary maintenance-ok. We have under used space. This plan is way over the top, with little to no regard of practicality or costs. We could re-purpose some of the existing space. Projects should focus on ADULTS, especially 50 and up. The largest demographics in the club.	7/21/2016 3:08 PM
62	too expensive	7/21/2016 3:02 PM
63	I have been an avid member since we moved here 12 yrs ago. One of the biggest issues is many of the younger people would like to have free weights. This could be done by using the life-guard room. Instead of a one time fee of 10 dollars, they should start charging a yearly fee. This would help to offset cost of the facility and allow for regular upgrades to equipment. Finally, instead of doing everything all at once maybe spread it out over the course of the next 3 yrs.	7/21/2016 3:01 PM
64	I do not want to see the club shut down while changes are being made.	7/21/2016 2:58 PM
65	it's fine the way it is, with exception of more shade for outdoor pool so the children and their adult sponsors won't come to inside pool and play.	7/21/2016 2:47 PM
66	As a young adult, I look forward to the possibility of this remodel! we plan on being in Addison for awhile and this has so much more potential for our own personal uses and our children.	7/21/2016 2:46 PM
67	how will we retain the current employees/staff at the club when it is shut down for 9 months? key consideration.	7/21/2016 2:16 PM
68	lower the budget, do a smaller remodel and don't raise residents costs.	7/21/2016 2:06 PM
69	the club is good but needs a refresh. I would start smaller-3 million and prioritize.	7/21/2016 2:03 PM
70	I do not support closure during renovating. Some of this plan is excessive-not necessary. The present facility is the best feature Addison offers.	7/21/2016 1:58 PM
71	need at least one more ping pong table	7/21/2016 1:53 PM
72	we don't need to beautify and update as much as being proposed. The AAC is good the way it is- the main this is keep up with maintaing and updating equipment	7/21/2016 1:40 PM
73	one of the "perks" if living in Addison is "free" access to the AAC is extremely unique. Being somewhat limited	7/21/2016 1:34 PM
74	please do something!! this will just enhance Addison and increase our property values. Right now, it's FREE- we could pay a bit more in taxes and it would still be chaper than other fitness centers. Love that this will have a community center feel, shared use by young and old. Please limit use to only Addison Residents and business owners (not employees)	7/21/2016 1:12 PM
75	consider adding space and building over rook on 2nd floor on either side of the pool	7/21/2016 12:53 PM
76	needs to be updates so I'm glad to see the effort. We need to compete with other cities in north Dallas (Plano, Frisco etc..) to keep Addison a desirable city to live in.	7/21/2016 12:48 PM
77	the master plan seems to be adding/remodeling aspects of the rec center that don't need to be upgraded.	7/21/2016 12:41 PM
78	don't need. ok as is	7/21/2016 12:21 PM
79	I love the club! I was surprised when I heard that improvements were being considered because I think it is pretty cool as it is... The proposed changes look really great and well thought out. Lets do it!	7/21/2016 12:19 PM
80	I don't understand why perfectly good equipment is being replaced. I think this plan may be too ambitious and should be scaled down.	7/21/2016 9:48 AM
81	New plan looks wonderful! can't wait for the new Athletic Club	7/21/2016 9:41 AM
82	This is a terrible plan and the proponents of it should be held accountable. Tax payers in the town did not ask, nor want this. Back out of this unnecessary and politically charged disaster now.	7/21/2016 9:14 AM

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83	This facility is a huge asset to the community, even for people who don't use it, because it increases the amenities of Addison hugely. We absolutely must invest in its infrastructure, e.g. HVAC etc, regularly, as well as periodic updates such as those suggested by the plan	7/21/2016 8:38 AM
84	It seems to me you could create extra space above the existing locker rooms by building up. They are currently 1 story. By adding another story you would have extra space for classrooms or other multipurpose areas. You could then keep at least 1 racket ball court for those who like to play. Also, I hope there are plans to add fitness classes for those over 50 who work all day.	7/20/2016 11:12 PM
85	Where is the money coming from? Mayor committed 6.5 million to townhome developer with no idea where the \$\$ is coming from. Beltline project is overspent--Taxes higher. Town needs to limit repairs/expansions to only absolutely necessary things	7/20/2016 11:10 PM
86	At the forum, the designer stated that few other Athletic Clubs have racquetball courts. Are we to lower our standards to their level? I thought Addison was better than that.	7/20/2016 10:53 PM
87	Proposed removal of the racquetball courts will cause extreme inconvenience to many of the AAC patrons. We use it multiple times a week. There are not many racquetball courts available to us. One of the primary reasons we visit the club is to play racquetball. We play racquetball more than we use any other facilities at the club. Loss of the racquetball courts may cause many patrons to be turned away from the club. Many people have access to a home or apartment complex gym. Access to racquetball courts is limited due to the lack of availability of courts in the area.	7/20/2016 6:24 PM
88	.	7/20/2016 3:26 PM
89	<ul style="list-style-type: none"> • Kudos to the ACC MP Committee for identifying all the various update opportunities and showing how they might fit into the existing footprint. This is a very important first step. What remains now is to sort, prioritize, consider alternatives, and provide justification. That is the purpose of the survey now being conducted. • As a general comment, the existing central layout provides a classic design. The lobby/core area features a spacious look and feel with its high ceiling, skylights and overlooking balconies. This is a timeless design and does not need updating. The proposed changes to the lobby/core are not a good idea. We would be better served by adopting the rule that the core be preserved and that all changes be pushed out to the periphery. • Another ground rule that should be established from the outset is that any changes to the existing facility must be planned and phased to keep the ACC in operation throughout the construction period. Minimizing disruption should be a primary objective. • We must be skeptical of the estimated cost of changes at \$6.5 MM. Based on our experience over the last couple of years with city projects, we should expect actual costs at 2X or say \$10 – 15 MM. • Addison would be better served by minimizing the ACC update expense at this time. It would be better to defer major ACC update expenditures until we can better evaluate the impact of additional demand from the near-by Grove development. Several years from now we may decide that an expansion of the footprint is the best way to meet our needs. • There are several ideas with high priority and significant benefits that can be achieved at reasonable cost and meet the above guidelines. <ul style="list-style-type: none"> o Maintain the existing HVAC to return to reliable operation. Replace pieces where necessary and repair the rest. Suggest retaining a well qualified service firm with engineering and shop capability (like Frymire or equal) to evaluate and provide a firm cost for the work. o Keep existing racquetball 1 and 2 in operation. They get considerable use. o Open up the old racquetball 3 and 4 areas by removing the wall and providing the necessary column support to create a large classroom, fitness, meeting multi-use area. o Re-purpose the curved window area overlooking the outside pool in the west wing as an additional multi use room. Close in the north bay of the outside pool area to provide a place for pool equipment storage and possible use as a family change area. o Maintain the men's locker room as is. It is frequently quite crowded and consolidation next to the women's locker room is not a good idea. With possible extra space in the women's locker area, consider adding a family change cube or two. o The spa on the east end of the inside pool, the men's sauna and men's steam room get limited use. Of these the spa is most popular and used by both men and women. The sauna also gets considerable use. But if they are deemed too expensive to maintain and operate, shut them down. The sauna/steam room area could be converted into additional storage or possibly a couple of family change cubes accessible from the inside pool deck. The spa could be decked over and converted into an elevated glass surrounded arbor foundation-type seating and plant/sculpture area. o Another area that might be considered for family change space is the existing men's and women's rest rooms in the far southwest wing of the outside pool. The existing rest rooms appear quite large and cube space for family change with separate access should be available there. • Ideas that are not cost effective and would disrupt operations or existing classic architecture features include the following: <ul style="list-style-type: none"> o Closing in the central lobby area to create a straight-on entry desk, boutique lobby seating and coffee bar areas, office space modifications, kitchen modifications, upstairs fitness and studio changes, library relocation, etc. These changes destroy the central openness and subdivide the new space into a multitude of smaller boxes. Much has been made of the need to update the architecture, look and feel. But there is no need to update a classic. Destroying the classic layout would be a step backwards. The proposed changes will create too much disruption in on-going operations to implement. They will be less efficient with regard to routing of the HVAC system. o Outside pool shade/patio changes are difficult to justify. They receive only seasonal use. o Updating the upstairs track surface overlooking the gym area is not needed or justified. Painting the walls with graffiti/bold graphics and resurfacing the track in garish colors is not an upgrade. If wall painting is deemed appropriate, I would suggest updating pastel colors. o A new elevator is not justified. 	7/20/2016 3:07 PM

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90	scaled back version would be sufficient.	7/20/2016 3:05 PM
91	i like it the way it is	7/20/2016 3:01 PM
92	who's idea was this anyways?	7/20/2016 3:00 PM
93	the athletic club is fine the way it is. maintain the HVAC/heating lighting, plumbing and paint and it is just fine	7/20/2016 2:57 PM
94	no renovation is needed. put the money to better use.	7/20/2016 2:50 PM
95	clarify classroom uses.	7/20/2016 2:45 PM
96	user pay system is best.	7/20/2016 2:38 PM
97	we do not need a palace	7/20/2016 2:33 PM
98	I don't see a benefit of a "coffee bar" a a heath club. don't want to see this place just be one more "social spot" in addison, we already have plenty of those already. PLEASE no "starbucks" at the health club.	7/20/2016 2:32 PM
99	the steam and sauna in mens room are incubators for germs, mildew and fungus.	7/20/2016 2:27 PM
100	please include rball. I didn't know until another player notified me. We are not a vocal bunch, but there is a lot of support to keep it.	7/20/2016 2:22 PM
101	please finish beautify beltline first. and do not foolishly remodel space like lobby area just for looks.	7/20/2016 2:20 PM
102	rate increase is ok but will have to be reasonable	7/20/2016 2:16 PM
103	keep rball courts	7/20/2016 2:14 PM
104	keep rball courts	7/20/2016 2:12 PM
105	the AACshould remain an adult athletic club.I oppose trying to turn it into "Rec Center". Children 15 years are not permitted in work out areas. Against any improvements that focus on this demographic. I would only support making maintenance improvements and converting either the bball court and or upstairs library into additional exercise room.	7/20/2016 2:07 PM
106	looks good, but timing and interruptions are not covered.	7/20/2016 1:48 PM
107	No monthly fees for members	7/20/2016 12:08 PM
108	Park across the street needs a family bathroom. Health club needs family bathroom with shower. Redesigned child center with adjacent activity area for age 7 and up (until the age of able to use facilities). Treadmills with oen TV capabilities instead of only 2 large ones. More individual fans for personal treadmill, bike use. More shade outside pool and better placement of lifeguards chairs. Possible food sales at pool. Sports massage day/schedule appointment in health club	7/20/2016 12:04 PM
109	Park across the street needs a family bathroom. Health club needs family bathroom with shower. Redesigned child center with adjacent activity area for age 7 and up (until the age of able to use facilities). Treadmills with oen TV capabilities instead of only 2 large ones. More individual fans for personal treadmill, bike use.	7/20/2016 12:00 PM
110	the AAC was designed to be a ADULT athletic club, NOT a rec center for kids! It should keep this focus. Children do not need locker rooms as they are not allowed in equipment areas. The biggest demographic using the AAC are active seniors 50 and up. one of the biggest ongoing problems is one one exercise class can happen at a time. I would like to see at least 50 percent of basketball courts converted to exercise studios. don't want to see AAC become a LA fitness or YMCA like facility.	7/20/2016 10:51 AM
111	oppose any plan to convert the existing ADULT focused AAC into a mega-rec center for small kids and teens. very disappointed to be presented a plan that, based on the presentation, is the most expensive option for taxpayers. Absolutely no attempt to utilize existing building layout, as originally designed. The primary AAC demographic members are ADULTS. very few children live in Addison. Most families move to suburbs when kids become school age. At our meeting, we were told by Randy that they had 20 kids out of 4,000 AAC members! I was speechless to see a proposal to spend millions on such a tiny, tiny demographic.	7/20/2016 10:34 AM
112	love it! looks great!	7/20/2016 10:09 AM
113	The club needs some updating, but not \$6.2 M worth. An expenditure of this amount is fiscally irresponsible and unnecessary.	7/20/2016 9:42 AM
114	More programs for children. Would love sports club (like tennis club or swim club) for kids 16 and under to get together on a regular basis	7/20/2016 9:37 AM
115	It sounds like a great plan and I support it!	7/20/2016 9:29 AM

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116	Annual membership fees are the first step for expanding membership to non-Addison residents. The club should remain for Addison residents only. By charging an annual fee, you make it much easier to later allow non-residents to get an annual membership.	7/20/2016 8:46 AM
117	I was hoping there would be a more thorough survey, but hopefully, I can get my comments in this section. First, though new machines were mentioned, there was no mention of free weights like S bar, plates, a Smith machine, or dumbbells that go up to 100 pounds. Second, the cafe and bigger lounge areas are impractical and a waste of space. This is an athletic club, not a family center or community center. Third, would segmenting the pool into an "adults only" and "families" section be feasible? The upper portion seems to always have adults, singles mainly, and the lower portion seems to naturally have the families. Just a thought. Fourth, it is my hope the new programmable spaces will have ones designed for crossfit and athletic training with items for H.I.I.T., vertical leap drills, heavy ropes, etc, etc. Fifth, will the track have better straight lanes for sprints? Sixth, a shower by the pool for people coming directly to the pool who don't work out or from the volleyball court to wash off without going to locker room. Seventh, shade for the seats on the tennis court which could be done by the same company who does the shade used from the pool. Eighth, as discussed with others who work out there, the culture and demographics of Addison must be reflected in its athletic club. While there are many seniors, there are also many singles who choose to live in Addison because Addison draws them. They should be accommodated, because while almost every city has nearly everything geared towards families with kids, Addison has no public middle or high schools. To make the AAC geared towards a transitory demographic is senseless and is not good for the long haul. Families will and do move to other cities when their kids grow up, but singles will continually be drawn to Addison for its many restaurants, nightlife, affordable housing, and similar demographic. The AAC should not lose sight of this.	7/20/2016 12:16 AM
118	I'd rather have these funds refunded to the tax payers than spent on renovation.	7/19/2016 8:25 PM
119	I have enjoyed playing raquetball. As a new person to the area, I came here and met friends because of raquetball. I would not be a member otherwise. Thank you.	7/19/2016 7:41 PM
120	I would support both an increase in membership fee and property tax rate for this great Perk of living in Addison	7/19/2016 4:46 PM
121	When you call in an architect and "think outside the box", you will get a re-architected space. That doesn't make it the right thing for Addison. Keep the AAC the "AAC" not rec center. Take care of maintenance items don't build a new structure. Reception desk could be moved with current configuration with very little cost. Could close current stair by racket ball courts and put a multi-purpose or game room there. Eliminate the remaining racket ball courts and put a spin area in one - may be small but current spin classes very lightly attended anyway. Don't need so many closed off room areas - ruining the feel of the club. Current machines are not "too close together" as architect stated. Would support membership fee increase if it doesn't go crazy.	7/19/2016 4:08 PM
122	I saw and heard that there was a proposed remodel, and I just assumed up until this point that it would have included racquetball courts. This is a major point of contention and I am going to become as active as I am able to become to advocate for their inclusion as a part of any remodel. As mentioned earlier, I didn't see any word in the Master Plan that discussed the new Spa. And, I'm not sure what the current maintenance costs of the HVAC are and understand that significant cost savings could be generated over time with an updated system, but how is that intended to "improve user experience"? What are the current costs, and how long would it take the new system breakeven?	7/19/2016 2:52 PM
123	new hours on saturday and sunday. open at 6 on saturday and 7 on sunday. clean under equipment. no tank tops for men- hygienic purposes. visitors need to sign in at front desk.	7/19/2016 1:11 PM
124	club is currently not being cleaned well	7/19/2016 1:06 PM
125	keep out of our fine athletic club	7/19/2016 12:57 PM
126	6.5 million is very expensive. you should find better contractors.	7/19/2016 12:52 PM
127	Financial impact should be explained in more detail.	7/19/2016 12:47 PM
128	This club is a selling point. Nothing wrong with club now, just needs a new HVAC	7/19/2016 12:43 PM
129	Keep memberships for residents and Addison employees only	7/19/2016 12:29 PM
130	I purchased my house next to the club to play racquetball. PLEASE DO NOT REMOVE THE RACQUETBALL COURTS.	7/19/2016 12:10 PM
131	Fix the roof and other leaks.	7/19/2016 11:03 AM
132	I like the club as is, but I know some things should be updated	7/19/2016 10:30 AM
133	Where would the money come from, I have not seen anything in the budget for this \$6, million expense and I would not support a property tax.	7/19/2016 6:24 AM
134	The AAC is a good thing. Let's keep it that way with a more careful, more budget friendly update.	7/18/2016 11:55 PM

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135	There is NO NEED to remodel as it is "up to date". Keep the STEAM ROOMS, A/C improvement makes sense but the rest is too expensive. EVERYTHING IS FINE NOW, why spend MONEY for frivolous things? Very, very few in Addison want to pay for these luxuries. Just maintain what you have now.	7/18/2016 9:34 PM
136	I think the athletic club is a huge perk for living in Addison. I'm proud to be a part of it!	7/18/2016 8:42 PM
137	I am very impressed with the plan. Very excited about it	7/18/2016 7:22 PM
138	Great facility, lots more families would also be great	7/18/2016 5:25 PM
139	access to purchase drinks, snacks (healthy ones not from vending machines)	7/18/2016 5:23 PM
140	new spin bikes	7/18/2016 5:20 PM
141	The free to residents athletic Center is a massive marketing coup for Addison and was one of the main reasons I purchased my house in Addison and not a surrounding town. By threatening membership fees you will drive people away from this perfectly serviceable facility and align the town closer to it's generic, uninspiring neighbourhoods. The ventilatuon state in the building needs an overhaul and the indoor pool needs refurbished. That's it!	7/18/2016 3:36 PM
142	In light of revelations about increased Belt Line Rd expense, I'm not for more debt. Wish we hadn't painted the crosswalks and had spent that money on this project.	7/18/2016 3:22 PM
143	most citizens in addison are just average people. we don't need to look extravagant. We are not highland park, plano etc.. most people would prefer to spend money on something that is needed. this update is not needed.	7/18/2016 3:17 PM
144	please include youth 10-14 activities and fitness classes.	7/18/2016 3:13 PM
145	I like the concept but it's pretty good already. Just needs a few tweaks.	7/18/2016 3:10 PM
146	I am fine with the way things are now other than maybe a little more room for the workout machines and weights	7/18/2016 2:45 PM
147	sauna and steam	7/18/2016 2:45 PM
148	place good heating and air, make athletic club safe and keep saunas & steam room as usable.	7/18/2016 2:33 PM
149	I think a remodel would be nice, but the main "attractions" to the club for me, personally, will be removed by the current plans (sauna, steam room, and racquetball courts).	7/18/2016 2:29 PM
150	looks good, relatively economical	7/18/2016 2:15 PM
151	I wish they would open earlier on Sunday.	7/18/2016 2:13 PM
152	much needed	7/18/2016 2:12 PM
153	Club is nice now if you are increasing property tax...not interested at all	7/18/2016 2:08 PM
154	I would vote against anything that raises memberships fees or opens our club up to non-residents.	7/18/2016 1:52 PM
155	Thank you to everyone who has worked on this! It looks fabulous. :) One last plug for a Stepmill machine--it is great for getting heart rate up without impact...one of the few machines that doesn't bother my plantar fasciitis ;) Thanks again! Bravo!	7/18/2016 1:50 PM
156	I think the club is fine as it is. Better exercise machine maintenance is all that is needed.	7/18/2016 1:48 PM
157	I think the facility is great and only needs minor upgrades to the A/C and the equipment.	7/18/2016 1:41 PM
158	please fix the leaking roof	7/18/2016 1:40 PM
159	The Athletic Facility needs a digital membership program that can keep track of check ins and exercise programs. It would be very useful for reminding people to use the facility and monitor their healthiness. There needs to be better shower capabilities before you get into pool. There should be a way to get better basketballs in the gym by swapping out your Addison membership card or mobile checkout	7/18/2016 1:26 PM
160	I am very thankful for the club I have use since 1997. The 2003 upgrade was in fact an improvement. I generally trust that the Town will responsibly continue to improve the club.	7/18/2016 1:25 PM
161	- 0 -	7/18/2016 1:20 PM
162	update HVAC and regular maintenance and cleaning equipment and facility is all we need.	7/18/2016 1:10 PM
163	hire people who will keep things clean! Pool is filthy!	7/18/2016 1:01 PM
164	the only thing that should be done is to convert the pools to a salt water or ozone system. Wellness should be a priority	7/18/2016 12:55 PM
165	fix ac	7/18/2016 12:51 PM
166	the space and amenities are much appreciated	7/18/2016 12:48 PM

2016 Athletic Club Master Plan

167	more multi sport focus, soccer, futsal, training for athletics and cross fit	7/18/2016 12:44 PM
168	more multi sport focus, soccer, futsal, training for athletics and cross fit	7/18/2016 12:44 PM
169	benches out front for children and people waiting on rides	7/18/2016 12:41 PM
170	Please listen to the small suggestions. Study areas	7/18/2016 12:25 PM
171	Don't want it	7/18/2016 12:22 PM
172	Some elements that are included/excluded may not have come out in the focus groups. Who let them? Who designed the questionnaire? Not sure it was done properly	7/18/2016 12:20 PM
173	Excellent	7/18/2016 12:16 PM
174	Love indoor pool most important thing to me Like steam room for allergies Simple low maniance scale in the locker rooms	7/18/2016 12:12 PM
175	HVAC, BASKETBALL GYM, TRACK, LOCKER ROOMS AND SHOWERS NEED TO BE UPDATED AND REPAIRED. BEYOND THIS I DON'T SEE A NEED.	7/16/2016 6:38 PM
176	The AAC is the most important space to build our sense of community. It enhances our property values. I love the friendships my daughter has built participating in the children's activities. The AAC was one of the top reasons our family bought a house in Addison. We need to care for it and enhance it.	7/16/2016 10:41 AM
177	It looks awesome and brings our club a modern athletic club look and feel.	7/16/2016 10:07 AM
178	uncertain most improvements are needed. Improved air and heat makes sense	7/16/2016 9:56 AM
179	Would love the yoga room to be equipped to have a barre class...there are many different types, bar method, pure barre, etc. but the barre is all the same.	7/16/2016 8:49 AM
180	I suggest paying an small annual fee. I am hearing suggested amounts of about \$20 a month = \$240 annually compared to previous 1 time \$10 fee. I just dont use the Athletic center enough for an annual \$240 fee.	7/15/2016 9:31 PM
181	Do it as soon as possible. It will have to be done eventually and will only get more expensive with time. There will be criticism and dissatisfaction either way: It will further deteriorate and be outdated, in which case it will no longer be a real estate sales asset and a community draw, or we will spend money on it and those who don't use it will say it wasn't money well spent. Bite the bullet, finance it even with increased fees (free is ridiculous and out of date) and other means and get the whole plan done.	7/15/2016 9:27 PM
182	Thanks to Randy Rogers and his crew for the fantastic job they do with our facilities, programming, and staff at the AAC!	7/15/2016 6:28 PM
183	Money could be better spent on making Addison a better running, pedestrian and biking riding friendly city.	7/15/2016 4:43 PM
184	The committee should visit Cooper Fitness Center. They have done an excellent job of remodeling [2 years ago, I think] and maintaining a beautiful and highly functional facility.	7/15/2016 4:37 PM
185	thanks for including us	7/15/2016 4:35 PM
186	I would consider having a monthly due for the club to pay for the upgrades. I do not like the idea of increased tax simply because once a tax is increased, it never decreases. The issue with the monthly dues is you will need to be lower than what Crunch fitness charges otherwise you risk losing time members. We are building a "brand" in Addison with the work along Beltline and art work around town which I think is great. In order to be a destination, Addison has to separate itself from Plano, Frisco etc.. The upgrades to the AAC will help us in that effort. With the new development in the old Sam's Club location, it will bring new folks to the area that will want to join the AAC, especially with the upgrades. That's why I vote for a monthly dues program. Perhaps for the older residents on a fixed income a sliding scale is the best option.	7/15/2016 4:29 PM
187	This is not the time to take on another \$6.5 Million obligation. The Town has several large expenses hanging over it's head presently, to wit: \$6.5 Million obligation to Addison Groves Project \$30 Million to finish the Beltline Beautification Project \$?? Million to settle the Water Tower wind charger litigation \$??? Million to settle the Farmers Branch Creek litigation \$38 Million to repave Midway Road. "You spend a million here, and a million there, and pretty soon you spent a dollar or two"	7/14/2016 6:19 PM
188	Suits most of our needs. To ask all of Addison residents to fund a facility that less than .08% use is amazing.	7/14/2016 5:00 PM
189	I'd be much happier paying more if I could get more class options and at the affordable senior rate.	7/14/2016 2:11 PM
190	Despite its being dated, the facility continues to be an Addison jewel.	7/13/2016 5:21 PM
191	I would be happier if they just improved the A/C and added some new equipment in the weight room	7/13/2016 4:24 PM

2016 Athletic Club Master Plan

192	I look forward to updating the great asset we have, living in Addison. I just hope it will be open during the construction, so that we can use it, of course.	7/13/2016 3:20 PM
193	I am against spending any additional we do not have in our budget,lets finish the projects that we have already started.	7/13/2016 12:40 PM
194	Climbing wall would be great Committed space for older kids	7/13/2016 12:14 PM
195	the club is a great asset to the community	7/13/2016 12:13 PM
196	I cannot believe you are taking the last 2 racquetball courts out. You need to keep at least 1. Who was part if your focus group? A bunch of senior citizans who have no interest in R-ball?Going from 4 to 2 to 0 courts. Come on. Every time I'm up there in the evenings they are packed. When I come in the afternoons there are courts reserved. So I know the courts are being used. It is not wasted space the lobby doesn't need to be bigger. Bigger for what so people can SIT around doing nothing. And a cafe really? What a terrible idea, oh wait it's so people can SIT around do nothing. You have wasted space where the vending machines are us that for a lounge or cafe. If it ain't broke don't fix it! I would pay more for membership if you keep the courts. I also take classes up there, use the track, and treadmills. As I said the courts are almost always full with people waiting get on a court.	7/13/2016 11:59 AM
197	Well planned.-like the idea of game room-should be activities for all ages. Hope monies are approved for all changes Currently do not used health club-but there's always hope	7/13/2016 11:48 AM
198	Great in terms of increased security -- more centralized front-desk. Will the cost of this plan affect funds available for hiring a full-time security guard at AAC?	7/13/2016 11:24 AM
199	Such a big improvement. Question: What kind of timeframe is proposed for the changes? All at once? Would AAC be closed? For how long? What time of year?	7/13/2016 11:13 AM
200	n/a	7/13/2016 9:54 AM

APPENDIX 2 – COST ESTIMATE DETAIL

Appendix I
Cost Estimate Detail

Heating/ Air Conditioning/ Elevator/ Painting/ Carpet		\$841,000
Heating and Air Conditioning Replacement	\$	616,000
Elevator Replacement	IS	80,000
General Painting	\$	75,000
Carpet Replacement	IS	70,000
		\$841,000
Lobby / Core Building Improvements		\$1,997,500
Selective Demolition - Includes any demolition associated with the relocation of the welcome desk, walls, ceilings, light fixtures, etc.	\$	150,430
New Welcome Desk - New custom millwork associated with relocation the welcome desk; includes accessible countertops	\$	75,000
Improved Acoustics - Includes new ceilings; enclosing openings in racquetball courts wall; additional acoustical wall treatment	\$	58,360
New Flooring - includes all existing floor areas not covered by other items; includes offices, meeting rooms, child watch, library, etc.	\$	114,740
New Interior Walls - New walls to replace existing where modifications of the existing plan has changed	IS	185,650
Interior Painting - general painting of new and existing walls not previously covered	\$	151,310
Floor Finishes - General replacement of existing floor coverings not previously completed	IS	112,470
New Cabinets - Includes new millwork to replace existing cabinets in the break room, office areas, child watch room, etc.	\$	125,800
New Interior Glass, Mirrors and Frames - Proposed replacement of existing interior storefront and added mirrors in the converted exercise rooms.	IS	95,545
New Doors and Hardware - Replace all 30 year old doors and hardware sets.	\$	105,525
New Fire Protection - Update the existing fire sprinkler and fire alarm systems throughout the building.	IS	91,700
Toilet Accessories - Replace toilet accessories in the restrooms not associated with the locker rooms.	\$	7,465
Operable Walls - Replace the existing operable walls in the meeting/break room area to improve the sound rating .	\$	32,270
Signage and Graphics - New updated signage and graphics throughout the building to help accessibility compliance .	\$	25,800
Sound System - Replace existing sound system equipment and speakers to address renovated areas	\$	95,040
Access Control/Security - Update access control system and security cameras to improve overall member safety.	\$	132,100
New Lighting and Electrical - Install new lighting and upgrade electrical systems as required due to renovations.	IS	438,295
		\$1,997,500

Appendix I
Cost Estimate Detail

Gymnasium and Track Improvements		\$385,120
New Track Surface - Removal of existing track surface and installation of new track material	\$	59,840
New Guardrail - Removal of the existing guardrail and installation of new guardrail to meet current building codes	\$	69,350
New Lighting - Removal of existing gymnasium light fixtures and installation of new LED fixtures for improved overall lighting and energy efficiency	\$	74,500
New basketball Goals and Operators - Removal of existing goals and backstops and installation of new equipment and motors	\$	45,960
New Wall Pads - Removal of the existing wall pads and installation of new padding and color selection	\$	40,635
New Sound System - Installation of a stand alone sound system and microphones	\$	25,330
Painting - New painting of the interior walls and roof deck after renovation work is complete	\$	41,155
Miscellaneous Improvements - miscellaneous work not covered by the items listed above	\$	28,350
		\$385,120
Locker Room Upgrades		\$1,028,500
Demolition - Demolish existing floors, walls and ceilings to rebuild the locker rooms	\$	46,850
New Interior Partitions - New walls, frames and doors associated with the reconfiguration of the locker rooms	\$	149,345
New Showers/Toilet/Sinks - Plumbing costs associated with the reconfiguration of the locker rooms	\$	510,625
Locker Room Tile/Carpet/Waterproofing - New tile floors and walls along with required waterproofing; new carpeting in the locker room areas	\$	252,600
Toilet Partitions/Accessories - New toilet partitions and accessories associated with the reconfiguration of the locker rooms	\$	25,700
Painting - New painting of the interior walls and ceilings after the renovation work is complete	\$	15,000
New Lockers - Replace existing lockers with new phenolic lockers after the renovation work is complete	\$	28,380
		\$1,028,500