

ORDINANCE NO. 27759

An ordinance amending Chapter 53, "Dallas Building Code," of the Dallas City Code by amending Section 4303 to allow vegetative roofs; amending Chapter 57, "Dallas One- and Two-Family Dwelling Code," of the Dallas City Code by amending Section 326 to allow water use to comply with requirements of Green Built North Texas or with requirements of LEED for Homes; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

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

SECTION 1. That Paragraph 4303.3.4, "Cool Roofs," of Subsection 4303.3, "New Commercial Constriction Under 50,000 Square Feet of Floor Area," of Section 4303, "Phase 1," of Chapter 43, "Green Building Program," of Chapter 53, "Dallas Building Code," of the Dallas City Code is amended to read as follows:

"4303.3.4 Cool roofs. All roof surfaces with a slope of 2:12 inches or less (as defined in ASTM E 1918-97) must meet one of the following requirements:

1. T[~~t~~]he specifications of the United States Environmental Protection Agency's ENERGY STAR qualified low-slope roof product requirements. To be considered an ENERGY STAR qualified low-slope roof product, a roof product must:
 - 1.1[~~1~~]. be the uppermost part of the roof system that is in direct contact with solar radiation;
 - 1.2[~~2~~]. have an initial solar reflectance of equal to or greater than [~~≥~~] 0.65;

1.3[3]. have a solar reflectance of equal to or greater than \geq 0.50 after 3 years; and

1.4[4]. have a manufacturer warranty for defects in materials and manufacturing where each company's warranty for reflective roof products must be equal in all material respects to the product warranty offered by the same company for comparable non-reflective roof products. A company that sells only reflective roof products must offer a warranty that is equal in all material respects to the standard industry warranty for comparable non-reflective roof products.

2. Install a vegetated roof that covers at least 50 percent of the roof area with the remainder of the roof area complying with Subparagraph 1 of this paragraph."

SECTION 2. That Subparagraph 326.2.1.2, "Water Use," of Paragraph 326.2.1, "Phase 1," of Subsection 326.2, "Phases," of Section 326, "Green Building Program," of Chapter 3, "Building Planning," of Chapter 57, "Dallas One- and Two-Family Dwelling Code," of the Dallas City Code is amended to read as follows:

326.2.1.2 Water use. Proposed projects must meet water reduction strategies that include installing high-efficiency (low-flow) fixtures or fittings that [which] comply with the water efficiency requirements of Green Built North Texas, meet a minimum of six water efficiency points of LEED for Homes, or meet at least four of the following requirements:

1. The average flow rate for all lavatory faucets must be 2.0 gallons per minute.
2. The average flow rate for all showerheads must be 2.0 gallons per minute.
3. The average flow rate for all toilets must:
 - 3.1. be 1.3 gallons per flush;
 - 3.2. be dual-flush and meet the requirements of ASME A112.19.14; or
 - 3.3. meet the United States Environmental Protection Agency WaterSense specification and be certified and labelled accordingly.

4. Utilize ENERGY STAR labeled dishwashers that use 6.0 gallons or less per cycle.
5. Utilize ENERGY STAR labeled clothes washers with a modified energy factor (MEF) equal to or greater than [\geq] 2.0 and a water factor (WF) of less than [$<$] 5.5.
6. Utilize drip irrigation emitters for all bedding areas of the landscape plan.”

SECTION 3. That Subparagraph 326.2.2.2, “Water Use,” of Paragraph 326.2.2, “Phase 2,” of Subsection 326.2, “Phases,” of Section 326, “Green Building Program,” of Chapter 3, “Building Planning,” of Chapter 57, “Dallas One- and Two-Family Dwelling Code,” of the Dallas City Code is amended to read as follows:

“326.2.2.2 Water use. Proposed projects must meet water reduction strategies that comply with the water efficiency requirements of Green Built North Texas or meet a minimum of six water efficiency points of LEED for Homes [~~include installing high efficiency (low flow) fixtures or fittings which meet at least four of the following requirements:~~

1. ~~The average flow rate for all lavatory faucets must be 2.0 gallons per minute.~~
2. ~~The average flow rate for all showerheads must be 2.0 gallons per minute.~~
3. ~~The average flow rate for all toilets must:~~
 - 3.1. ~~be 1.3 gallons per flush;~~
 - 3.2. ~~be dual flush and meet the requirements of ASME A112.19.14; or~~
 - 3.3. ~~meet the United States Environmental Protection Agency WaterSense specification and be certified and labeled accordingly.~~
4. ~~Utilize ENERGY STAR labeled dishwashers that use 6.0 gallons or less per cycle.~~
5. ~~Utilize ENERGY STAR labeled clothes washers with a modified energy factor (MEF) \geq 2.0 and water factor (WF) $<$ 5.5.~~

6. ~~Utilize drip irrigation emitters for all bedding areas of the landscape plan].”~~

SECTION 4. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 5. That Chapters 53 and 57 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By  Assistant City Attorney

Passed DEC 09 2009