

Pavement Maintenance Proposal

City Of Dalworthington Gardens

Gary Parker

Project:

Crackseal & Fog Seal

2600 Roosevelt Dr
Dalworthington Gardens, Texas 76016



Hannah Blomgren

Estimator / Project Manager

10.20.2022 Council Packet Pg.108 of 244

Service Provider Information

Company Info



Elite Asphalt LLC
5080 Ben Day Murrin Rd
Ft Worth, TEXAS 76126

P: 817-451-0011
F: 8178874448
<https://eliteasphalt.net/>

Contact Person

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Estimator / Project Manager
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About Us

We Are A Full Service Paving Contractor

Elite Asphalt LLC, we are a commercial paving contractor who specialize in meeting your business's paving construction, repair, and maintenance needs.

We are happy to help with government, commercial, and residential asphalt paving. We are Fort Worth and beyond's, choice for top-quality asphalt repair and installation! Our asphalt and concrete paving company is your choice for paving, stabilizing, grading, repairs, sealing, and so much more.

Proposal: Crackseal & Fog Seal



Fog Seal

1. We will apply a fog seal to various streets.
2. We will sweep the roads before applying the fog seal.
3. Apply CSS1-H fog seal at a rate of 0.12-0.14 GAL/SY.
4. Roads to receive Fog Seal only: ***Orange on map.**
 - California Ln (Park Dr - S Bowen Rd) --- (2,830' x 22' - 62,260 SF)
 - Sunset Ln (Sieber Dr - Roosevelt Dr) --- (2,710' x 25' - 67,750 SF)
 - Roosevelt Dr (California Ln - W Arkansas Ln) --- (2,660' x 25' - 66,500 SF)
5. Roads to receive Fog Seal (as well as crack seal): ***Green on map.**
 - Park Dr (Sunset Ln - Elkins Dr) --- (2,190' x 25' - 54,750 SF)
 - Clover Ln --- (1,860' x 25' - 46,500 SF)
 - Winterset Tr --- (560' x 26' - 14,560 SF)
 - Rainer Dr --- (885' x 26' + 4,485 SF - 27,495 SF)
 - Gardenia Dr --- (1,245' x 29' + 10,150 SF - 46,255 SF)
 - Dustin Tr (Rainer Dr - Orchid Ln) --- (670' x 29' - 19,430 SF)
 - Orchid Ln --- (1,530' x 29' + 6,520 SF - 50,890 SF)
 - Flower Garden Dr --- (190' x 50' + 915' x 29' - 36,035 SF)
 - Carnation Dr --- (30,115 SF)
 - Rosebud Ct --- (17,230 SF)
 - Rosebud Dr --- (530' x 29' - 15,370 SF)

6. **\$0.25/Square Feet - Fog Seal**

These prices are good for a minimum of 100,000 SF.

Total Price: \$0.00

Proposal: Crackseal & Fog Seal



Crack Sealing Hot Rubberized

1. The area under consideration for hot pour crack sealing comprises approx. Lineal Feet of cracks to be sealed.
2. Crack Sealing shall be limited to 1/8" to 1 1/2" in width only.
3. There will be a slightly elevated band not to exceed 3" in width on the pavement of the sealed crack.
4. Roads to receive Crack Seal (as well as Fog Seal): ***Green on map.**

- Park Dr (Sunset Ln - Elkins Dr) --- (2,190' x 25' - 54,750 SF)
- Clover Ln --- (1,860' x 25' - 46,500 SF)
- Winterset Tr --- (560' x 26' - 14,560 SF)
- Rainer Dr --- (885' x 26' + 4,485 SF - 27,495 SF)
- Gardenia Dr --- (1,245' x 29' + 10,150 SF - 46,255 SF)
- Dustin Tr (Rainer Dr - Orchid Ln) --- (670' x 29' - 19,430 SF)
- Orchid Ln --- (1,530' x 29' + 6,520 SF - 50,890 SF)
- Flower Garden Dr --- (190' x 50' + 915' x 29' - 36,035 SF)
- Carnation Dr --- (30,115 SF)
- Rosebud Ct --- (17,230 SF)
- Rosebud Dr --- (530' x 29' - 15,370 SF)

5. **\$0.10/Square Feet - Crack Seal**

These prices are good for a minimum of 100,000 SF.

Total Price: \$0.00

Mobilization

1. Mobilization of materials, equipment, and labor per each occurrence.
2. This proposal does not include any testing, engineering, surveying, permits, or bonds. These items can be added at cost plus 10% upon written authorization.

Total Price: \$1,500.00

Sales Tax

1. Texas Sales Tax applied at a rate of 8.25%

Total Price: \$0.00

Map: Site Map



Notes:

Price Breakdown: Crackseal & Fog Seal



Please find the following breakdown of all services we have provided in this proposal.

This proposal originated on September 28, 2022. **Job Number:** 1399

Item	Description	Cost
1.	Fog Seal	\$0.00
2.	Crack Sealing Hot Rubberized	\$0.00
3.	Mobilization	\$1,500.00
Subtotal:		\$1,500.00
Tax:		\$0.00
Total:		\$1,500.00

Authorization to Proceed & Contract

You are hereby authorized to proceed with the work as identified in this contract. By signing and returning this contract, you are authorized to proceed with the work as stated.

We understand that if any additional work is required different than stated in the this proposal/contract it must be in a new contract or added to this contract.

Please see all attachments for special conditions that may pertain to aspects of this project.

Acceptance

We agree to pay the total sum or balance in full 10 days after the completion of work.

I am authorized to approve and sign this project as described in this proposal as well as identified below with our payment terms and options.

Date: _____

Gary Parker | Public Works Director
City Of Dalworthington Gardens
2600 Roosevelt Dr
Dalworthington Gardens, Texas 76016
gparker@cityofdwwg.net
C: 817-235-2224
O: 817-235-2224

Hannah Blomgren | Estimator / Project Manager
Elite Asphalt LLC
5080 Ben Day Murrin Rd
Ft Worth, TEXAS 76126
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C: 6823525572
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<https://eliteasphalt.net/>



Warranty & Conditions

1. ***NOTE: This proposal may be withdrawn by us if not accepted within 20 days.***
Due to the natural of material pricing. Proposal pricing is only good for 30 days from date of proposal.
2. All work will be warranted for a period of (1) one year from date of installation on materials and workmanship, **except cracks.**
3. All material guaranteed to be installed exactly as specified.
4. Due to unforeseeable conditions during excavation, depths may go deeper than anticipated. A change order may be necessary should this occur.
5. Any necessary permits or permit fees are owners' responsibility.
6. The cost of and obtaining of all permits, bonds, stakeouts, cut sheets, layout engineering, testing, etc. are excluded.
7. If, after being made aware of undesirable sub-base or base coarse conditions, the owner or owner agent insists on the installation of any part of the pavement without authorizing corrective action, our firm will not be responsible for any subsequent pavement failures, and will be paid as stated in the contract. Our firm shall not be liable for any failure to undertake or complete the work for causes beyond our control.
8. Unless weekend work is clearly identified in the proposal, price is for work to be completed during the week (Monday-Friday). Night or weekend work available at additional cost.
9. **Proposal is based on the current price of liquid asphalt. If there is a price increase in liquid asphalt, there will be additional charge for the difference.**
10. **Existing Surface:** The existing surface will be expected to support the weight of all required construction equipment. In the event that due to poor sub-grade conditions sinking may occur when we drive onto your site, Our firm will not be held responsible for damages to any concrete or asphalt due to the weight of our trucks & equipment.
11. Our firm assumes no liability for damage to any utilities such as but not limited to gas, electric, plumbing, phone, cable, dog fencing, sprinklers, culvert pipes, etc.

Attachments



Please click any of the links below to view and print all documents.

Company Attachments

[Elite References 2021](#)

[Job Information Sheet](#)

**City Council
Staff Agenda Report**

Agenda Item: 9f.

Agenda Subject: Discussion and possible action to approve a Capital Improvement Plan and direct staff to move forward with any bidding or project planning of projects in the Plan.

<p>Meeting Date: October 20, 2022</p>	<p>Financial Considerations: Budgeted: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>	<p>Strategic Vision Pillar:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Financial Stability <input checked="" type="checkbox"/> Appearance of City <input type="checkbox"/> Operations Excellence <input checked="" type="checkbox"/> Infrastructure Improvements/Upgrade <input checked="" type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence
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Background Information: The city engineering has updated the Capital Improvement Plan (CIP). Staff would like direction on moving forward planning and any bidding process to include Broadacres and the Ambassador Row Community Development Block Grant (CDBG) project.

For the CDBG project, staff would like for council to officially approve the desired scope of work in anticipation of receiving the application later this year. Staff will be looking at including additional street lighting as it appears to be an allowed inclusion. This stems from neighborhood citizen complaints.

Lastly, the erosion in the California ditch appears to be slightly greater than last presented. Staff will keep an eye on this and elevate the project if need be.

Recommended Action/Motion: Motion to approve a Capital Improvement Plan and direct staff to move forward with any bidding or project planning of projects in the Plan.

**Attachments: CIP Memo
CIP Estimated Costs**

Memo

To: Lola Hazel, City Administrator - Dalworthington Gardens

From: Kylon M. Wilson, P.E.

cc: Gary Parker – DWG, Courtney Coates – Topo, Erik Dumas - Topo

Date: October 7, 2022

Re: CIP_2022 Update

Lola, below are the updated estimates for the CIP-2022 Plan based on direction from Council at the meeting on August 18th and additional correspondence. I have included quantities for replacing clay tile sewer pipe, but some of them are included with the street estimates. There are a few Asbestos Cement water lines that are included with the streets, but there are others in the ground that we need some information on that we haven't been able to ascertain from existing plans or additional City information/notes.

The current streets proposed for improvements are shown below. The order is based on ratings that took into account the usage, street condition, water and sewer material and condition, and drainage condition. Also, a few streets should have a decent subgrade/base and therefore have been estimated with a 2" milling and overlay option. There are some streets that include additional drainage improvements, but the breakouts are shown in detail on the estimates attached.

CIP Streets Plan:

1. Broadacres Ln (Harder - Cul-De-Sac):

Total Estimate = \$1,052,510

Estimate includes replacing AC water and VC sewer lines. Also includes adding a pervious sidewalk along the west and southern edge to convey water from Harder and adjacent properties west to creek along north side of 2820 by adding underground storm drains.

If only the drainage improvements are installed, the estimate is approximately \$360,000 to account for miscellaneous repairs adjacent to the sidewalk, grass, and design.

2. Roosevelt Dr (303 - Arkansas):
Total Estimate = \$797,450
Includes replacing 8" VC sewer line, but not existing 6" water line. Commercial area, but estimate includes asphalt pavement.
3. Clover Lane (Roosevelt - Bowen):
Total Estimate = \$1,280,575
Estimate includes replacing 6" AC water and 8" VC sewer lines.

Current estimate (separate contract) is \$11,100 to clean out the existing box culvert and the ditch going north, then turning west. Additional survey information gathered indicates the drainage doesn't have the grade to turn and go south along the west line of 2807 Clover but continues west towards Roosevelt. Easements are being obtained under separate contract to grade the existing swales.

4. Texas Dr (California - Cul-De-Sac):
Total Estimate = \$530,913
Estimate includes replacing 6" water and 6" VC sewer lines. Includes additional ditch grading (approximately 400') at south end of Texas to convey water south then west towards Roosevelt.
5. Harder Dr (Roosevelt – Rushing Meadow Ct)
Total Estimate = \$809,082
Water and Sewer are assumed to be AC and VC respectively. Need to verify condition/material of water and sewer lines before replacing. Possible sewer in roadway, but no evidence found. Water appears to be in right-of-way.

Overlay Option - \$111,560

6. Sunset Ln (Park – Roosevelt):
Total Estimate = \$1,208,390
Includes replacing 12" VC sewer and 6" water line (water assumed to be AC in this area). The sewer is along the edge of pavement and the water is in the right-of-way.

Overlay Option - \$153,092

7. Twin Lakes Court North (Twin Springs – Cul-De-Sac)
Total Estimate = \$617,656
Estimate includes replacing 6" water and 6" VC sewer lines.
8. Elkins Dr (Park – 90-degree bend)
Total Estimate = \$333,128
Tarrant County rebuild for Roosevelt to Park for \$123,347 (not included in estimate).

Excludes replacing 15" sewer line from sewer manhole at Park Dr west, but includes replacing 6" water from Park to the west.



- 9. Indian Trail (3506 Indian Tr – City Limits)
Total Estimate = \$848,010
Excludes replacing 6” PVC sewer but includes replacement of 6” AC water with 8” water.
- 10. Indian Trail (Sieber – 3501 Indian Tr)
Total Estimate = \$138,593
Excludes replacing 6” PVC sewer but includes replacement of 6” AC water with 8” water.
- 11. Idlecreek Dr (Sunset – Dead End North)
Total Estimate = \$152,390
Water line replaced previously, no sewer line in street according to records.
- 12. Sieber Dr (Sunset – Indian Trail)
Total Estimate = \$206,840
Water and Sewer are PVC and are therefore not included in the estimate. Pavement is in poor condition.
- 13. Sieber Dr (Indian Trail - Estates)
Total Estimate = \$254,272
Water and Sewer are PVC and are therefore not included in the estimate. Pavement is in poor condition.

Items below are to be included in future CDBG applications. There may be additional sidewalks and lighting added to these estimates if allowed.

- 1A. Ambassador Row (Chase – Roman, South Side)
Total Estimate = \$203,188
North side completed July 2022 with CDBG funds. Does not include water or sewer replacement.
- 1B. Chase Court:
Total Estimate = \$372,192
Includes replacing 6” AC water lines and asphalt pavement with concrete curb and gutter.
- 1C. Seville Court:
Total Estimate = \$381,948
Includes replacing 6” AC water lines and asphalt pavement with concrete curb and gutter.
- 1D. Madrid Court (Arkansas - Cul-De-Sac):
Total Estimate = \$441,472
Includes replacing 6” AC water lines and asphalt pavement with concrete curb and gutter.
- 1E. Roman Court:
Total Estimate = \$325,306
Includes replacing 6” AC water lines and asphalt pavement with concrete curb and gutter.

The streets listed above are rated based on overall street condition and the condition of the drainage, water and sewer infrastructure adjacent to or within the street. The drainage and/or maintenance issues are either included in the street improvements or dealt with separately as discussed below:

- A. Broadacres Ln – Included in estimate – re-grading of existing swale coming from the intersection of Harder and Broadacres to direct water away from 2800 and 2802 as much as possible, then adding porous sidewalk pavers along the south side of the street, ending at 2816 with an area inlet. At that point, we will connect a drainage pipe to go under the cul-de-sac and along the north side of 2820 and outfall into the creek.
- B. Roosevelt/California Intersection – City crews cleaned out culverts and graded the outfalls on the northwest corner of the intersection. Subsequent survey has been performed and additional grading is needed at the outfalls on the west side of Roosevelt (approximately 65') and from the culvert under California approximately 125' downstream to provide positive drainage. In addition, a few of the culverts still need cleaning out to maximize capacity and rock rip-rap will be required under the pedestrian bridge to protect the abutments.
- C. Clover Ln – Cleaning out the 2 - 5'x1.5' box culvert and re-grading the ditch to the north and then westerly along the northern property lines towards Roosevelt to the approximate grade as originally designed is currently planned to be bid out. The City is in the process of obtaining easements from the affected property owners and also discuss the proposal with Summit Midstream, since it is within their easement. Ditch grading and cleaning out driveway culverts (with some being replaced) will be included in the CIP improvement plans.
- D. Texas St – Re-grading the existing ditch and cleaning out the driveway culvert at the southeast corner of the cul-de-sac, then grading a ditch and continuing through a culvert, and then west towards Roosevelt is part of the street improvement plans. Overall grade is around 0.5% - a concrete pilot channel for low flows is needed, but not recommended in the open area. No drainage easements in place.
- E. Maintenance needs:
 - a. Ditch west of Bowen opposite of Catalina Dr westerly and then south along the east side of 2719 California - existing fence pickets blocking the ditch.
 - b. Harder Cul-De-Sac Flume – cleaning out existing flume and grading a ditch to outfall into the creek. No drainage easement in place, but a Letter of Permission was obtained to allow drainage onto the property to the west based on the original plan notes.
 - c. Clean-out ditch/flume behind homes on the north side of Sunny Meadows Ct.

- d. Clean-out driveway culvert and grade small swale between 5 and 6 Country Place Cir. Swale will be flat (approx. 0.24%) so a 2' wide concrete pilot channel is needed.
 - e. Wooded Creek Cir – Grade of gutter/street in the area of the existing concrete repair on the south side is less than 0.4% - the reason why it holds water currently. Same thing for the north side. This cannot be fixed without adding slotted drains along the gutter and tying in the drains to the inlets approximately 450 feet to the east. Need to replace one 12' x 15.5' panel further to the east – rebar is too close to the surface. Residents hired an engineer, and a letter was sent to the City requesting the repairs/evaluation of existing issues.
- F. Corzine (Arkansas – Spur 303) – Drainage improvements are being funded by Tarrant County, which includes new pipe, inlets and adding curb and gutter to address erosion and drainage issues. The paving is in fair condition with a constant crack along the centerline – drainage is along both sides of the paving so it can be addressed without affecting the pavement for the most part.
- G. California (Bowen – Roosevelt) – Due to steep side slopes and erosion causing edge failures on the paving, a preliminary rough estimate for drainage improvements to cover the pipes and add intermittent area inlets was submitted to City staff for review. Current rough estimate is \$816,250.

There are several VC (Vitrified Clay Tile) sewer lines that are not part of the Street CIP Plan, as well as several AC (Asbestos Cement) water lines. Some of the sewer lines could not be verified because of sealed manholes and some assumptions were made on the water lines being AC because the sewer was VC in that stretch. The locations of the sewer and water lines are listed below. Estimates for these lines will be prepared once the City determines the inclusion of streets in the CIP Streets Plan. Pavement Repair is to be determined and existing 6" water and sewer lines will be replaced with 8" lines. If sewer pipe sizes are staying the same, a PVC lining option will be considered as opposed to reconstruction. It is recommended that we TV the lines to determine if the condition is suitable for lining.

VC Sewer:

- I. Ambassador Row (Seville Ct – Madrid Ct)
The sewer lines run behind the homes in alleyways.
Approximately 3,315 LF of 6" and 1,030 LF of 8" VC and 11 SSMH
- II. Arkansas Ln – N. Side (Roosevelt - Corzine)
Appears to be 285 LF of 10" VC in between 10" PVC lines – may be mis-labeled. Manhole needs to be opened to verify.
- III. California (Roosevelt – Bowen)
Best option is to line the VC pipe (if lines determined to be suitable for lining - typical) so we don't disturb the existing paving.
Approximately 1,410 LF of 6" VC and 3 SSMH

- IV. Gardens Park (Elkins – California)
Approximately 375 LF of 15” and 545 LF of 12” VC and 2 SSMH
- V. Michigan Ave (Arkansas – Spur 303)
There is a 15” VC sewer line behind the lots on the east side of Michigan.
Approximately 1,200 LF of 15” and 115 LF of 10” VC and 3 SSMH
- VI. Roosevelt (Arkansas - Sunset)
Best option is to line the existing VC lines so we don’t disturb the existing paving.
Approximately 2,770 LF of 10” VC and 6 SSMH from Arkansas to California
Approximately 1,305 LF of 6” VC and 2 SSMH from California to Sunset
- VII. Roosevelt (Oak Trail Ct - Bowen)
Best option is to line the existing VC lines so we don’t disturb the existing paving.
Approximately 980 LF of 10” VC and 4 SSMH
Approximately 1,015 LF of 6” VC and 3 SSMH
- VIII. Twin Lakes Ct South (Twin Springs - Cul-de-Sac)
Best option is to line the existing VC lines so we don’t disturb the existing paving.
Approximately 125 LF of 6” VC and 1 SSMH
- IX. Twin Springs (Twin Lakes Ct - Bowen)
Best option is to line the existing VC lines so we don’t disturb the existing paving.
Approximately 1,730 LF of 6” VC (320 LF between Lots 4 and 5) and 5 SSMH

AC Water:

- X. California (Park – Bowen)
Approximately 2,850 LF of 6” AC, 8 EA - Connections to Existing, 9 EA – 8” GV, 27 EA – Service Connections, and 4 EA – R&R Fire Hydrants
- XI. Park Dr (Elkins – Sunset Ln)
Approximately 2,175 LF of 6” AC, 5 EA - Connections to Existing, 5 EA – 8” GV, 11 EA – Service Connections, and 2 EA – R&R Fire Hydrants
- XII. Roosevelt (Katherine Ct – Bowen)
Approximately 950 LF of 6” AC – **VERIFY AC**, 3 EA - Connections to Existing, 3 EA – 8” GV, 1 EA – Service Connections, 2 EA – R&R Fire Hydrants, and Bore 50 LF under Blossom Park Ct
- XIII. Sieber (Sunset – City Limits)
Approximately 895 LF of 6” AC, 1 EA - Connections to Existing, 2 EA – 8” GV, 7 EA – Service Connections, and 4 EA – R&R Fire Hydrants
- XIV. Twin Lakes Ct South (Twin Springs - Cul-de-Sac)
Approximately 605 LF of 6” AC, 3 EA - Connections to Existing, 3 EA – 8” GV, 5 EA – Service Connections, and 2 EA – R&R Fire Hydrants



- XV. Twin Springs (Twin Lakes Ct - Bowen)
Approximately 1,605 LF of 6" AC, 3 EA - Connections to Existing, 5 EA – 8" GV, 12 EA – Service Connections, and 2 EA – R&R Fire Hydrants

We will be happy to discuss this information in much further detail once the City has had time to do an initial review, to discuss comments, questions and provide estimates where needed.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Ambassador Row (South Side)
From: Chase Ct
To: Roman Ct

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	508	CY	Unclassified Street Excavation	\$20.00	\$10,161.00
4	1,524	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$15,241.00
5	1,491	SY	6" Reinforced Concrete Pavement w/ 6" Curb	\$64.00	\$95,453.00
6	570	LF	Concrete Curb & Gutter	\$26.50	\$15,105.00
7	255	SY	Top Soil (3")	\$2.00	\$510.00
8	255	SY	Sodding	\$5.00	\$1,275.00
Sub-Total (Paving)					\$162,745.00
Drainage					
9	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
10	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
11	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
12	0	LF	Ditch Grading	\$9.00	\$0.00
Sub-Total (Drainage)					\$0.00
Water					
13	0	LF	Remove Existing Water Line (AC)	\$20.00	\$0.00
14	0	LF	8" PVC Water Line	\$55.00	\$0.00
15	0	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$0.00
16	0	EA	8" Gate Valve	\$2,963.00	\$0.00
17	0	EA	Reconnect Existing Water Service	\$1,900.00	\$0.00
18	0	EA	Water Meter Box	\$250.00	\$0.00
19	0	EA	Connect to Existing Water Main	\$2,500.00	\$0.00
Sub-Total (Water)					\$0.00
Sewer					
20	0	EA	Remove existing MH	\$1,800.00	\$0.00
21	0	LF	Remove Existing Sewer Line	\$0.00	\$0.00
22	0	LF	Install 8" PVC Sewer Line	\$65.00	\$0.00
23	0	EA	Install New 4' MH	\$5,900.00	\$0.00
24	0	EA	4" Sewer Service	\$2,445.00	\$0.00
25	0	EA	Connect to Existing SS	\$3,410.00	\$0.00
26	0	LF	Trench Safety	\$2.50	\$0.00
Sub-Total (Sewer)					\$0.00

Notes:

Sub-Total	\$162,745.00
Contingency (10%)	\$16,275.00
Design Services (13.5%)	\$24,168.00
TOTAL	\$203,188.00

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Broadacres Ln
From: Harder Dr
To: Cul-De-Sac

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$20,000.00	\$20,000.00
3	1,210	CY	Unclassified Street Excavation	\$20.00	\$24,200.00
4	3,630	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$36,300.00
5	3,329	SY	6" HMAc (2" TY-D/4" TY-B)	\$49.00	\$163,097.00
6	0	LF	Concrete Curb & Gutter	\$26.50	\$0.00
7	4,426	SY	Top Soil (3")	\$2.00	\$8,853.00
8	4,426	SY	Sodding	\$5.00	\$22,132.00
Sub-Total (Paving)					\$284,582.00
Drainage					
9	1	LS	Unclassified Channel Excavation	\$5,000.00	\$5,000.00
10	1	LS	Drainage Improvements/Sidewalk	\$150,000.00	\$150,000.00
11	1	EA	Headwall	\$5,000.00	\$5,000.00
12	270	LF	Install 24" RCP	\$125.00	\$33,750.00
13	1	EA	Area Inlet	\$7,500.00	\$7,500.00
14	2,974	LF	Ditch Grading	\$9.00	\$26,764.00
15	800	SF	Pavement Repair	\$25.00	\$20,000.00
Sub-Total (Drainage)					\$248,014.00
Water					
16	1687	LF	Remove Existing Water Line (AC)	\$20.00	\$33,740.00
17	1687	LF	8" PVC Water Line	\$55.00	\$92,785.00
18	2	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$23,300.00
19	3	EA	8" Gate Valve	\$2,963.00	\$8,889.00
20	17	EA	Reconnect Existing Water Service	\$1,900.00	\$32,300.00
21	17	EA	Water Meter Box	\$250.00	\$4,250.00
22	2	EA	Connect to Existing Water Main	\$2,500.00	\$5,000.00
Sub-Total (Water)					\$200,264.00
Sewer					
23	2	EA	Remove existing MH	\$1,800.00	\$3,600.00
24	810	LF	Remove Existing Sewer Line	\$0.00	\$0.00
25	810	LF	Install 8" PVC Sewer Line	\$65.00	\$52,650.00
26	2	EA	Install New 4' MH	\$5,900.00	\$11,800.00
27	15	EA	4" Sewer Service	\$2,445.00	\$36,675.00
28	1	EA	Connect to Existing SS	\$3,410.00	\$3,410.00
29	810	LF	Trench Safety	\$2.50	\$2,025.00
Sub-Total (Sewer)					\$110,160.00
Notes:					
Sub-Total					\$843,020.00
Contingency (10%)					\$84,302.00
Design Services (13.5%)					\$125,188.00
TOTAL					\$1,052,510.00

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name Chase Ct
From: Cul-De-Sac
To: Cul-De-Sac

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	773	CY	Unclassified Street Excavation	\$20.00	\$15,454.00
4	2,318	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$23,181.00
5	2,182	SY	6" HMAc (2" TY-D/4" TY-B)	\$49.00	\$106,929.00
6	1,090	LF	Concrete Curb & Gutter	\$26.50	\$28,885.00
7	485	SY	Top Soil (3")	\$2.00	\$970.00
8	485	SY	Sodding	\$5.00	\$2,425.00
Sub-Total (Paving)					\$202,844.00
Drainage					
9	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
10	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
11	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
12	0	LF	Ditch Grading	\$9.00	\$0.00
Sub-Total (Drainage)					\$0.00
Water					
13	570	LF	Remove Existing Water Line (AC)	\$20.00	\$11,400.00
14	570	LF	8" PVC Water Line	\$55.00	\$31,350.00
15	0	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$0.00
16	4	EA	8" Gate Valve	\$2,963.00	\$11,852.00
17	21	EA	Reconnect Existing Water Service	\$1,900.00	\$39,900.00
18	21	EA	Water Meter Box	\$250.00	\$5,250.00
19	2	EA	Connect to Existing Water Main	\$2,500.00	\$5,000.00
Sub-Total (Water)					\$104,752.00
Sewer					
20	0	EA	Remove existing MH	\$1,800.00	\$0.00
21	0	LF	Remove Existing Sewer Line	\$0.00	\$0.00
22	0	LF	Install 8" PVC Sewer Line	\$65.00	\$0.00
23	0	EA	Install New 4' MH	\$5,900.00	\$0.00
24	0	EA	4" Sewer Service	\$2,445.00	\$0.00
25	0	EA	Connect to Existing SS	\$3,410.00	\$0.00
26	0	LF	Trench Safety	\$2.50	\$0.00
Sub-Total (Sewer)					\$0.00
Notes:				Sub-Total	\$307,596.00
				Contingency (10%)	\$30,759.60
				Design Services (13.5%)	\$33,836.00
				TOTAL	\$372,191.60

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Clover Ln
From: Roosevelt Dr
To: S. Bowen Rd

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	2,047	CY	Unclassified Street Excavation	\$20.00	\$40,931.00
4	6,140	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$61,396.00
5	5,716	SY	6" HMAc (2" TY-D/4" TY-B)	\$49.00	\$280,095.00
6	0	LF	Concrete Curb & Gutter	\$26.50	\$0.00
7	7,198	SY	Top Soil (3")	\$2.00	\$14,396.00
8	7,198	SY	Sodding	\$5.00	\$35,991.00
Sub-Total (Paving)					\$457,809.00
Drainage					
9	630	CY	Unclassified Channel Excavation	\$15.00	\$9,450.00
10	230	LF	Replace existing driveway culvert	\$110.00	\$25,300.00
11	134	SY	Replace Driveway (Asphalt)	\$49.00	\$6,566.00
12	3,811	LF	Ditch Grading	\$9.00	\$34,297.00
Sub-Total (Drainage)					\$75,613.00
Water					
13	1920	LF	Remove Existing Water Line (AC)	\$20.00	\$38,400.00
14	1920	LF	8" PVC Water Line	\$55.00	\$105,600.00
15	3	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$34,950.00
16	3	EA	8" Gate Valve	\$2,963.00	\$8,889.00
17	23	EA	Reconnect Existing Water Service	\$1,900.00	\$43,700.00
18	23	EA	Water Meter Box	\$250.00	\$5,750.00
19	2	EA	Connect to Existing Water Main	\$2,500.00	\$5,000.00
Sub-Total (Water)					\$242,289.00
Sewer					
20	3	EA	Remove existing MH	\$1,800.00	\$5,400.00
21	2860	LF	Install 8" PVC Sewer Line	\$65.00	\$185,900.00
22	3	EA	Install New 4' MH	\$5,900.00	\$17,700.00
23	23	EA	4" Sewer Service	\$2,445.00	\$56,235.00
24	3	EA	Connect to Existing SS	\$3,410.00	\$10,230.00
25	2860	LF	Trench Safety	\$2.50	\$7,150.00
Sub-Total (Sewer)					\$282,615.00
Notes:				Sub-Total	\$1,058,326.00
				Contingency (10%)	\$105,832.60
				Design Services (13.5%)	\$116,416.00
				TOTAL	\$1,280,574.60

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Elkins Dr
From: Park Drive
To: 90 Degree Bend/Knuckle

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	802	CY	Unclassified Street Excavation	\$20.00	\$16,046.00
3	2,407	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$24,068.00
4	2,245	SY	6" HMAc (2" TY-D/4" TY-B)	\$49.00	\$109,982.00
5	0	LF	Concrete Curb & Gutter	\$26.50	\$0.00
6	0	SY	Top Soil (3")	\$2.00	\$0.00
7	0	SY	Sodding	\$5.00	\$0.00
Sub-Total (Paving)					\$160,096.00
Drainage					
8	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
9	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
10	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
11	1,474	LF	Ditch Grading	\$9.00	\$13,267.00
Sub-Total (Drainage)					\$13,267.00
Water					
12	810	LF	Remove Existing Water Line (AC)	\$20.00	\$16,200.00
13	810	LF	8" PVC Water Line	\$55.00	\$44,550.00
14	2	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$23,300.00
15	0	EA	8" Gate Valve	\$2,963.00	\$0.00
16	6	EA	Reconnect Existing Water Service	\$1,900.00	\$11,400.00
17	6	EA	Water Meter Box	\$250.00	\$1,500.00
18	2	EA	Connect to Existing Water Main	\$2,500.00	\$5,000.00
Sub-Total (Water)					\$101,950.00
Sewer					
19	0	EA	Remove existing MH	\$1,800.00	\$0.00
20	0	LF	Install 15" PVC Sewer Line	\$90.00	\$0.00
21	0	LF	Install 8" PVC Sewer Line	\$65.00	\$0.00
21	0	EA	Install new 5' MH	\$7,500.00	\$0.00
23	0	EA	4" Sewer Service	\$2,445.00	\$0.00
24	0	EA	Connect to Existing SS	\$3,410.00	\$0.00
25	0	LF	Trench Safety	\$2.50	\$0.00
Sub-Total (Sewer)					\$0.00
Notes:				Sub-Total	\$275,313.00
				Contingency (10%)	\$27,531.30
				Design Services (13.5%)	\$30,284.00
				TOTAL	\$333,128.30

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Harder Dr
From: Roosevelt Dr
To: Rushing Meadow Ct

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	1,199	CY	Unclassified Street Excavation	\$20.00	\$23,973.00
4	3,596	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$35,959.00
5	3,269	SY	6" HMAc (2" TY-D/4" TY-B)	\$49.00	\$160,180.00
6	244	LF	Concrete Curb & Gutter	\$26.50	\$6,457.00
7	4,903	SY	Top Soil (3")	\$2.00	\$9,807.00
8	4,903	SY	Sodding	\$5.00	\$24,517.00
Sub-Total (Paving)					\$285,893.00
Drainage					
9	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
10	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
11	50	SY	Replace Driveway (Asphalt)	\$49.00	\$2,450.00
12	2,942	LF	Ditch Grading	\$9.00	\$26,479.00
Sub-Total (Drainage)					\$28,929.00
Water					
13	1355	LF	Remove Existing Water Line (AC)	\$20.00	\$27,100.00
14	1355	LF	8" PVC Water Line	\$55.00	\$74,525.00
15	1	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$11,650.00
16	3	EA	8" Gate Valve	\$2,963.00	\$8,889.00
17	20	EA	Reconnect Existing Water Service	\$1,900.00	\$38,000.00
18	20	EA	Water Meter Box	\$250.00	\$5,000.00
19	3	EA	Connect to Existing Water Main	\$2,500.00	\$7,500.00
Sub-Total (Water)					\$172,664.00
Sewer					
20	2	EA	Remove existing MH	\$1,800.00	\$3,600.00
21	1325	LF	Remove Existing Sewer Line	\$0.00	\$0.00
22	1325	LF	Install 8" PVC Sewer Line	\$65.00	\$86,125.00
23	2	EA	Install New 4' MH	\$5,900.00	\$11,800.00
24	20	EA	4" Sewer Service	\$2,445.00	\$48,900.00
25	2	EA	Connect to Existing SS	\$3,410.00	\$6,820.00
26	1325	LF	Trench Safety	\$2.50	\$3,313.00
Sub-Total (Sewer)					\$160,558.00
Notes:					Sub-Total \$648,044.00 Contingency (10%) \$64,804.00 Design Services (13.5%) \$96,234.00 TOTAL \$809,082.00

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Harder Dr
From: Roosevelt Dr
To: Rushing Meadow Ct

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	3,269	SY	2" Milling	\$8.50	\$27,786.00
3	3,269	SY	2" Type D Overlay with Tack Coat	\$13.80	\$45,112.00
4	244	LF	Concrete Curb & Gutter	\$26.50	\$6,457.00
5	0	SY	Top Soil (3")	\$2.00	\$0.00
6	0	SY	Sodding	\$5.00	\$0.00
Sub-Total (Paving)					\$89,355.00
Drainage					
7	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
8	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
9	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
10	0	LF	Ditch Grading	\$9.00	\$0.00
Sub-Total (Drainage)					\$0.00
Water					
11	0	LF	Remove Existing Water Line (AC)	\$20.00	\$0.00
12	0	LF	8" PVC Water Line	\$55.00	\$0.00
13	0	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$0.00
14	0	EA	8" Gate Valve	\$2,963.00	\$0.00
15	0	EA	Reconnect Existing Water Service	\$1,900.00	\$0.00
16	0	EA	Water Meter Box	\$250.00	\$0.00
17	0	EA	Connect to Existing Water Main	\$2,500.00	\$0.00
Sub-Total (Water)					\$0.00
Sewer					
18	0	EA	Remove existing MH	\$1,800.00	\$0.00
19	0	LF	Remove Existing Sewer Line	\$0.00	\$0.00
20	0	LF	Install 8" PVC Sewer Line	\$65.00	\$0.00
21	0	EA	Install New 4' MH	\$5,900.00	\$0.00
22	0	EA	4" Sewer Service	\$2,445.00	\$0.00
23	0	EA	Connect to Existing SS	\$3,410.00	\$0.00
24	0	LF	Trench Safety	\$2.50	\$0.00
Sub-Total (Sewer)					\$0.00
Notes:					Sub-Total \$89,355.00 Contingency (10%) \$8,936.00 Design Services (13.5%) \$13,269.00 TOTAL \$111,560.00

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name Idlecreek Dr
From: Sunset Ln
To: End

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	419	CY	Unclassified Street Excavation	\$20.00	\$8,384.00
4	1,258	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$12,576.00
5	1,132	SY	6" HMAc (2" TY-D/4" TY-B)	\$49.00	\$55,461.00
6	0	LF	Concrete Curb & Gutter	\$26.50	\$0.00
7	503	SY	Top Soil (3")	\$2.00	\$1,006.00
8	503	SY	Sodding	\$5.00	\$2,515.00
Sub-Total (Paving)					\$104,942.00
Drainage					
9	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
10	50	LF	Replace existing driveway culvert	\$110.00	\$5,500.00
11	29	SY	Replace Driveway (Asphalt)	\$49.00	\$1,429.00
12	1,132	LF	Ditch Grading	\$9.00	\$10,187.00
Sub-Total (Drainage)					\$17,116.00
Water					
13	0	LF	Remove Existing Water Line (AC)	\$20.00	\$0.00
14	0	LF	8" PVC Water Line	\$55.00	\$0.00
15	0	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$0.00
16	0	EA	8" Gate Valve	\$2,963.00	\$0.00
17	0	EA	Reconnect Existing Water Service	\$1,900.00	\$0.00
18	0	EA	Water Meter Box	\$250.00	\$0.00
19	0	EA	Connect to Existing Water Main	\$2,500.00	\$0.00
Sub-Total (Water)					\$0.00
Sewer					
20	0	EA	Remove existing MH	\$1,800.00	\$0.00
21	0	LF	Install 8" PVC Sewer Line	\$65.00	\$0.00
22	0	EA	Install New 4' MH	\$5,900.00	\$0.00
23	0	EA	4" Sewer Service	\$2,445.00	\$0.00
24	0	EA	Connect to Existing SS	\$3,410.00	\$0.00
25	0	LF	Trench Safety	\$2.50	\$0.00
Sub-Total (Sewer)					\$0.00
Notes:				Sub-Total	\$122,058.00
				Contingency (10%)	\$12,205.80
				Design Services (13.5%)	\$18,126.00
				TOTAL	\$152,389.80

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Indian Trail
From: Sieber Dr
To: 3501 Indian Trail

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	494	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$4,942.00
4	453	SY	6" HMAc (2" TY-D/4" TY-B)	\$49.00	\$22,199.00
5	0	LF	Concrete Curb & Gutter	\$26.50	\$0.00
6	860	SY	Top Soil (3")	\$2.00	\$1,719.00
7	860	SY	Sodding	\$5.00	\$4,298.00
Sub-Total (Paving)					\$58,158.00
Drainage					
8	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
9	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
10	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
11	371	LF	Ditch Grading	\$9.00	\$3,336.00
Sub-Total (Drainage)					\$3,336.00
Water					
12	530	LF	Remove Existing Water Line (AC)	\$20.00	\$10,600.00
13	530	LF	8" PVC Water Line	\$55.00	\$29,150.00
14	0	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$0.00
15	1	EA	8" Gate Valve	\$2,963.00	\$2,963.00
16	2	EA	Reconnect Existing Water Service	\$1,900.00	\$3,800.00
17	2	EA	Water Meter Box	\$250.00	\$500.00
18	1	EA	Connect to Existing Water Main	\$2,500.00	\$2,500.00
Sub-Total (Water)					\$49,513.00
Sewer					
19	0	EA	Remove existing MH	\$1,800.00	\$0.00
20	0	LF	Install 8" PVC Sewer Line	\$65.00	\$0.00
21	0	EA	Install New 4' MH	\$5,900.00	\$0.00
22	0	EA	4" Sewer Service	\$2,445.00	\$0.00
23	0	EA	Connect to Existing SS	\$3,410.00	\$0.00
24	0	LF	Trench Safety	\$2.50	\$0.00
Sub-Total (Sewer)					\$0.00
Notes:					Sub-Total \$111,007.00 Contingency (10%) \$11,100.70 Design Services (13.5%) \$16,485.00 TOTAL \$138,592.70

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Indian Trail
From: 3506 Indian Trail
To: City Limits

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	1,832	CY	Unclassified Street Excavation	\$20.00	\$36,636.00
4	5,495	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$54,955.00
5	5,038	SY	6" HMAc (2" TY-D/4" TY-B)	\$49.00	\$246,838.00
6	0	LF	Concrete Curb & Gutter	\$26.50	\$0.00
7	7,173	SY	Top Soil (3")	\$2.00	\$14,346.00
8	7,173	SY	Sodding	\$5.00	\$35,865.00
Sub-Total (Paving)					\$413,640.00
Drainage					
9	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
10	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
11	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
12	4,122	LF	Ditch Grading	\$9.00	\$37,094.00
Sub-Total (Drainage)					\$37,094.00
Water					
13	2511	LF	Remove Existing Water Line (AC)	\$20.00	\$50,220.00
14	2511	LF	8" PVC Water Line	\$55.00	\$138,105.00
15	2	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$23,300.00
16	3	EA	8" Gate Valve	\$2,963.00	\$8,889.00
17	6	EA	Reconnect Existing Water Service	\$1,900.00	\$11,400.00
18	6	EA	Water Meter Box	\$250.00	\$1,500.00
19	1	EA	Connect to Existing Water Main	\$2,500.00	\$2,500.00
Sub-Total (Water)					\$235,914.00
Sewer					
20	0	EA	Remove existing MH	\$1,800.00	\$0.00
21	0	LF	Install 8" PVC Sewer Line	\$65.00	\$0.00
22	0	EA	Install New 4' MH	\$5,900.00	\$0.00
23	0	EA	4" Sewer Service	\$2,445.00	\$0.00
24	0	EA	Connect to Existing SS	\$3,410.00	\$0.00
25	0	LF	Trench Safety	\$2.50	\$0.00
Sub-Total (Sewer)					\$0.00
Notes:				Sub-Total	\$686,648.00
				Contingency (10%)	\$68,664.80
				Design Services (13.5%)	\$92,697.00
				TOTAL	\$848,009.80

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Madrid Ct
From: W. Arkansas Ln
To: Cul-De-Sac

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	820	CY	Unclassified Street Excavation	\$20.00	\$16,398.00
4	2,460	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$24,597.00
5	2,311	SY	6" HMAc (2" TY-D/4" TY-B)	\$49.00	\$113,255.00
6	1,145	LF	Concrete Curb & Gutter	\$26.50	\$30,336.00
7	545	SY	Top Soil (3")	\$2.00	\$1,090.00
8	545	SY	Sodding	\$5.00	\$2,725.00
Sub-Total (Paving)					\$213,401.00
Drainage					
9	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
10	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
11	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
12	0	LF	Ditch Grading	\$9.00	\$0.00
Sub-Total (Drainage)					\$0.00
Water					
13	625	LF	Remove Existing Water Line (AC)	\$20.00	\$12,500.00
14	625	LF	8" PVC Water Line	\$55.00	\$34,375.00
15	0	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$0.00
16	2	EA	8" Gate Valve	\$2,963.00	\$5,926.00
17	36	EA	Reconnect Existing Water Service	\$1,900.00	\$68,400.00
18	36	EA	Water Meter Box	\$250.00	\$9,000.00
19	4	EA	Connect to Existing Water Main	\$2,500.00	\$10,000.00
Sub-Total (Water)					\$140,201.00
Sewer					
20	0	EA	Remove existing MH	\$1,800.00	\$0.00
21	0	LF	Install 8" PVC Sewer Line	\$65.00	\$0.00
22	0	EA	Install New 4' MH	\$5,900.00	\$0.00
23	0	EA	4" Sewer Service	\$2,445.00	\$0.00
24	0	EA	Connect to Existing SS	\$3,410.00	\$0.00
25	0	LF	Trench Safety	\$2.50	\$0.00
Sub-Total (Sewer)					\$0.00
Notes:				Sub-Total	\$353,602.00
				Contingency (10%)	\$35,360.20
				Design Services (13.5%)	\$52,510.00
				TOTAL	\$441,472.20

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name Roman Ct
From: Cul-De-Sac
To: Cul-De-Sac

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	568	CY	Unclassified Street Excavation	\$20.00	\$11,353.00
4	1,703	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$17,030.00
5	1,614	SY	6" HMAc (2" TY-D/4" TY-B)	\$49.00	\$79,108.00
6	1,060	LF	Concrete Curb & Gutter	\$26.50	\$28,093.00
7	471	SY	Top Soil (3")	\$2.00	\$942.00
8	471	SY	Sodding	\$5.00	\$2,355.00
Sub-Total (Paving)					\$163,881.00
Drainage					
9	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
10	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
11	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
12		LF	Ditch Grading	\$9.00	\$0.00
Sub-Total (Drainage)					\$0.00
Water					
13	570	LF	Remove Existing Water Line (AC)	\$20.00	\$11,400.00
14	570	LF	8" PVC Water Line	\$55.00	\$31,350.00
15	0	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$0.00
16	2	EA	8" Gate Valve	\$2,963.00	\$5,926.00
17	20	EA	Reconnect Existing Water Service	\$1,900.00	\$38,000.00
18	20	EA	Water Meter Box	\$250.00	\$5,000.00
19	2	EA	Connect to Existing Water Main	\$2,500.00	\$5,000.00
Sub-Total (Water)					\$96,676.00
Sewer					
20	0	EA	Remove existing MH	\$1,800.00	\$0.00
21	0	LF	Install 8" PVC Sewer Line	\$65.00	\$0.00
22	0	EA	Install New 4' MH	\$5,900.00	\$0.00
23	0	EA	4" Sewer Service	\$2,445.00	\$0.00
24	0	EA	Connect to Existing SS	\$3,410.00	\$0.00
25	0	LF	Trench Safety	\$2.50	\$0.00
Sub-Total (Sewer)					\$0.00
Notes:				Sub-Total	\$260,557.00
				Contingency (10%)	\$26,056.00
				Design Services (13.5%)	\$38,693.00
				TOTAL	\$325,306.00

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name Roosevelt Dr
From: Spur 303
To: W. Arkansas Ln

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	1,647	CY	Unclassified Street Excavation	\$20.00	\$32,935.00
4	4,940	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$49,402.00
5	4,687	SY	6" HMAc (2" TY-D/4" TY-B)	\$49.00	\$229,657.00
6	2,280	LF	Concrete Curb & Gutter	\$26.50	\$60,423.00
7	331	SY	Top Soil (3")	\$2.00	\$662.00
8	331	SY	Sodding	\$5.00	\$1,655.00
Sub-Total (Paving)					\$399,734.00
Drainage					
9	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
10	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
11	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
12	0	LF	Ditch Grading	\$9.00	\$0.00
Sub-Total (Drainage)					\$0.00
Water					
13	970	LF	Remove Existing Water Line (AC)	\$20.00	\$19,400.00
14	970	LF	8" PVC Water Line	\$55.00	\$53,350.00
15	2	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$23,300.00
16	3	EA	8" Gate Valve	\$2,963.00	\$8,889.00
17	11	EA	Reconnect Existing Water Service	\$1,900.00	\$20,900.00
18	11	EA	Water Meter Box	\$250.00	\$2,750.00
19	3	EA	Connect to Existing Water Main	\$2,500.00	\$7,500.00
Sub-Total (Water)					\$136,089.00
Sewer					
20	0	EA	Remove existing MH	\$1,800.00	\$0.00
21	1025	LF	Install 8" PVC Sewer Line	\$65.00	\$66,625.00
22	0	EA	Install New 4' MH	\$5,900.00	\$0.00
23	11	EA	4" Sewer Service	\$2,445.00	\$26,895.00
24	2	EA	Connect to Existing SS	\$3,410.00	\$6,820.00
25	1025	LF	Trench Safety	\$2.50	\$2,563.00
Sub-Total (Sewer)					\$102,903.00
Notes:					Sub-Total \$638,726.00 Contingency (10%) \$63,873.00 Design Services (13.5%) \$94,851.00 TOTAL \$797,450.00

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name Seville Ct
From: Cul-De-Sac
To: Cul-De-Sac

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	614	CY	Unclassified Street Excavation	\$20.00	\$12,281.00
4	1,885	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$18,846.00
5	1,782	SY	6" HMAC (2" TY-D/4" TY-B)	\$49.00	\$87,325.00
6	1,401	LF	Concrete Curb & Gutter	\$26.50	\$37,119.00
7	1,165	LF	Exposed Aggregate Sidewalk	\$11.00	\$12,815.00
7	0	SY	Top Soil (3")	\$2.00	\$0.00
9	0	SY	Sodding	\$5.00	\$0.00
Sub-Total (Paving)					\$193,386.00
Drainage					
10	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
11	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
12	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
13		LF	Ditch Grading	\$9.00	\$0.00
Sub-Total (Drainage)					\$0.00
Water					
14	570	LF	Remove Existing Water Line (AC)	\$20.00	\$11,400.00
15	570	LF	8" PVC Water Line	\$55.00	\$31,350.00
16	0	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$0.00
17	3	EA	8" Gate Valve	\$2,963.00	\$8,889.00
18	26	EA	Reconnect Existing Water Service	\$1,900.00	\$49,400.00
19	26	EA	Water Meter Box	\$250.00	\$6,500.00
20	2	EA	Connect to Existing Water Main	\$2,500.00	\$5,000.00
Sub-Total (Water)					\$112,539.00
Sewer					
21	0	EA	Remove existing MH	\$1,800.00	\$0.00
22	0	LF	Install 8" PVC Sewer Line	\$65.00	\$0.00
23	0	EA	Install New 4' MH	\$5,900.00	\$0.00
24	0	EA	4" Sewer Service	\$2,445.00	\$0.00
25	0	EA	Connect to Existing SS	\$3,410.00	\$0.00
26	0	LF	Trench Safety	\$2.50	\$0.00
Sub-Total (Sewer)					\$0.00
Notes:				Sub-Total	\$305,925.00
				Contingency (10%)	\$30,593.00
				Design Services (13.5%)	\$45,430.00
				TOTAL	\$381,948.00

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Sieber Dr
From: Sunset Ln
To: Indian Trail

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	621	CY	Unclassified Street Excavation	\$20.00	\$12,429.00
4	1,864	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$18,644.00
5	1,731	SY	6" HMA (2" TY-D/4" TY-B)	\$49.00	\$84,828.00
6	0	LF	Concrete Curb & Gutter	\$26.50	\$0.00
7	1,998	SY	Top Soil (3")	\$2.00	\$3,995.00
8	1,998	SY	Sodding	\$5.00	\$9,988.00
Sub-Total (Paving)					\$154,884.00
Drainage					
9	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
10	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
11	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
12	1,199	LF	Ditch Grading	\$9.00	\$10,787.00
Sub-Total (Drainage)					\$10,787.00
Water					
13	0	LF	Remove Existing Water Line (AC)	\$20.00	\$0.00
14	0	LF	8" PVC Water Line	\$55.00	\$0.00
15	0	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$0.00
16	0	EA	8" Gate Valve	\$2,963.00	\$0.00
17	0	EA	Reconnect Existing Water Service	\$1,900.00	\$0.00
18	0	EA	Water Meter Box	\$250.00	\$0.00
19	0	EA	Connect to Existing Water Main	\$2,500.00	\$0.00
Sub-Total (Water)					\$0.00
Sewer					
20	0	EA	Remove existing MH	\$1,800.00	\$0.00
21	0	LF	Install 8" PVC Sewer Line	\$65.00	\$0.00
22	0	EA	Install New 4' MH	\$5,900.00	\$0.00
23	0	EA	4" Sewer Service	\$2,445.00	\$0.00
24	0	EA	Connect to Existing SS	\$3,410.00	\$0.00
25	0	LF	Trench Safety	\$2.50	\$0.00
Sub-Total (Sewer)					\$0.00
Notes:				Sub-Total	\$165,671.00
				Contingency (10%)	\$16,567.10
				Design Services (13.5%)	\$24,602.00
				TOTAL	\$206,840.10

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Sieber Dr
From: Indian Trail
To: Estates Dr

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	789	CY	Unclassified Street Excavation	\$20.00	\$15,786.00
4	2,368	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$23,679.00
5	2,199	SY	6" HMAC (2" TY-D/4" TY-B)	\$49.00	\$107,738.00
6	0	LF	Concrete Curb & Gutter	\$26.50	\$0.00
7	2,537	SY	Top Soil (3")	\$2.00	\$5,074.00
8	2,537	SY	Sodding	\$5.00	\$12,685.00
Sub-Total (Paving)					\$189,962.00
Drainage					
9	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
10	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
11	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
12	1,522	LF	Ditch Grading	\$9.00	\$13,700.00
Sub-Total (Drainage)					\$13,700.00
Water					
13	0	LF	Remove Existing Water Line (AC)	\$20.00	\$0.00
14	0	LF	8" PVC Water Line	\$55.00	\$0.00
15	0	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$0.00
16	0	EA	8" Gate Valve	\$2,963.00	\$0.00
17	0	EA	Reconnect Existing Water Service	\$1,900.00	\$0.00
18	0	EA	Water Meter Box	\$250.00	\$0.00
19	0	EA	Connect to Existing Water Main	\$2,500.00	\$0.00
Sub-Total (Water)					\$0.00
Sewer					
20	0	EA	Remove existing MH	\$1,800.00	\$0.00
21	0	LF	Install 8" PVC Sewer Line	\$65.00	\$0.00
22	0	EA	Install New 4' MH	\$5,900.00	\$0.00
23	0	EA	4" Sewer Service	\$2,445.00	\$0.00
24	0	EA	Connect to Existing SS	\$3,410.00	\$0.00
25	0	LF	Trench Safety	\$2.50	\$0.00
Sub-Total (Sewer)					\$0.00
Notes:				Sub-Total	\$203,662.00
				Contingency (10%)	\$20,366.20
				Design Services (13.5%)	\$30,244.00
				TOTAL	\$254,272.20

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Sunset Ln
From: Roosevelt Dr
To: Park Dr

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	1,824	CY	Unclassified Street Excavation	\$20.00	\$36,474.00
4	5,471	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$54,712.00
5	5,050	SY	6" HMAc (2" TY-D/4" TY-B)	\$49.00	\$247,464.00
6	0	LF	Concrete Curb & Gutter	\$26.50	\$0.00
7	7,996	SY	Top Soil (3")	\$2.00	\$15,993.00
8	7,996	SY	Sodding	\$5.00	\$39,981.00
Sub-Total (Paving)					\$419,624.00
Drainage					
9	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
10	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
11	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
12	3,788	LF	Ditch Grading	\$9.00	\$34,089.00
Sub-Total (Drainage)					\$34,089.00
Water					
13	1900	LF	Remove Existing Water Line (AC)	\$20.00	\$38,000.00
14	1900	LF	8" PVC Water Line	\$55.00	\$104,500.00
15	3	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$34,950.00
16	1	EA	8" Gate Valve	\$2,963.00	\$2,963.00
17	27	EA	Reconnect Existing Water Service	\$1,900.00	\$51,300.00
18	27	EA	Water Meter Box	\$250.00	\$6,750.00
19	2	EA	Connect to Existing Water Main	\$2,500.00	\$5,000.00
Sub-Total (Water)					\$243,463.00
Sewer					
20	4	EA	Remove existing MH	\$1,800.00	\$7,200.00
21	2025	LF	Install 12" PVC Sewer Line	\$80.00	\$162,000.00
22	4	EA	Install New 4' MH	\$5,900.00	\$23,600.00
23	27	EA	4" Sewer Service	\$2,445.00	\$66,015.00
24	2	EA	Connect to Existing SS	\$3,410.00	\$6,820.00
25	2025	LF	Trench Safety	\$2.50	\$5,063.00
Sub-Total (Sewer)					\$270,698.00
Notes:					Sub-Total \$967,874.00 Contingency (10%) \$96,787.40 Design Services (13.5%) \$143,729.00 TOTAL \$1,208,390.40

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Sunset Ln
From: Roosevelt Dr
To: Park Dr

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	5,050	SY	2" Milling	\$8.50	\$42,927.00
3	5,050	SY	2" Type D Overlay with Tack Coat	\$13.80	\$69,694.00
4	0	LF	Concrete Curb & Gutter	\$26.50	\$0.00
5	0	SY	Top Soil (3")	\$2.00	\$0.00
6	0	SY	Sodding	\$5.00	\$0.00
Sub-Total (Paving)					\$122,621.00
Drainage					
7	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
8	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
9	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
10	0	LF	Ditch Grading	\$9.00	\$0.00
Sub-Total (Drainage)					\$0.00
Water					
11	0	LF	Remove Existing Water Line (AC)	\$20.00	\$0.00
12	0	LF	8" PVC Water Line	\$55.00	\$0.00
13	0	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$0.00
14	0	EA	8" Gate Valve	\$2,963.00	\$0.00
15	0	EA	Reconnect Existing Water Service	\$1,900.00	\$0.00
16	0	EA	Water Meter Box	\$250.00	\$0.00
17	0	EA	Connect to Existing Water Main	\$2,500.00	\$0.00
Sub-Total (Water)					\$0.00
Sewer					
18	0	EA	Remove existing MH	\$1,800.00	\$0.00
19	0	LF	Install 12" PVC Sewer Line	\$80.00	\$0.00
20	0	EA	Install New 4' MH	\$5,900.00	\$0.00
21	0	EA	4" Sewer Service	\$2,445.00	\$0.00
22	0	EA	Connect to Existing SS	\$3,410.00	\$0.00
23	0	LF	Trench Safety	\$2.50	\$0.00
Sub-Total (Sewer)					\$0.00

Notes:	Sub-Total	\$122,621.00
	Contingency (10%)	\$12,262.10
	Design Services (13.5%)	\$18,209.00
	TOTAL	\$153,092.10

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Texas Dr
From: California Ln
To: Cul-De-Sac

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	627	CY	Unclassified Street Excavation	\$20.00	\$12,536.00
4	1,880	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$18,805.00
5	1,710	SY	6" HMAc (2" TY-D/4" TY-B)	\$49.00	\$83,767.00
6	0	LF	Concrete Curb & Gutter	\$26.50	\$0.00
7	2,564	SY	Top Soil (3")	\$2.00	\$5,129.00
8	2,564	SY	Sodding	\$5.00	\$12,821.00
Sub-Total (Paving)					\$158,058.00
Drainage					
9	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
10	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
11	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
12	1,929	LF	Ditch Grading	\$9.00	\$17,357.00
Sub-Total (Drainage)					\$17,357.00
Water					
13	950	LF	Remove Existing Water Line (AC)	\$20.00	\$19,000.00
14	950	LF	8" PVC Water Line	\$55.00	\$52,250.00
15	2	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$23,300.00
16	2	EA	8" Gate Valve	\$2,963.00	\$5,926.00
17	12	EA	Reconnect Existing Water Service	\$1,900.00	\$22,800.00
18	12	EA	Water Meter Box	\$250.00	\$3,000.00
19	1	EA	Connect to Existing Water Main	\$2,500.00	\$2,500.00
Sub-Total (Water)					\$128,776.00
Sewer					
20	2	EA	Remove existing MH	\$1,800.00	\$3,600.00
21	1080	LF	Install 8" PVC Sewer Line	\$65.00	\$70,200.00
22	2	EA	Install New 4' MH	\$5,900.00	\$11,800.00
23	12	EA	4" Sewer Service	\$2,445.00	\$29,340.00
24	1	EA	Connect to Existing SS	\$3,410.00	\$3,410.00
25	1080	LF	Trench Safety	\$2.50	\$2,700.00
Sub-Total (Sewer)					\$121,050.00
Notes:				Sub-Total	\$425,241.00
				Contingency (10%)	\$42,524.10
				Design Services (13.5%)	\$63,148.00
				TOTAL	\$530,913.10

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.



Project Name: City of Dalworthington Gardens
Prepared By: Kylon Wilson, PE
Street Name: Twin Lakes Ct (North)
From: Cul-De-Sac
To: Twin Springs Dr

Topographic No.:
Date: 10/7/2022
TX Reg. Engineering Firm: #18409

Item No.	Est. Quant.	Unit	Description	Unit Price	Total
Paving					
1	1	LS	Mobilization	\$10,000.00	\$10,000.00
2	1	LS	Site Prep	\$15,000.00	\$15,000.00
3	1,002	CY	Unclassified Street Excavation	\$20.00	\$20,044.00
4	3,007	SY	6" Lime Stabilization (42lb/SY)	\$10.00	\$30,067.00
5	2,848	SY	6" Reinforced Concrete Pavement w/ 6" Curb	\$64.00	\$182,258.00
6	0	LF	Concrete Curb & Gutter	\$26.50	\$0.00
7	0	SY	Top Soil (3")	\$2.00	\$0.00
8	0	SY	Sodding	\$5.00	\$0.00
Sub-Total (Paving)					\$257,369.00
Drainage					
9	0	CY	Unclassified Channel Excavation	\$15.00	\$0.00
10	0	LF	Replace existing driveway culvert	\$110.00	\$0.00
11	0	SY	Replace Driveway (Asphalt)	\$49.00	\$0.00
12	0	LF	Ditch Grading	\$9.00	\$0.00
Sub-Total (Drainage)					\$0.00
Water					
13	960	LF	Remove Existing Water Line (AC)	\$20.00	\$19,200.00
14	960	LF	8" PVC Water Line	\$55.00	\$52,800.00
15	2	EA	Remove/Replace Fire Hydrant Assembly	\$11,650.00	\$23,300.00
16	2	EA	8" Gate Valve	\$2,963.00	\$5,926.00
17	12	EA	Reconnect Existing Water Service	\$1,900.00	\$22,800.00
18	12	EA	Water Meter Box	\$250.00	\$3,000.00
19	2	EA	Connect to Existing Water Main	\$2,500.00	\$5,000.00
Sub-Total (Water)					\$132,026.00
Sewer					
20	2	EA	Remove existing MH	\$1,800.00	\$3,600.00
21	847	LF	Remove Existing Sewer Line	\$0.00	\$0.00
22	847	LF	Install 8" PVC Sewer Line	\$65.00	\$55,055.00
23	2	EA	Install New 4' MH	\$5,900.00	\$11,800.00
24	12	EA	4" Sewer Service	\$2,445.00	\$29,340.00
25	1	EA	Connect to Existing SS	\$3,410.00	\$3,410.00
26	847	LF	Trench Safety	\$2.50	\$2,118.00
Sub-Total (Sewer)					\$105,323.00
Notes:				Sub-Total	\$494,718.00
				Contingency (10%)	\$49,472.00
				Design Services (13.5%)	\$73,466.00
				TOTAL	\$617,656.00

The quantities and prices shown hereon are an indication of the Engineer's opinion of probable construction costs associated with the referenced project and are NOT a guarantee of individual or total construction costs.

**City Council
Staff Agenda Report**

Agenda Item: 9g.

Agenda Subject: Discussion and possible action to approve Ordinance No. 2022-22 making changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 4, Business Regulations, to create an article defining and governing the standards and requirements for short-term rentals; and Chapter 14, Zoning, to identify short-term rentals as a permitted use in residential districts, subject to certain conditions.

<p>Meeting Date:</p> <p>October 20, 2022</p>	<p>Financial Considerations:</p> <p>Budgeted:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p>	<p>Strategic Vision Pillar:</p> <p><input type="checkbox"/> Financial Stability</p> <p><input type="checkbox"/> Appearance of City</p> <p><input checked="" type="checkbox"/> Operations Excellence</p> <p><input type="checkbox"/> Infrastructure Improvements/Upgrade</p> <p><input type="checkbox"/> Building Positive Image</p> <p><input type="checkbox"/> Economic Development</p> <p><input type="checkbox"/> Educational Excellence</p>
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Background Information: Council requested an ordinance be drafted for short-term rentals which staff presented at the September 15, 2022 Council Meeting.

The following changes are proposed for this ordinance and included are council’s suggested changes:

- The addition of Article 4.09, Short-Term Rental, in Chapter 4, Business Regulations
- Section 4.09.004(b): Changed occupancy limitations (9.15.22 change)
- Section 4.09.004(c): Prohibited on-street parking (9.15.22 change)
- Section 4.09.004(p)(1): Changed density limitation (9.15.22 change)
- Section 4.09.006(b): Changed violation number and frequency (9.15.22 change)
- Replaced references of “landscaped area” to “unimproved surface” (9.15.22 change)
- Changed special exceptions to be heard by city council (9.15.22 change)

- Section 14.02.092, Definitions: Adding a definition for short-term rental
- Section 14.02.171, General Provisions: Adding short-term rentals as a permitted use in residential districts
- Section 14.02.321, Special Exceptions: Adding a special exception for short-term rentals that exceed density limitations

Recommended Action/Motion: Motion to approve Ordinance No. 2022-22 making changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 4, Business Regulations, to create an article defining and governing the standards and requirements for short-term rentals; and Chapter 14, Zoning, to identify short-term rentals as a permitted use in residential districts, subject to certain conditions.

**Attachments: Ordinance
Redlined Changes
Attorney Memo**

ORDINANCE NO. 2022-22

AN ORDINANCE OF THE CITY OF DALWORTHINGTON GARDENS, TEXAS, AMENDING CHAPTER 4, "BUSINESS REGULATIONS," OF THE CODE OF ORDINANCES, CITY OF DALWORTHINGTON GARDENS, TEXAS, TO CREATE AN ARTICLE DEFINING AND GOVERNING THE STANDARDS AND REQUIREMENTS FOR SHORT-TERM RENTALS; AMENDING CHAPTER 14, "ZONING," TO IDENTIFY SHORT-TERM RENTALS AS A PERMITTED USE IN RESIDENTIAL DISTRICTS, SUBJECT TO CERTAIN CONDITIONS; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATION; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Dalworthington Gardens, Texas (the "City"), is a Type A General Law municipality located in Tarrant County, Texas, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, the City has the authority to adopt an ordinance necessary for the government, interest, welfare, or good order of the municipality in accordance with Section 51.012 of the Local Government Code; and

WHEREAS, the City Council of the City of Dalworthington Gardens, Texas ("City Council") recognizes the City's proximity to tourist destinations in the Dallas-Fort Worth Metroplex; and

WHEREAS, in the City and elsewhere, the increase in the number of persons or entities desiring to rent their residential properties has led to the proliferation of transient and vacation rental uses within neighborhoods previously planned, approved and constructed for solely residential use; and

WHEREAS, the use of residential properties by individuals for short periods of time may negatively impact the original residential character of neighborhoods that was an inducement for owners to buy their homes in such neighborhood due, in part, to substituting permanent residents with transient visitors and thereby reducing or eliminating common goals, cohesiveness, communication and accountability between permanent residents; and

WHEREAS, the regulation of the use and operation of such "short-term rental" property is intended to prevent the further erosion of pre-existing and stable neighborhoods, and further advance the City Council's commitment to preserving the residential character of its neighborhoods; and

WHEREAS, the rise of substitute land uses for residential property contributes to the shortage of affordable housing for both homeowners and long-term renters; and

WHEREAS, the proliferation of unregulated short-term rentals presents fire and structural safety concerns that are not applicable to structures used for permanent occupancy but are deemed necessary to accommodate guests who, as visitors to the City of Dalworthington Gardens, will rely on City emergency services in the event of a crisis; and

WHEREAS, the City has received numerous complaints from neighbors seeking to resolve issues with parking, noise, and other adverse effects related to the operation of short-term rentals in residential areas; and

WHEREAS, the purpose of the regulations set forth herein is to provide a procedure to allow the rental of private residences to visitors on a short term basis, while ensuring that such rental use does not cause adverse impacts to residential neighborhoods due to the intensive nature of the use creating excessive traffic, noise, density, and other adverse effects, and additionally to ensure that the number of occupants within such rental units do not exceed the design capacity of the structure causing health and safety concerns, and that minimum health and safety standards are maintained in such units to protect visitors from unsafe or unsanitary conditions; and

WHEREAS, the City Council has reviewed data and information from other cities' experiences with short-term rentals and used this data and information to develop a regulatory structure suitable for the circumstances within the City of Dalworthington Gardens; and

WHEREAS, the City Council finds and determines that regulations related to short-term rental uses should be adopted to define short-term rentals, establish standards for operation and appropriate review processes applicable to short-term rentals, and establish commensurate permitting and inspection fees; and

WHEREAS, the City Council finds that regulating the short-term rental of residential property is necessary for promoting the government, interest, welfare, and good order of the municipality; ensuring consistency in land uses and development; and protecting the rights of property owners, residents, and visitors in the City of Dalworthington Gardens.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF DALWORTHINGTON GARDENS, TEXAS, THAT:

SECTION 1.

Chapter 4, "Business Regulations," of the Code of Ordinances, City of Dalworthington Gardens, Texas, is hereby amended by adding a new Article 4.09 to read as follows:

"ARTICLE 4.09. SHORT-TERM RENTAL

Sec. 4.09.001 Purpose

The purpose of the regulations set forth herein is to provide a procedure to allow the rental of private residences to visitors on a short term basis, while ensuring that such rental use does not create adverse impacts to residential neighborhoods due to excessive traffic, noise, density, and other adverse effects, and additionally to ensure that the number of occupants within such rental units do not exceed the design capacity of the structure causing health and safety concerns, and that minimum health and safety standards are maintained in such units to protect visitors from unsafe or unsanitary conditions.

Sec. 4.09.002 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:

Administrator. Means the City Administrator of the city or their designated representative.

Bathroom. Means an enclosed space containing one or more bathtubs, showers, or both, as well as one or more toilets, lavatories or fixtures serving similar purposes.

Bedroom. Means a room used or intended to be used for sleeping purposes and not as a kitchen, bathroom, living room, closet, hallway, utility space, entry way, garage, patio or breezeway.

Block. Means a tract of land bounded by streets, or a combination of streets, public parks, railroad rights-of-way, shorelines of waterways or corporate limits.

City fee schedule. Means the City Fee Schedule of the City of Dalworthington Gardens, Texas first adopted in Resolution No. 2022-05, as amended.

Code or city code. Means the Code of Ordinances, City of Dalworthington Gardens, Texas.

Department. Means the department of permits, inspections, and zoning of the city.

Fire marshal. Means the fire marshal of the city or their designated representative.

Occupant. Mean the person(s) who have lawfully obtained the exclusive use and possession of the short-term rental premises from the owner and/or operator, and the guest(s) of such person(s).

Operator. Means the owner or local responsible party tasked with managing a property operating as a short-term rental on behalf of the owner.

Owner. Means the individual or entity that owns a property operating as a short-term rental.

Permit. Means the permit issued pursuant to the terms of this article authorizing the operation of a short-term rental.

Short-term rental. Means the rental for compensation, of any residence or residential structure, or a portion of a residence or residential structure, located within a zoning district where the residential use is lawful, for the purpose of overnight lodging for a period of not more than thirty (30) days. A short-term rental shall not include a hotel or motel.

Sec. 4.09.003 Short-term rental permit application

It shall be unlawful for any owner, operator, or other person to advertise, offer to rent or rent, lease, sublease, license or sublicense a residential property within the city as a short-term rental for which a permit application has not been properly made and filed with the department, and a permit issued. A permit application shall be made upon forms furnished by the city for such purpose, shall be accompanied by the application fee identified in the city fee schedule, and shall specifically require the following minimum information:

- (1) The name, address, contact information, and signature of the applicant;
- (2) The name, address, contact information, and signature of the owner of the premise;
- (3) The name, address, contact information, and signature of the operator of the premises;
- (4) The name, address, and phone number of a 24-hour contact;
- (5) The address, legal description, TAD Parcel ID, zoning district, and type;
- (6) Proof of registration with City for payment of hotel occupancy tax as required by section

4.09.004 (m), below;

(7) The name, contact information, and rules for the applicable homeowners' association (HOA), if any;

(8) A parking plan of the premises identifying the location and quantity of parking spaces to be used in conjunction with the short-term rental, in relation to the residence;

(9) A dimensioned floor plan of the proposed short-term rental identifying the proposed maximum number of occupants, bedrooms, other living spaces, location of safety features, and emergency evacuation routes;

(10) Proof of liability insurance, which shall meet the following minimum requirements:

(A) The city, its officials, employees, agents and officers shall be named as an "additional insured" on all policies;

(B) The policy should provide a minimum liability coverage of \$1,000,000 (one million dollars); and

(C) Each policy shall be endorsed to provide the city with a minimum of a 30-day notice of cancellation, non-renewal, and/or material change in policy terms or coverage; provided, however, a minimum 10-days' notice shall be required in the event of non-payment of premium;

(11) A current tax certificate(s) indicating all taxes for the subject property have been paid to the current year (available from Tarrant Appraisal District). Tax statements printed from the Tarrant County website (pdf) are acceptable in lieu of the original certificate(s);

(12) A copy of the proposed host rules for the short-term rental, including a statement identifying the description and location of safety features described in section 4.09.004(e); and

(13) A statement that the owner of the short-term rental complies with and will continue to comply with the standards and other requirements of this article, as well as all applicable standards and other requirements of the code.

Sec. 4.09.004 Regulations

(a) Maximum stay; minimum stay. It shall be unlawful for an owner to rent or lease a short-term rental for a period of more than thirty (30) days or less than twenty-four (24) hours.

(b) Occupancy. The maximum number of persons permitted to stay in a short-term rental is limited to two (2) persons per bedroom; however, no short-term rental shall permit the cumulative total number of occupants to exceed eight (8) persons.

(c) Parking restrictions. Parking is restricted to the number of off-street parking spaces associated with the residential structure, either in the driveway and garage or by location or number assigned to a specific unit. On-street parking is not permitted, and it shall be unlawful for an occupant or invitee of an occupant to park a motor vehicle on a residential street. Additionally, it shall be unlawful for an occupant to park a motor vehicle on an unimproved surface, or for an owner and/or operator to permit such parking. All motor vehicles are further subject to the parking requirements of article 12.06 of the code.

(d) Access to basic sanitation. Each bedroom of a residence or portion of a residence used as a short-term rental must provide interior access to a bathroom, such that an occupant shall have access to a bathroom without exiting the residence, regardless of whether such bathroom is private or shared.

(e) Life Safety.

(1) The short-term rental must be equipped with:

(A) Working smoke alarms, meeting the requirements of Section 92.254 of the Texas Property Code, with a minimum of one on each floor level and one in each room used as a bedroom; and

(B) A minimum of one working carbon monoxide detector on each floor or level; and

(C) A minimum of one 2A:10B:C type fire extinguisher (a standard five-pound extinguisher) properly mounted within seventy-five (75) feet of all portions of the structure on each floor.

(2) All gas appliances shall be properly ventilated outside the home.

(3) Emergency escape openings shall comply with the city's currently adopted International Residential Code (IRC), with at least one emergency escape opening for each bedroom opening directly to the outdoors.

(4) An evacuation plan shall be posted in each bedroom.

(5) Any room that does not comply with this subsection (e) shall not be used as a bedroom, and where equipped with a door, shall remain locked at all times when the dwelling is being used as a short-term rental. Any non-compliant bedroom shall not be included in the maximum occupancy calculation for the short-term rental, nor be advertised as a bedroom.

(f) Conduct on premises. Each short-term rental owner, operator, and occupant shall comply with all requirements of the city code. Owners and/or operators shall be responsible for informing occupants of all relevant city codes and occupants' liability for violations of same. In addition, the following shall be unlawful:

(1) Conduct involving the use of amplified sound, excessive noise or other disturbances outside the short-term rental structure between the hours of 8:00 p.m. and 8:00 a.m. (pursuant to article 8.04 of the code) including, but not limited to, the following outside areas: decks, portals, porches, balconies, patios, hot tubs, pools, saunas or spas;

(2) Sleeping outdoors;

(3) Placing, or allowing to be placed, waste or recycling receptacles for the disposal of solid waste in any manner that violates article 13.03 of the code;

(4) Advertising, promoting, or operating a special event, or permitting the advertising, promotion, or operation of a special event (including, but not limited to, a banquet, wedding, reception, reunion, bachelor or bachelorette party, concert, or similar activity that would assemble large numbers of invitees) to be held on the premises; and

- (5) Using or permitting the use of the short-term rental for the purpose of: housing sex offenders; selling illegal drugs; selling alcohol or another activity that requires a permit or license under the Alcoholic Beverage Code; or operating as a sexually oriented business.
- (g) Signage. On-premise signage advertising or identifying the short-term rental shall not be permitted.
- (h) Advertising. The owner shall not advertise or promote, or allow another to advertise or promote, the short-term rental without including the occupancy limits, parking standards, and city permit number for the listing.
- (i) Local Contact. An owner must designate the name and contact information of an operator, who shall be a local responsible party who can be contacted regarding immediate concerns and complaints from the public. Said individual must be available in person or by phone at all times while occupants are on the premises of the short-term rental. If called, the operator must be able to, and shall be present at the premises, within one (1) hour of receiving a call from the administrator. An operator must be authorized to make decisions regarding the premises and its occupants.
- (j) Occupant Notification Packet. The owner and/or operator shall post in a conspicuous location of the short-term rental premises a packet containing, at a minimum, the following information:
- (1) Maximum number of occupants;
 - (2) Location of required off-street parking, other available parking and prohibition of parking on unimproved areas or on the street;
 - (3) Quiet hours and noise restrictions;
 - (4) List of HOA rules, if applicable;
 - (5) 24-hour local contact person and phone number;
 - (6) Property cleanliness requirements;
 - (7) Waste pick-up requirements, including location of waste and recycling receptacles;
 - (8) Flooding hazards and evacuation routes, as well as information on the emergency siren system and other safety features;
 - (9) Emergency and non-emergency numbers; and
 - (10) Notice that failure to conform to the occupancy and parking requirements constitutes a violation of the code and an occupant or visitor may be cited.
- (k) Rental agreement notification. The rental agreement between the owner and/or operator of the short-term rental and the occupant shall include, by attachment, all of the information provided in the occupant notification packet.
- (l) Changes in ownership. The purchaser of a short-term rental shall provide the administrator with current application materials required by section 4.09.003, revised to include any new information

associated with the change in ownership, within thirty (30) days of the closing date for the purchase of the short-term rental. Since a permit is non-transferable pursuant to section 4.09.005, the purchaser shall also remit a permit renewal fee as described in the city fee schedule.

(m) Hotel occupancy taxes. The owner and/or operator of the short-term rental property shall register with the city finance department to pay hotel occupancy taxes prior to the date that the short-term rental permit application is submitted, and the owner and/or operator must remit all applicable hotel occupancy taxes in a timely manner pursuant to applicable laws.

(n) Request for occupancy history. Upon request of the administrator, the owner of a premises used as a short-term rental shall remit, within thirty (30) days, an accounting of all rental activity and the hotel occupancy taxes paid therefor.

(o) Right to inspect premises.

(1) Inspections. The fire marshal shall perform periodic inspections of each short-term rental property to ensure compliance with this article and other applicable laws. For the purpose of performing inspections, the fire marshal may enter, examine, and survey, at all reasonable times, all buildings, dwelling units, guest rooms, and the premises used as a short-term rental property. An owner and/or operator may refuse to consent to an inspection conducted by the fire marshal. If consent is refused, the fire marshal may seek an administrative search warrant authorized by Article 18 of the Texas Code of Criminal Procedure and the city code. No permit for operating a short-term rental shall be issued until the premises successfully passes such inspection.

(2) Types of inspections. The city may perform the following inspections:

(A) Initial and annual fire inspection. The fire marshal may perform an initial inspection of the short-term rental property upon application for a permit, as well as annual fire inspections of the short-term rental property.

(B) Repeat inspections. If, upon completion of an inspection, the premises are found to be in violation of one or more provisions of this section, the city shall provide written notice of such violation and shall set a re-inspection date. If a property fails to pass an inspection, a re-inspection fee will be charged after the third re-inspection of the premises. A property cannot be occupied as a short-term rental while its status with the fire marshal's office is noted as being in violation.

(C) Fire extinguishers. The owner and/or operator is responsible for obtaining annual independent inspections of the fire extinguishers in compliance with the city regulations.

(D) Change in ownership inspection. As part of the change in ownership process for a short-term rental the fire marshal shall conduct an inspection to verify compliance with this article.

(p) Density limitations for short-term rental properties.

(1) Limitation. Short term rentals shall be limited to no more than (a) the lesser of two units per street or ten (10) percent of the total number of units on the street, or (b) one-eighth (12.5 percent) of the total number of residential units in a multi-unit building. Notwithstanding the foregoing, at least one short-term rental shall be permitted per street or multi-unit building, regardless of density.

(2) Special exception available. In order to obtain a permit for a short-term rental that would exceed the density limitation of this section, a property owner may apply to the city council for a special exception in accordance with section 14.02.321 of the code. In addition to the criteria identified in section 14.02.321, the city council may consider factors such as the following:

(A) Whether operation as a short-term rental in excess of the density limitation will not adversely impact the residential quality of the neighborhood in which the property is located, including a consideration of the length of the street, the proximity to other short-term rentals, and/or the number of housing units located on the street;

(B) Whether such operation is likely to disrupt adjacent owners' right to the quiet enjoyment of their property (for example, by considering whether lot sizes are small enough that noise is likely to affect neighboring property owners);

(C) Whether such operation will substantially impact nearby streets, including whether the property provides only limited off-street parking;

(D) Whether the applicant seeks to operate an entire residence as a short-term rental or whether the short-term rental use is limited to a portion of the residence;

(E) Whether the applicant occupies the premises as their primary residence or uses it as an investment property; and

(F) Whether other short-term rentals in excess of the density limitation are already operating on that block.

Sec. 4.09.005 Permit term and renewal; fees; non-transferability; public information designation

(a) All permits issued under this article shall be valid for a period of one year from the date of issuance.

(b) A nonrefundable fee for administration of the application shall be charged as established in the city fee schedule. Such fee shall be paid at the time the application is made and shall not be returned to the applicant, regardless of whether a permit is issued.

(c) A permit holder shall apply for renewal prior to the expiration of the permit on a form provided by the administrator. The fee for the renewal of a permit to operate a short-term rental shall be charged as established in the city fee schedule. The permit holder shall either update the information required under section 4.09.003 or submit a statement affirming that the information previously submitted is still accurate. A complete application for renewal received after the expiration of a current permit shall be treated as an application for a new permit in accordance with section 4.09.003.

(d) A permit to operate a short-term rental is not transferable to another owner, operator, or location.

(e) All permits issued under this article constitute public information, subject to the terms of the Public Information Act. A database of permitted short-term rentals shall be maintained on the city's website and shall identify the property address, permit number and permit date of each short-term rental permitted to operate in the city.

Sec. 4.09.006 Repeat offenses

(a) If the administrator finds that the owner, operator, or any occupant of a short-term rental failed to comply with any requirement of this article three or more times within a 12-month period, the administrator may revoke an existing permit or may deny an application to renew a permit. No new permit may be sought for the subject property for a period of 12 months following a denial or revocation pursuant to this section.

(b) If a property is the subject of three or more violations of federal law, state law, or the other provisions of the city code outside of this article within the previous 12-month period, the administrator may revoke an existing permit; may deny an application for an original permit; or may deny an application to renew a permit, based on: (1) the frequency of any repeated violations; (2) whether a violation was committed intentionally or knowingly; and (3) any other information that demonstrates the degree to which the owner or occupant has endangered public health, safety, or welfare. No new permit may be sought for the subject property for a period of 12 months following the denial or revocation pursuant to this section.

(c) A permit applicant may appeal the administrator's decision to revoke an existing permit or deny an application, in accordance with the process set forth in section 4.09.007 of this article.

Sec. 4.09.007 Appeals

(a) The administrator's revocation of a permit or the denial of an application for a permit to operate a short-term rental may be appealed to the city council in accordance with the provisions of this section.

(b) An appeal filed under this section must be filed with the administrator no later than the 20th day following the date on which the permit was revoked or denied. The appeal must be sworn and must identify each alleged point of error, facts and evidence supporting the appeal, and reasons why the action of the administrator should be modified or reversed.

(c) The city council shall hear the appeal at the next regularly scheduled city council meeting for which proper notice can be posted, and it may affirm, modify or reverse a permit revocation or application denial.

(d) The city administrator or designee shall give written notice of a decision on an appeal to the appellant.

(e) An appellant who seeks judicial review of the city council's decision on appeal must file a petition with a court of competent jurisdiction not later than the 30th day after receipt of the notice of the decision.

Sec. 4.09.008 Enforcement

(a) If the owner, operator, or any occupant of the short-term rental property fails or refuses to comply with the standards and requirements contained herein, the city may initiate enforcement action against the owner, operator, or any occupant, including, but not limited to, the immediate issuance of a citation.

(b) Failure to timely remit applicable hotel occupancy tax is a violation under this article and shall result in permit revocation if all applicable tax is not paid within ninety (90) days of the issuance of a delinquency notice.

(c) Any advertisement, whether it be online or in print, promoting the availability of a property within the city for rent for a period of thirty days (30) or less, shall constitute prima facie evidence of the property's use as a short-term rental.

Sec. 4.09.009 Discontinuance of operations

The owner and/or operator of a property used as a short-term rental that was operating prior to the effective date of this article, and who is unable, fails, or refuses to obtain a permit for operation as a short-term rental following the effective date of this article, shall discontinue the short-term rental use within sixty (60) days of the effective date of this article or the notice of permit denial. The density limitation of section 4.09.004(p) shall not bar such owner and/or operator from obtaining a permit if all other requirements and standards of section 4.09.004 are met.”

Section 2.

Section 14.02.092, “Defined terms,” of Chapter 14, “Zoning,” of the Code of Ordinances, City of Dalworthington Gardens, Texas, is hereby amended to add the definition for short-term rentals, to be inserted alphabetically, to read as follows:

“*Short-term rental.* Means the rental for compensation, of any residence or residential structure, or a portion of a residence or residential structure, located within a residential zoning district, for the purpose of overnight lodging for a period of not more than thirty (30) days. A short-term rental shall not include a hotel or motel. A short-term rental is further subject to the provisions of article 4.09 of the code.”

Section 3.

Section 14.02.171, “General provisions,” of Division 5, “Residential District Regulations,” of Chapter 14, “Zoning,” of the Code of Ordinances, City of Dalworthington Gardens, Texas, is hereby amended by adding a subsection (d) to read as follows:

“(d) Short-term rentals. The operation of a short-term rental shall be a permitted use in residential districts subject to the provisions of article 4.09 of the code.”

Section 4.

Section 14.02.321(c), “Authorized special exceptions,” of Division 8, “Special Exceptions and Other Permits,” of Chapter 14, “Zoning,” of the Code of Ordinances, City of Dalworthington Gardens, Texas, is hereby amended by adding a subsection (25) to read as follows:

	<u>Special Exception</u>	<u>District Requiring City Council Approval</u>
(25)	Short-term rental in excess of density limitation	SF, MF, GH Subject to section 4.09.004(p) of the code

Section 5.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, City of Dalworthington Gardens, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

Section 6.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or

phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

Section 7.

Any person, firm, or corporation who violates any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine as provided in Section 1.01.009 of the Code of Ordinances, City of Dalworthington Gardens, Texas. Each day any such violation or violations exist shall constitute a separate offense and shall be punishable as such.

Section 8.

All rights and remedies of the City of Dalworthington Gardens are expressly saved as to any and all violations of the provisions of the Code of Ordinances, City of Dalworthington Gardens, Texas, as amended or revised herein, or any other ordinances affecting the matters regulated herein which have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Section 9.

The City Secretary of the City of Dalworthington Gardens is hereby directed to publish in the official newspaper of the City of Dalworthington, the caption, publication clause, and effective date clause of this ordinance in accordance with Section 52.011 of the Texas Local Government Code.

Section 10.

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

PASSED AND APPROVED this 20th day of October, 2022.

Laurie Bianco, Mayor

ATTEST:

Sandra Ma, Interim City Secretary

CHAPTER 4
BUSINESS REGULATIONS

New Article added for Short-Term Rental:

ARTICLE 4.09. SHORT-TERM RENTAL

Sec. 4.09.001 Purpose

The purpose of the regulations set forth herein is to provide a procedure to allow the rental of private residences to visitors on a short term basis, while ensuring that such rental use does not create adverse impacts to residential neighborhoods due to excessive traffic, noise, density, and other adverse effects, and additionally to ensure that the number of occupants within such rental units do not exceed the design capacity of the structure causing health and safety concerns, and that minimum health and safety standards are maintained in such units to protect visitors from unsafe or unsanitary conditions.

Sec. 4.09.002 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:

Administrator. Means the City Administrator of the city or their designated representative.

Bathroom. Means an enclosed space containing one or more bathtubs, showers, or both, as well as one or more toilets, lavatories or fixtures serving similar purposes.

Bedroom. Means a room used or intended to be used for sleeping purposes and not as a kitchen, bathroom, living room, closet, hallway, utility space, entry way, garage, patio or breezeway.

Block. Means a tract of land bounded by streets, or a combination of streets, public parks, railroad rights-of-way, shorelines of waterways or corporate limits.

City fee schedule. Means the City Fee Schedule of the City of Dalworthington Gardens, Texas first adopted in Resolution No. 2022-05, as amended.

Code or city code. Means the Code of Ordinances, City of Dalworthington Gardens, Texas.

Department. Means the department of permits, inspections, and zoning of the city.

Fire marshal. Means the fire marshal of the city or their designated representative.

Occupant. Mean the person(s) who have lawfully obtained the exclusive use and possession of the short-term rental premises from the owner and/or operator, and the guest(s) of such person(s).

Operator. Means the owner or local responsible party tasked with managing a property operating as a short-term rental on behalf of the owner.

Owner. Means the individual or entity that owns a property operating as a short-term rental.

Permit. Means the permit issued pursuant to the terms of this article authorizing the operation of a short-term rental.

Short-term rental. Means the rental for compensation, of any residence or residential structure, or a portion of a residence or residential structure, located within a zoning district where the residential use is lawful, for the purpose of overnight lodging for a period of not more than thirty (30) days. A short-term rental shall not include a hotel or motel.

Sec. 4.09.003 Short-term rental permit application

It shall be unlawful for any owner, operator, or other person to advertise, offer to rent or rent, lease, sublease, license or sublicense a residential property within the city as a short-term rental for which a permit application has not been properly made and filed with the department, and a permit issued. A permit application shall be made upon forms furnished by the city for such purpose, shall be accompanied by the application fee identified in the city fee schedule, and shall specifically require the following minimum information:

- (1) The name, address, contact information, and signature of the applicant;
- (2) The name, address, contact information, and signature of the owner of the premise;
- (3) The name, address, contact information, and signature of the operator of the premises;
- (4) The name, address, and phone number of a 24-hour contact;
- (5) The address, legal description, TAD Parcel ID, zoning district, and type;
- (6) Proof of registration with City for payment of hotel occupancy tax as required by section 4.09.004 (m), below;
- (7) The name, contact information, and rules for the applicable homeowners' association (HOA), if any;
- (8) A parking plan of the premises identifying the location and quantity of parking spaces to be used in conjunction with the short-term rental, in relation to the residence;
- (9) A dimensioned floor plan of the proposed short-term rental identifying the proposed maximum number of occupants, bedrooms, other living spaces, location of safety features, and emergency evacuation routes;
- (10) Proof of liability insurance, which shall meet the following minimum requirements:
 - (A) The city, its officials, employees, agents and officers shall be named as an "additional insured" on all policies;
 - (B) The policy should provide a minimum liability coverage of \$1,000,000 (one million dollars); and
 - (C) Each policy shall be endorsed to provide the city with a minimum of a 30-day notice of cancellation, non-renewal, and/or material change in policy terms or coverage; provided, however, a minimum 10-days' notice shall be required in the event of non-payment of premium;
- (11) A current tax certificate(s) indicating all taxes for the subject property have been paid to the current year (available from Tarrant Appraisal District). Tax statements printed from the Tarrant County website (pdf) are acceptable in lieu of the original certificate(s);
- (12) A copy of the proposed host rules for the short-term rental, including a statement identifying the description and location of safety features described in section 4.09.004(e); and
- (13) A statement that the owner of the short-term rental complies with and will continue to comply with the standards and other requirements of this article, as well as all applicable standards and other requirements of the code.

Sec. 4.09.004 Regulations

- (a) Maximum stay; minimum stay. It shall be unlawful for an owner to rent or lease a short-term rental for a period of

more than thirty (30) days or less than twenty-four (24) hours.

(b) Occupancy. The maximum number of persons permitted to stay in a short-term rental is limited to two (2) persons per bedroom; however, no short-term rental shall permit the cumulative total number of occupants to exceed eight (8) persons.

(c) Parking restrictions. Parking is restricted to the number of off-street parking spaces associated with the residential structure, either in the driveway and garage or by location or number assigned to a specific unit. On-street parking is not permitted, and it shall be unlawful for an occupant or invitee of an occupant to park a motor vehicle on a residential street. Additionally, it shall be unlawful for an occupant to park a motor vehicle on an unimproved surface, or for an owner and/or operator to permit such parking. All motor vehicles are further subject to the parking requirements of article 12.06 of the code.

(d) Access to basic sanitation. Each bedroom of a residence or portion of a residence used as a short-term rental must provide interior access to a bathroom, such that an occupant shall have access to a bathroom without exiting the residence, regardless of whether such bathroom is private or shared.

(e) Life Safety.

(1) The short-term rental must be equipped with:

(A) Working smoke alarms, meeting the requirements of Section 92.254 of the Texas Property Code, with a minimum of one on each floor level and one in each room used as a bedroom; and

(B) A minimum of one working carbon monoxide detector on each floor or level; and

(C) A minimum of one 2A:10B:C type fire extinguisher (a standard five-pound extinguisher) properly mounted within seventy-five (75) feet of all portions of the structure on each floor.

(2) All gas appliances shall be properly ventilated outside the home.

(3) Emergency escape openings shall comply with the city's currently adopted International Residential Code (IRC), with at least one emergency escape opening for each bedroom opening directly to the outdoors.

(4) An evacuation plan shall be posted in each bedroom.

(5) Any room that does not comply with this subsection (e) shall not be used as a bedroom, and where equipped with a door, shall remain locked at all times when the dwelling is being used as a short-term rental. Any non-compliant bedroom shall not be included in the maximum occupancy calculation for the short-term rental, nor be advertised as a bedroom.

(f) Conduct on premises. Each short-term rental owner, operator, and occupant shall comply with all requirements of the city code. Owners and/or operators shall be responsible for informing occupants of all relevant city codes and occupants' liability for violations of same. In addition, the following shall be unlawful:

(1) Conduct involving the use of amplified sound, excessive noise or other disturbances outside the short-term rental structure between the hours of 8:00 p.m. and 8:00 a.m. (pursuant to article 8.04 of the code) including, but not limited to, the following outside areas: decks, portals, porches, balconies, patios, hot tubs, pools, saunas or spas;

(2) Sleeping outdoors;

(3) Placing, or allowing to be placed, waste or recycling receptacles for the disposal of solid waste in any manner that violates article 13.03 of the code;

(4) Advertising, promoting, or operating a special event, or permitting the advertising, promotion, or operation of a special event (including, but not limited to, a banquet, wedding, reception, reunion, bachelor or bachelorette party, concert, or similar activity that would assemble large numbers of invitees) to be held on the premises; and

(5) Using or permitting the use of the short-term rental for the purpose of: housing sex offenders; selling illegal drugs; selling alcohol or another activity that requires a permit or license under the Alcoholic Beverage Code; or operating as a sexually oriented business.

(g) Signage. On-premise signage advertising or identifying the short-term rental shall not be permitted.

(h) Advertising. The owner shall not advertise or promote, or allow another to advertise or promote, the short-term rental without including the occupancy limits, parking standards, and city permit number for the listing.

(i) Local Contact. An owner must designate the name and contact information of an operator, who shall be a local responsible party who can be contacted regarding immediate concerns and complaints from the public. Said individual must be available in person or by phone at all times while occupants are on the premises of the short-term rental. If called, the operator must be able to, and shall be present at the premises, within one (1) hour of receiving a call from the administrator. An operator must be authorized to make decisions regarding the premises and its occupants.

(j) Occupant Notification Packet. The owner and/or operator shall post in a conspicuous location of the short-term rental premises a packet containing, at a minimum, the following information:

(1) Maximum number of occupants;

(2) Location of required off-street parking, other available parking and prohibition of parking on unimproved areas or on the street;

(3) Quiet hours and noise restrictions;

(4) List of HOA rules, if applicable;

(5) 24-hour local contact person and phone number;

(6) Property cleanliness requirements;

(7) Waste pick-up requirements, including location of waste and recycling receptacles;

(8) Flooding hazards and evacuation routes, as well as information on the emergency siren system and other safety features;

(9) Emergency and non-emergency numbers; and

(10) Notice that failure to conform to the occupancy and parking requirements constitutes a violation of the code and an occupant or visitor may be cited.

(k) Rental agreement notification. The rental agreement between the owner and/or operator of the short-term rental and the occupant shall include, by attachment, all of the information provided in the occupant notification packet.

(l) Changes in ownership. The purchaser of a short-term rental shall provide the administrator with current application materials required by section 4.09.003, revised to include any new information associated with the change in ownership, within thirty (30) days of the closing date for the purchase of the short-term rental. Since a permit is non-transferable pursuant to section 4.09.005, the purchaser shall also remit a permit renewal fee as described in the city fee schedule.

(m) Hotel occupancy taxes. The owner and/or operator of the short-term rental property shall register with the city finance department to pay hotel occupancy taxes prior to the date that the short-term rental permit application is submitted, and the owner and/or operator must remit all applicable hotel occupancy taxes in a timely manner pursuant to applicable

laws.

(n) Request for occupancy history. Upon request of the administrator, the owner of a premises used as a short-term rental shall remit, within thirty (30) days, an accounting of all rental activity and the hotel occupancy taxes paid therefor.

(o) Right to inspect premises.

(1) Inspections. The fire marshal shall perform periodic inspections of each short-term rental property to ensure compliance with this article and other applicable laws. For the purpose of performing inspections, the fire marshal may enter, examine, and survey, at all reasonable times, all buildings, dwelling units, guest rooms, and the premises used as a short-term rental property. An owner and/or operator may refuse to consent to an inspection conducted by the fire marshal. If consent is refused, the fire marshal may seek an administrative search warrant authorized by Article 18 of the Texas Code of Criminal Procedure and the city code. No permit for operating a short-term rental shall be issued until the premises successfully passes such inspection.

(2) Types of inspections. The city may perform the following inspections:

(A) Initial and annual fire inspection. The fire marshal may perform an initial inspection of the short-term rental property upon application for a permit, as well as annual fire inspections of the short-term rental property.

(B) Repeat inspections. If, upon completion of an inspection, the premises are found to be in violation of one or more provisions of this section, the city shall provide written notice of such violation and shall set a re-inspection date. If a property fails to pass an inspection, a re-inspection fee will be charged after the third re-inspection of the premises. A property cannot be occupied as a short-term rental while its status with the fire marshal's office is noted as being in violation.

(C) Fire extinguishers. The owner and/or operator is responsible for obtaining annual independent inspections of the fire extinguishers in compliance with the city regulations.

(D) Change in ownership inspection. As part of the change in ownership process for a short-term rental the fire marshal shall conduct an inspection to verify compliance with this article.

(p) Density limitations for short-term rental properties.

(1) Limitation. Short term rentals shall be limited to no more than (a) the lesser of two units per street or ten (10) percent of the total number of units on the street, or (b) one-eighth (12.5 percent) of the total number of residential units in a multi-unit building. Notwithstanding the foregoing, at least one short-term rental shall be permitted per street or multi-unit building, regardless of density.

(2) Special exception available. In order to obtain a permit for a short-term rental that would exceed the density limitation of this section, a property owner may apply to the city council for a special exception in accordance with section 14.02.321 of the code. In addition to the criteria identified in section 14.02.321, the city council may consider factors such as the following:

(A) Whether operation as a short-term rental in excess of the density limitation will not adversely impact the residential quality of the neighborhood in which the property is located, including a consideration of the length of the street, the proximity to other short-term rentals, and/or the number of housing units located on the street;

(B) Whether such operation is likely to disrupt adjacent owners' right to the quiet enjoyment of their property (for example, by considering whether lot sizes are small enough that noise is likely to affect neighboring property owners);

(C) Whether such operation will substantially impact nearby streets, including whether the property provides only limited off-street parking;

(D) Whether the applicant seeks to operate an entire residence as a short-term rental or whether the short-term rental use is limited to a portion of the residence;

(E) Whether the applicant occupies the premises as their primary residence or uses it as an investment property; and

(F) Whether other short-term rentals in excess of the density limitation are already operating on that block.

Sec. 4.09.005 Permit term and renewal; fees; non-transferability; public information designation

(a) All permits issued under this article shall be valid for a period of one year from the date of issuance.

(b) A nonrefundable fee for administration of the application shall be charged as established in the city fee schedule. Such fee shall be paid at the time the application is made and shall not be returned to the applicant, regardless of whether a permit is issued.

(c) A permit holder shall apply for renewal prior to the expiration of the permit on a form provided by the administrator. The fee for the renewal of a permit to operate a short-term rental shall be charged as established in the city fee schedule. The permit holder shall either update the information required under section 4.09.003 or submit a statement affirming that the information previously submitted is still accurate. A complete application for renewal received after the expiration of a current permit shall be treated as an application for a new permit in accordance with section 4.09.003.

(d) A permit to operate a short-term rental is not transferable to another owner, operator, or location.

(e) All permits issued under this article constitute public information, subject to the terms of the Public Information Act. A database of permitted short-term rentals shall be maintained on the city's website and shall identify the property address, permit number and permit date of each short-term rental permitted to operate in the city.

Sec. 4.09.006 Repeat offenses

(a) If the administrator finds that the owner, operator, or any occupant of a short-term rental failed to comply with any requirement of this article three or more times within a 12-month period, the administrator may revoke an existing permit or may deny an application to renew a permit. No new permit may be sought for the subject property for a period of 12 months following a denial or revocation pursuant to this section.

(b) If a property is the subject of three or more violations of federal law, state law, or the other provisions of the city code outside of this article within the previous 12-month period, the administrator may revoke an existing permit; may deny an application for an original permit; or may deny an application to renew a permit, based on: (1) the frequency of any repeated violations; (2) whether a violation was committed intentionally or knowingly; and (3) any other information that demonstrates the degree to which the owner or occupant has endangered public health, safety, or welfare. No new permit may be sought for the subject property for a period of 12 months following the denial or revocation pursuant to this section.

(c) A permit applicant may appeal the administrator's decision to revoke an existing permit or deny an application, in accordance with the process set forth in section 4.09.007 of this article.

Sec. 4.09.007 Appeals

(a) The administrator's revocation of a permit or the denial of an application for a permit to operate a short-term rental may be appealed to the city council in accordance with the provisions of this section.

(b) An appeal filed under this section must be filed with the administrator no later than the 20th day following the date on which the permit was revoked or denied. The appeal must be sworn and must identify each alleged point of error, facts

and evidence supporting the appeal, and reasons why the action of the administrator should be modified or reversed.

(c) The city council shall hear the appeal at the next regularly scheduled city council meeting for which proper notice can be posted, and it may affirm, modify or reverse a permit revocation or application denial.

(d) The city administrator or designee shall give written notice of a decision on an appeal to the appellant.

(e) An appellant who seeks judicial review of the city council's decision on appeal must file a petition with a court of competent jurisdiction not later than the 30th day after receipt of the notice of the decision.

Sec. 4.09.008 Enforcement

(a) If the owner, operator, or any occupant of the short-term rental property fails or refuses to comply with the standards and requirements contained herein, the city may initiate enforcement action against the owner, operator, or any occupant, including, but not limited to, the immediate issuance of a citation.

(b) Failure to timely remit applicable hotel occupancy tax is a violation under this article and shall result in permit revocation if all applicable tax is not paid within ninety (90) days of the issuance of a delinquency notice.

(c) Any advertisement, whether it be online or in print, promoting the availability of a property within the city for rent for a period of thirty days (30) or less, shall constitute prima facie evidence of the property's use as a short-term rental.

Sec. 4.09.009 Discontinuance of operations

The owner and/or operator of a property used as a short-term rental that was operating prior to the effective date of this article, and who is unable, fails, or refuses to obtain a permit for operation as a short-term rental following the effective date of this article, shall discontinue the short-term rental use within sixty (60) days of the effective date of this article or the notice of permit denial. The density limitation of section 4.09.004(p) shall not bar such owner and/or operator from obtaining a permit if all other requirements and standards of section 4.09.004 are met.

Sec. 14.02.092 Defined terms

For the purposes of this article, certain terms, words, and phrases shall have the meanings assigned thereto in this division.

Access. A means of passage to and from a place.

Accessory dwelling. An accessory structure intended for habitation that contains at least one bathroom and a kitchen. Accessory dwellings shall not be permitted without a principal structure in existence.

Accessory storage structure. An accessory storage structure is an accessory structure that is less than 300 square feet, has no electricity, plumbing and no permanent foundation. An accessory storage structure may not be used for habitation.

Accessory structure. A subordinate use or building incident to and located on the lot occupied by the main use or structure. When a substantial part of the wall of an accessory structure is a part of the wall of the principal structure in a substantial manner, as by a roof, such accessory structure shall be deemed a part of the principal structure. Accessory structures are subject to applicable zoning district regulations.

Adjoining or adjacent lot. Any lot, parcel or piece of land that shares with the lot under consideration a common lot line, alley or any point of tangency.

Alley. A public way less in size than a street, designed for the special accommodation of abutting property, and not intended for general travel or primary access.

Amusement, commercial. An establishment offering entertainment or games of skill to the general public for a fee or charge.

Apartment. A dwelling unit in an apartment house.

Apartment house. A building or portion thereof arranged, designed or occupied as two or more dwelling units not for transient use.

Auto wrecking. The collecting and dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete, or wrecked motor vehicles or their parts.

Block. A tract of land bounded by streets or by a combination of streets, and public parks, cemeteries, or corporate boundaries of the city.

Board. The board of adjustment of the city.

Brewpub. An establishment permitted under the local option alcohol laws in place at the location of the establishment, which holds a valid brewpub license from the Texas Alcoholic Beverage Commission (“TABC”). A brewpub may conduct all activities permitted by individuals holding a valid TABC brewpub license.

Buffer area. An area of land, together with specified planting and/or structures thereon, which may be required between land uses of different intensities to eliminate or minimize conflicts between such uses.

Build. To erect, convert, enlarge, reconstruct, restore or alter a building or structure.

Building. Any structure which is built for the support, shelter or enclosure of persons, animals, chattels, or movable property of any kind.

Building line. A line established, in general parallel to the front curblines, between which and the front curblines in which no part of a building shall project, except as otherwise provided in this article.

Business park. An office and warehouse complex that meets the standards of [section 14.02.224\(a\)\(12\)](#) of this article.

Cargo container. Generally, an all steel container with strength to withstand shipment, storage and handling. Such containers include reusable steel boxes, freight containers and bulk shipping containers; originally a standardized reusable vessel that was designed for and used in the parking, shipping, movement, transportation or storage of freight, articles or goods or commodities; generally capable of being mounted or moved on a rail car; truck trailer or loaded on a ship.

Child care facility. A facility used for any type of group child care program, including without limitation nurseries for children of working parents, nursery schools for children under the minimum age for education in public schools, privately conducted kindergartens not a part of a public or parochial school, and programs for after-school care of more than six (6) children exclusive of children in the immediate family of the operator of the facility.

City. The City of Dalworthington Gardens.

Clinic. A building in which a group of physicians, dentists, or physicians and dentists and allied professional assistants are associated for the purpose of treating and diagnosing ill or injured outpatients. A clinic may include a dental or medical laboratory or dispensing apothecary.

Commercial parking. A place for the storage or parking of motor, man-powered or unpowered vehicles for a fee.

Commission. The planning and zoning commission of the city.

Council. The city council of the city.

Court. An open, unoccupied space bounded on more than one side by the walls of a building or buildings and used as a primary means of access to all or any part of said buildings. For the purpose hereof, an alcove or entranceway less than twenty (20) feet in depth shall not be considered a court.

Credit access business. An organization that obtains for a consumer or assists a consumer in obtaining an extension of credit in the form of a deferred presentment transaction or a motor vehicle title loan, particularly as those terms are defined in the Texas Finance Code, Chapter 393 as amended. (Ordinance 2020-12 adopted 12/17/20)

Customarily incidental use. A use of a building or premises, not involving the conduct of a business, which use is only secondary to the principal use and is indispensably necessary to the enjoyment of the premises for any of the principal uses permitted within a zoning district. A customarily incidental use may include a customary home occupation.

Customary home occupation. (See "Home occupation" [in] this division.)

Development or to develop. "Development" shall mean the construction of one or more new buildings or structures on one or more building lots, the location of an existing building on another building lot, or the use of open land for a new use. "To develop" shall mean to create a development.

District. A zoning district; a section of the city for which the regulations governing the area, height, and use of buildings and land are uniform.

Duplex. A detached building having separate accommodations for and occupied as, or to be occupied as, a dwelling for only two families.

Dwelling. A building or a portion thereof designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings and multiple-family dwellings, but not including hotels or motels.

Dwelling, attached. A dwelling which is joined to another dwelling at one or more sides by a partial wall or walls.

Dwelling, detached. A dwelling which is entirely surrounded by open space on its building lot.

Dwelling, multiple. A building used or designed as a residence for three or more families or households living independently of each other.

Dwelling, one-family. A detached dwelling having accommodations for and occupied by only one family.

Dwelling unit. One or more rooms arranged, designed, or used as separate living quarters for an individual family. Kitchen facilities, including at least a stove or cooking device, and a permanently installed sink, plus bathroom facilities, shall always be included for each dwelling unit.

Easement. Authorization by a property owner of the use by another, including the city and/or public agencies, for a specified purpose, of any designated portion of property. A “surface” easement describes an easement for which the authorization of use includes activities which occur at or above ground level and which the use of such property for other above-ground uses limits.

Educational institution. Elementary, junior high, high schools, junior colleges, colleges, or universities or other schools giving general academic instruction in the several branches of learning and study required by the State of Texas.

Establishment. A place of business.

Family. An individual or two or more persons related by blood, marriage or adoption; or a group of not more than five persons, excluding servants, who need not be related by blood or marriage, living in a dwelling unit.

Fence. A masonry wall or a barrier composed of posts connected by boards, rails, panels or wire for the purpose of enclosing space or separating parcels of land. The term “fence” does not include retaining walls.

Finished floor elevation (F.F.). The finished surface of the floor of the first story of a structure - i.e., the story, the floor of which is closest in vertical elevation to the most adjacent grade of the structure.

Garage[,] private. A building used for the storage of motor vehicles for the private use of the occupants of the premises.

Garage[,] public. Any building not a private garage, used for housing motor vehicles; or, a place where vehicles are repaired for operation or kept for remuneration, hire or sale. A commercial motor vehicle parking facility.

Grade. The lowest point of elevation of the finished surface of the ground between the exterior of a structure and a point five (5) feet therefrom.

Gross floor area. When applied to a building, the area in square feet measured by taking outside dimensions of the building at each floor, excluding however, the floor area of basements or attics when not occupied or used.

Health care facility. A facility, other than a hospital, for the care of the chronically ill, aged or infirm residents of the premises, and typically not containing equipment or facilities for surgical care.

Hobby. The engagement of a person in a branch of the fine arts or sciences for pleasure, conducted as a spare-time activity. Such activity shall not be engaged in for business profit, and any remuneration shall be secondary and incidental to the pursuit. Such activity shall be carried on within an enclosed or screened area and shall not involve any activity that requires open storage of automobiles, building materials, glassware or antiques, used furniture or other materials or goods.

Home occupation. Any occupation or activity which is clearly incidental and secondary to the use of premises for dwelling purposes, is carried on within the dwelling, and is not detrimental or injurious to the economic or aesthetic value of adjoining property. Customary home occupations shall include the sale of farm produce grown on the same premises as the primary residence, but shall not include: barber or beauty shops, carpenters', electricians', or plumbers' shops; radio shops, auto repairing, auto painting, furniture repairing, sign painting, or any other form of merchandising activity; or, child care in excess of four (4) children not members of the family residing in the home.

Hospital. An institution in which there are complete facilities for diagnosis, treatment, surgery, laboratory, X-ray, nursing, and the prolonged care of bed patients.

Hotel. A building or buildings used as the more or less temporary abiding place of individuals who are lodged with or without meals, in which the rooms are occupied for hire, and there is generally a common kitchen.

HUD-code manufactured home.

- (1) A structure:
 - (A) Constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development;
 - (B) Built on a permanent chassis;
 - (C) Designed for use as a dwelling with or without a permanent foundation when the structure is connected to the required utilities;
 - (D) Transportable in one or more sections; and
 - (E) In the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet.
- (2) Includes the plumbing, heating, air-conditioning, and electrical systems of the home; and
- (3) Does not include a recreational vehicle.

Impervious surface. A surface which does not absorb water, including all building roofs, paved parking areas and driveways, roads, sidewalks, structures, and any other areas of concrete, asphalt or similar surface.

Institution. A building occupied by a nonprofit corporation; a nonprofit establishment for public use.

Junk or salvage yard. Premises on which waste or scrap materials are bought, sold, exchanged, stored, packed, disassembled or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires, bottles and used building materials. This term shall also include an automobile wrecking yard and automobile parts yard.

Kennel. An establishment for the breeding, raising or boarding of four (4) or more dogs, cats or other domestic household animals, at which establishment provisions are made for the enclosure of such animals in runs, cages, yards, or pens.

Lot. Land occupied or to be occupied by a building and its accessory buildings and including such open spaces as are required under this article and having its principal frontage upon a public street or officially approved place, the boundaries of which have been fixed by plat pursuant to chapter 212 of the Local Government Code of Texas.

Lot, corner. A lot abutting upon two (2) or more streets at their intersection.

Lot line. A boundary of a building lot.

Lot of record. An area of land designated as a lot on a plat of a subdivision recorded pursuant to statute with the county clerk of Tarrant County, Texas.

Lot, panhandle. A panhandle lot is a lot, other than a cul-de-sac lot, which is not of a buildable width when measured at the street frontage of the lot.

Lot wide [width], commercial. The length of a line extending from side lot line to side lot line of a nonresidential lot, measured along the street frontage of the lot.

Lot width, residential. The length of a line extending from side lot line to side lot line of a residential lot, parallel to the street frontage of the lot.

Masonry. Referring to building exterior walls and screening devices, fired clay brick or natural stone.

Mobile food establishment. A vehicle mounted or a trailer or food concession apparatus intended to be pulled by a vehicle that provides a fee based, licensed food service operation that may require utility access in order to operate and is meant to be left in place longer than the time period permitted for a mobile food unit. A human pushed or pulled cart or trailer or mobile device is not a permissible form of a mobile food establishment.

Mobile food unit. A self-contained, licensed, motorized vehicle, fee based food service operation designed to be readily movable and commonly referred to as a “food truck.” A mobile food unit shall not require utility access in order to operate. A human pushed or pulled cart or trailer or mobile device is not a permissible form of mobile food unit.

Mobile home.

- (1) A structure:
 - (A) Constructed before June 15, 1976;
 - (B) Built on a permanent chassis;
 - (C) Designed for use as a dwelling with or without permanent foundation when the structure is connected to the required utilities;
 - (D) Transportable in one or more sections, and in the traveling mode, at least eight body feet in width or at least 40 body feet in length or, when erected on site, at least 320 square feet; and
- (2) Includes the plumbing, heating, air-conditioning, and electrical systems of the home.

Motel. A hotel with accommodations for the parking of motor vehicles in close proximity to guest rooms.

Motor vehicle sales. An area, other than a street, used for the display, sale or rental of new or used automobiles, trucks or trailers, where no repair work is done, except minor reconditioning of motor vehicles or trailers to be displayed, sold or rented on the premises. Such area shall not include automobile wrecking or dismantling or the sale of salvaged parts, nor shall it include the storage of either new or used motor vehicles or trailers.

Museum. An establishment operated as a nonprofit, noncommercial repository for a collection of scientific, natural or literary curiosities or objects of interest or works of art, not including the regular sale or distribution of the objects collected.

Nonconforming use. A use that does not conform to the regulations or use in the zoning district in which it is located but which may legally continue because such use predated the application of the zoning ordinance to it and has not since been abandoned.

Open space. The area included in any side, rear or front yard or any unoccupied space on a lot that is open and unobstructed to the sky except for the ordinary projection of cornices, eaves or porches.

Open storage. The storage of any equipment, machinery, building materials or commodities, including raw, semi-finished and finished materials, the storage of which is not accessory to a residential use, and which is visible from ground level; provided, however, that vehicular parking shall not be deemed to be open storage.

Parking space. A surface area, enclosed or unenclosed sufficient in size to store one automobile, with a surfaced driveway connecting the parking space with the street or alley, and permitting ingress and egress of an automobile.

Pawnshop. The business location of a pawnbroker, as defined by and licensed pursuant to state law.

Personal service shop. An establishment supplying limited personal services such as: cleaning and laundry collection, self-service laundry, interior decorating, watch and jewelry repair, art gallery, library, museum, studio for professional artwork, photography, dance or fine arts, including teaching of applied and fine arts.

Principal structure. The primary or predominant building on a lot. The principal structure must meet the minimum requirements for structures in the zoning district in which the structure is located.

Print shop. An establishment utilizing offset, letter press, or other duplicating equipment.

Private school. A non-governmental educational institution accredited by a national or regional association of institutions of like kind; or, a privately owned, state-licensed vocational or technical training school.

Professional office. An office occupied by a doctor, lawyer, dentist, engineer, or any other vocation involving predominately mental or intellectual skills and requiring state licensure, but specifically excluding any activity involving sales of personal property; and, excluding also veterinary clinics.

Recreational area. An area devoted to facilities and equipment for recreational purposes, swimming pools, tennis courts, playgrounds, community clubhouses, and other similar uses.

Recreational vehicle or RV. A vehicular, portable structure built on a chassis, either self-powered or trailer, and designed to be used as a temporary dwelling. An RV shall include a travel trailer, motor home, pickup camper, or any variation thereof.

Residential recreation facility. A private recreation facility located within a single- and/or multi-family residential development, designated and intended for the use in common of residents of the development and/or members of the operating club or association and their guests, but not the general public, and including such recreational amenities as a swimming pool, tennis courts, racquetball courts, sauna, exercise room and similar facilities, and food and beverage service.

RV park. Any premises on which one or more RVs may be parked or situated and used for the purpose of supplying to the public a parking space therefor.

Screening device. A barrier of stone, brick, pierced brick or block, uniformly colored wood or other permanent material of equal character, density and design, not more than six (6) feet in height.

Secondary use. A collateral use of land or buildings which is customarily done or performed in conjunction with a permitted principal use, but not constituting a majority of either the employment, area or revenues of the combined uses.

Shopping center. A composite arrangement of shops and stores which provide a variety of goods and services to the general public, when the same are developed as an integral unit.

Short-term rental. Means the rental for compensation, of any residence or residential structure, or a portion of a residence or residential structure, located within a residential zoning district, for the purpose of overnight lodging for a period of not more than thirty (30) days. A short-term rental shall not include a hotel or motel. A short-term rental is further subject to the provisions of article 4.09 of the code.

Sign. A name, identification, description, display or illustration which is affixed to or represented directly or indirectly upon a building, structure or piece of land, which sign directs attention to an object, project, place, activity, institution or business; provided, however, that this term shall not include a display of an official court or public notice nor the flag, emblem or insignia of a nation, political unit, school or religious group.

Sign[,] illuminated. Any sign designed to give forth any artificial light or to reflect light from one or more sources, natural or artificial.

Smoking establishment. A business establishment that is dedicated, in whole or in part, to the use or consumption of smoking products, including but not limited to establishments known variously as cigar lounges, hookah lounges, cigar cafes, hookah cafes, cigar bars, hookah bars, tobacco bars, cigar clubs, hookah clubs, tobacco clubs, etc. and includes any establishment that allows:

- (1) The on-site purchase of smoking products or the on-site purchase or rental or furnishing of accessories intended or adapted or provided for the use or consumption of smoking products; and
- (2) The on-site smoking or consumption of smoking products.

Smoking product. Tobacco, tobacco substitutes, any similar substances, or any type of material designed, adapted, or intended to be smoked.

Stable, private. A stable with a capacity for not more than four (4) horses, mules or other domestic animals.

Storage. The retention and housing of goods, wares and merchandise preliminary to the sale or use thereof. As such term is applied to open storage the use as described above or, if at the location of retail sale, rental or lease, the exhibition of goods, wares or merchandise for a period of more than three (3) consecutive business days.

Story. That portion of a building between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between such floor and the ceiling next above.

Street. Any public thoroughfare dedicated to the public use and not designated as an alley or officially approved place.

Thoroughfare, major. A street designated as a major thoroughfare on the last officially adopted "Plan for Major Thoroughfares" of the city.

Townhouse. A row of single-family attached dwelling units which constitute an architectural whole.

Use. When applied to land or buildings, the purpose or activity for which such land or building thereon is designed, arranged or intended, or for which it is occupied or maintained.

Variance. An adjustment in the application of the specific regulations of this article to a particular piece of property, which property because of special circumstances uniquely applicable to it is deprived of privileges commonly enjoyed by other properties in the same vicinity and zone, and which adjustment remedies disparity in privileges.

Veterinary clinic. A place where a veterinarian maintains treatment facilities, soundproof, with no outside runs.

Warehouse. A building used for the storage of goods, wares and merchandise, including offices and sales space.

Wholesale office. An office for the conduct of the business of selling tangible personal property to retail establishments.

Winery. An establishment permitted under the local option alcohol laws in place at the location of the establishment, which holds a valid winery permit from the Texas Alcoholic Beverage Commission ("TABC"). A winery may conduct all activities permitted by individuals holding a valid TABC winery permit.

Yard. Any open space, other than a court, on a lot unoccupied and unobstructed from the ground upward unless specifically otherwise permitted in this article.

Yard, front. A yard extending along the whole length of the front lot line between the side lot lines and being the minimum horizontal distance between the street right-of-way line and main building or any projections thereof other than steps and unenclosed porches.

Yard, rear. A yard extending across the rear of a lot between the side lot lines and being the minimum horizontal distance between the rear lot line and the rear of the principal building or any projections thereof other than steps, unenclosed balconies, or unenclosed porches.

Yard, side. A yard extending along the side lot line from the front yard to the rear yard, being the minimum horizontal distance between any building or projections thereof and the side lot line.

Zoning administrator. The person designated by the council to enforce and administer the provisions of this article and his or her designated representative.

Zoning district map. The map or maps incorporated into this article as a part hereof by reference thereto.

Division 5. Residential District Regulations

Sec. 14.02.171 General provisions

(a) Table of standards. The standards contained in the following table shall govern the height, area, yard and parking requirements of residential and permitted nonresidential uses in the residential districts.

TABLE 14.02.171

	Districts				
	SF		MF		GH
Regulations	Residential	Nonresidential	Residential	Nonresidential	
HEIGHT (max. in ft.)	35 (n-1)	45 (n-1)	35 (n-1)	45 (n-1)	35
AREA (n-2)					
Lot area (min. per dwelling unit in sq. ft.)		None		None	6000
Single-family	21780		21780		
Multifamily			7200		
Living area (min. per dwelling unit in sq. ft.)					
	1250		800		2000
LOT					
Width (min. in ft.)	80	None	60	None	50
Coverage, building (max. % of lot area)	25	25	40	40	50
Coverage, impervious surface (max. % of lot area)	40	40	40	40	70
	Districts				
	SF		MF		GH
Regulations	Residential	Nonresidential	Residential	Nonresidential	
YARDS (n-3) (min. in ft.)					
Front	50	50	25	25	15
Side - interior lot	25	25	5	—	5
Side - corner lot	35	35	15	15	15
Rear (n-4)	25	25	10	10	15

Rear - double frontage	35	35	20	20	–
PARKING (min. spaces per dwelling unit)	2	n-5	2.25	n-5	Garage-2 Guests-2
SPACE - Landscaped open space (min. % of lot area)	–	20	–	20	

Notes to table 14.02.171:

1. In addition to the minimum yard requirements contained herein, each side and rear yard shall be increased an additional foot for each foot (or fraction thereof) the structure exceeds 35 feet in height; provided, that in no event shall the height of a building exceed by ten (10) feet the maximum height prescribed for such structure and district in table 14.02.171.
2. Lot area shall be exclusive of the means of vehicular access thereto, whether by public or private street or other access easement or way. Lots of 14,500 square feet or more but less than 21,780 square feet created by plat or deed and recorded in the office of the county clerk of Tarrant County before April 13, 1981, the effective date of this amendment, shall not be deemed nonconforming as to lot area.
3. Any single-family residential lot which on February 18, 1991, was classified “SF-2,” shall not be deemed nonconforming as to front and side yards if the lot has a front yard of not less than 35 feet and side yards of not less than 15 feet each (25 feet, if a corner lot). Lots platted and zoned for residential use which are “panhandle” lots, as herein defined, shall comply with the provisions of this table or [section 14.02.171\(d\)](#), whichever is more restrictive.
4. Any single-family residence constructed on a lot which was created by plat or replat recorded in the office of the county clerk of Tarrant County before March 1, 2002, shall not be deemed nonconforming as to minimum rear yard if such yard is not less than 15 feet.
5. Nonresidential parking is regulated by [division 9](#) of this article.

(b) Parking.

- (1) On any lot used for single-family residential purposes, there shall be provided two (2) covered vehicle parking spaces of not less than 180 square feet each, per dwelling unit.
- (2) On any lot used for multifamily residential purposes, there shall be provided 2.25 covered vehicle parking spaces per dwelling unit, complying with the standards prescribed in [division 9](#) of this article.
- (3) On any lot used for nonresidential purposes, parking and loading areas shall be provided complying with the standards of division 9 of this article.
- (4) All nonresidential parking and loading areas shall be screened from adjacent residential property. Parking or loading in a required yard is prohibited.

(c) Special standards. Panhandle lots shall conform to the following minimum requirements:

- (1) In calculating the lot area for the purpose of determining compliance with this section, including maximum building coverage and maximum impervious surface coverage, the area of the panhandle shall not be deemed a part of the lot.

- (2) All minimum yards shall be thirty (30) feet.
- (3) Maximum building coverage shall be 20%.
- (4) Maximum impervious surface shall be 30%.
- (5) No building, either primary or accessory, shall be located in either the panhandle or any required yard.

(d) Short-term rentals. The operation of a short-term rental shall be a permitted use in residential districts subject to the provisions of article 4.09 of the code.

Division 8. Special Exceptions and Other Permits

Sec. 14.02.321 Special exceptions

(a) Purpose. Certain uses are classified as special exceptions, and may be permitted in designated districts when specifically authorized by this division after approval by the city council. Such exceptions may be granted in order that the city may develop in accordance with the intent and purpose of this article, that land may be fully utilized for a lawful purpose, and that substantial justice may be done.

(b) Criteria for granting a special exception. In reaching a decision on any application for a special exception, the city council shall determine:

- (1) That the requested exception will establish only those uses permitted under this division;
- (2) That the location of proposed activities and improvements are clearly defined on a site plan filed by the applicant; and
- (3) That the exception will be wholly compatible with the use and permitted development of adjacent properties, either as filed or subject to such requirements as the city council may find necessary to protect and maintain the stability of adjacent properties.

(c) Authorized special exceptions. The following uses may be allowed as special exceptions in the districts specified, subject to full and complete compliance with all conditions herein provided, together with such other conditions as the city council may impose. The conduct of any of the uses described in this subsection (c) shall be illegal in the city unless on property bearing a valid special exception therefor issued in accordance with the terms of this division.

	<u>Special Exception</u>	<u>District Requiring City Council Approval</u>
(1)	Construction field office and storage yard (other than on jobsite).	All districts
	Conditions: Temporary, for time fixed by the City Council.	
(2)	Amusement or entertainment, commercial, indoor or outdoor.	B-2 - LI
(3)	Child care facilities.	MF - LI
(4)	Residential recreation facilities.	SF - MF
(5)	Parking, under division 9 conditions.	All districts
(6)	Development sign of more than one year duration.	SF - MF
(7)	Screening devices, over height or in required front yard.	All districts

(8)	Except for brewpubs and wineries, service of alcoholic beverages for on-premises consumption; for brewpubs and wineries, service of alcoholic beverages for on-premises and off-premises consumption may be permitted	B-2 - LI
(9)	Light industrial or manufacturing uses, other than storage, to be conducted outside buildings.	LI
(10)	Real estate sales office: A temporary real estate sales office.	SF - MF
(11)	Retail gasoline service stations, pumps and facilities, storage tanks underground.	B-3 - LI
(12)	A private stable under the following conditions:	SF
	(A) The use must be one that would in all respects qualify as an incidental use under the terms of section 14.02.172(6) of this article if located on the same property as a primary residential use;	
	(B) The property on which the use is to be conducted must be adjacent to or within 500 feet of the primary residence to which it would be incidental if located on the same property;	
	(C) The owner of the primary residence and the private stable must be the same; and	
	(D) The private stable shall not be used for commercial purposes.	
	This special exception may be revoked by the City Council upon notice and after hearing in the event of a violation of any of the conditions described above.	
(13)	Private school.	B-2 - LI
(14)	Motor vehicle sales.	LI
(15)	Retail specialty and novelty establishment.	B-3 - LI
	Definitions: For the purpose of this subsection:	

	(A) "Retail specialty and novelty establishment" is a place of business which derives more than 50% of its monthly revenues from the retail sale of specialty and novelty items.	
	(B) "Specialty and novelty items" means any of the following:	
	(i) Drug paraphernalia, as that term is defined in 481.002 of the Texas Health and Safety Code;	
	(ii) Wearing apparel containing obscene pictures or words, such as T-shirts, belt buckles, jewelry or any other wearing apparel;	
	(iii) Salves, ointments, gels, creams, jellies, lotions and oils advertised and designed as a sexual stimulus;	
	(iv) Magazines, books, records, videocassettes, pictures, drawings and other similar material depicting and describing sexual conduct in a manner that is designed for adult use and consumption;	
	(v) Incense.	
(16)	Billiard table establishment.	B-3 - LI
	Definitions: For the purposes of this subsection:	
	(A) "Billiard table establishment" means any business containing a billiard table for commercial use and not merely for sale.	
	(B) "Billiard table" means a table surrounded by a ledge or cushion with or without pockets on which balls are impelled by a stick or cue, but not including a coin-operated billiard table.	
(17)	Skill or pleasure coin-operated machines, commercial use of eight (8) or more per occupancy.	B-3 - LI
	Definitions: For the purposes of this subsection, the term "skill or pleasure coin-operated machine" shall have the meaning ascribed thereto by article 8801, V.T.C.S. [V.T.C.A., Occupations Code, chapter 2153]	
(18)	Sexually oriented business.	LI

	Definition: For the purpose of this subsection, “Sexually oriented business” shall have the meaning ascribed thereto by chapter 243 of the Texas Local Government Code.	
	Condition: No such use may be permitted at a location within one thousand (1,000) feet of a church, school, public park, boundary of a residential district or property line of a lot devoted to residential use.	
(19)	Motor vehicle parking, commercial.	B-3 - LI
(20)	Long-term personal care facility.	SF - MF
	Definition: For the purposes of this subsection, a “long-term personal care facility” is a residence used as an assisted living residence for not more than four (4) unrelated persons.	
	Conditions: No such use shall be permitted unless:	
	(A) The State of Texas has issued a license for the location under chapter 142 of the Texas Health and Safety Code; and	
	(B) The owner of the facility resides in the residence.	
	The special exception shall continue for so long as a valid state license, as described in subsection (A), shall be in effect, unless the special exception should otherwise be terminated for violation of its terms or applicable laws.	
(21)	Schools, clubs or centers for gymnastics, exercise or physical fitness.	B-1 - B-2
	Condition: The use shall comply with all regulatory provisions of the district in which it is located.	
(22)	Mobile food establishment.	B-2 and B-3
(23)	HUD-code manufactured home as primary dwelling	MF
(24)	Credit access business under the following conditions:	L-I

	(A) No such use may be permitted at a location within one thousand (1,000) feet of a school, designated place of worship, public park, boundary of a residential district, or property line of a lot devoted to residential use.	
(25)	<u>Short-term rental in excess of density limitation</u>	<u>SF, MF, GH</u> <u>Subject to section 4.09.004(p)</u> <u>of the code</u>

**City Council
Staff Agenda Report**

Agenda Item: 9h.

Agenda Subject: Discussion and possible action to approve a contract amendment to the Professional Services Agreement with Safebuilt for building permit review and inspection services.

<p>Meeting Date: October 20, 2022</p>	<p>Financial Considerations: Budgeted: <input checked="" type="checkbox"/>Yes <input type="checkbox"/>No <input type="checkbox"/>N/A</p>	<p>Strategic Vision Pillar:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Financial Stability <input type="checkbox"/> Appearance of City <input checked="" type="checkbox"/> Operations Excellence <input checked="" type="checkbox"/> Infrastructure Improvements/Upgrade <input type="checkbox"/> Building Positive Image <input type="checkbox"/> Economic Development <input type="checkbox"/> Educational Excellence
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Background Information: The City Fee Schedule mirrors contract fees provided by Safebuilt for building permit review and inspections. The reason is if Safebuilt were used for these services, the City would need to recover enough costs to cover what is charged by Safebuilt. After the last audit, it was determined a few of the fees were confusing to staff and incorrectly charged. Thus, staff worked with Safebuilt to modify their schedule so that we could modify our own schedule. In addition to correcting certain fees, staff also worked to add fees in the event a third party inspector is needed when the city inspector is out. Although this scenario is rare, there was no fee added for this service so it has been added.

This agenda item approves the contract amendment with Safebuilt. The next agenda item shows how the City Fee Schedule is suggested to be amended.

Recommended Action/Motion: Motion to approve a contract amendment to the Professional Services Agreement with Safebuilt for building permit review and inspection services.

Attachments: **Original Signed Contract
Contract Amendment**

**PROFESSIONAL SERVICES AGREEMENT
BETWEEN CITY OF DALWORTHINGTON GARDENS, TEXAS
AND SAFEbuilt TEXAS, LLC**

This Professional Services Agreement (“Agreement”) is made and entered into by and between City of Dalworthington Gardens, Texas, (“Municipality”) and SAFEbuilt Texas, LLC, a wholly owned subsidiary of SAFEbuilt, LLC, (“Consultant”). Municipality and Consultant shall be jointly referred to as “Parties”.

RECITALS

WHEREAS, Municipality is seeking a consultant to perform the services listed in Exhibit A – List of Services, (“Services”); and

WHEREAS, Consultant is ready, willing, and able to perform Services.

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, Municipality and Consultant agree as follows:

1. SCOPE OF SERVICES

Consultant will perform Services in accordance with codes, amendments and ordinances adopted by the elected body of Municipality. The qualified professionals employed by Consultant will maintain current certifications, certificates, licenses as required for Services that they provide to Municipality. Consultant is not obligated to perform services beyond what is contemplated by this Agreement.

Unless otherwise provided in Exhibit C, Consultant shall provide the Services using hardware and Consultant’s standard software package. In the event that Municipality requires that consultant utilize hardware or software specified by or provided by Municipality, Municipality shall provide the information specified in Exhibit C. Consultant shall use reasonable commercial efforts to comply with the requirements of Exhibit C and Municipality, at its sole expense, shall provide such technical support, equipment or other facilities as Consultant may reasonably request to permit Consultant to comply with the requirements of Exhibit C.

2. CHANGES TO SCOPE OF SERVICES

Any changes to Services between Municipality and Consultant shall be made in writing that shall specifically designate changes in Service levels and compensation for Services. Both Parties shall determine a mutually agreed upon solution to alter services levels and a transitional timeframe that is mutually beneficial to both Parties. No changes shall be binding absent a written Agreement or Amendment executed by both Parties.

3. FEE STRUCTURE

In consideration of Consultant providing services, Municipality shall pay Consultant for Services performed in accordance with Exhibit B – Fee Schedule for Services.

4. INVOICE & PAYMENT STRUCTURE

Consultant will invoice Municipality as SAFEbuilt, LLC, on a monthly basis and provide all necessary supporting documentation. All payments are due to Consultant within 30 days of Consultant’s invoice date. Payments owed to Consultant but not made within sixty (60) days of invoice date shall bear simple interest at the rate of one and one-half percent (1.5%) per month. If payment is not received within ninety (90) days of invoice date, Services will be discontinued until all invoices and interest are paid in full. Municipality may request, and Consultant shall provide, additional information before approving the invoice. When additional information is requested Municipality will identify specific disputed item(s) and give specific reasons for any request. Undisputed portions of any invoice shall be due within 30 days of Consultants invoice date, if additional information is requested, Municipality will submit payment within thirty (30) days of resolution of the dispute.