

**CITY OF LAKE DALLAS, TEXAS
ORDINANCE NO. 2020-03**

AN ORDINANCE OF THE CITY OF LAKE DALLAS, TEXAS, AMENDING THE LAKE DALLAS MUNICIPAL CODE CHAPTER 22 "BUILDINGS AND BUILDING REGULATIONS" ARTICLE V "CONSTRUCTION CODES AND STANDARDS" DIVISION 8 "RESIDENTIAL CODE" BY ADDING SECTION 22-366 "TINY HOUSES" RELATING TO THE PERMITTING AND INSPECTIONS OF TINY HOUSES; PROVIDING A REPEALING CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED \$2000 PER VIOLATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Lake Dallas, Texas, finds it to be in the public interest to amend the Lake Dallas Municipal Code to provide for certain regulations and exceptions for the permitting and inspection of Tiny Homes as they related to the City's building codes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS, THAT:

SECTION 1. Chapter 22 "Buildings and Building Regulations" Article V "Construction Codes and Standards" Division 8 "Residential Code" of the Lake Dallas Municipal Code, is amended by adding Section 22-366 titled "Tiny Houses" to read as follows:

Sec. 22-366 Tiny Houses

The construction, permitting and inspection of Tiny Houses located within the City shall comply with the Residential Code, including Appendix Q, as adopted and amended from time to time, subject to the following:

(a) For purposes of this Section 22-366, the following phrases shall have the following meanings:

- (1) "Loft" means a floor level more than 30 inches above the main floor, open to the main floor on one or more sides with a ceiling height of less than six feet eight-inches (6'8") and used as a living or sleeping space;
- (2) "Tiny House Inspector" means a person who is an employee or contractor of the National Organization of Alternative Housing ("NOAH"), Bildsworth International, or other similar entity approved by the City Manager that conducts visual inspections of Tiny Houses, either on site or remotely, and retains permanent records of such inspections that are available to the City upon request, for the purpose of determining that the materials contained in, and the design and construction of, a Tiny House complies with applicable national model building codes including, but not

limited to, the most recent edition of the Residential, inclusive of Appendix Q of the Residential Code; and

(3) “Tiny House” means a dwelling that is 400 feet or less in floor area excluding lofts.

(b) No building permit or inspection by the City’s building official shall be required of a Tiny House located within the City if, prior to connection of the Tiny House to any public utility, the owner of the Tiny House delivers to the City a copy of a certificate or other written documentation providing evidence that the Tiny House has been previously inspected by an employee or contractor of a Tiny House Inspector and certified to comply with the Residential Code, including Appendix Q thereto, as amended from time to time;

(c) Notwithstanding Section 22-366(b), above, no Tiny House shall be connected to any public water system, public sanitary sewer system, or electrical utility system without first having obtained any and all permits, and obtaining all approvals of inspections, as may otherwise be required by this Chapter 22, it being the intent that the waiver described in Section 22-366(b) only apply to the Tiny House structure and not the connections made to any public utility system;

(d) Nothing in Section 22-336(b) shall be construed as waiving or repealing any requirement to obtain a permit or an inspection relating to the location or siting of a Tiny House on property within the City in compliance with applicable provisions of any ordinance regulating the development and use of the property on which the Tiny House is to be located, including, but limited to, any applicable zoning regulations; and

(e) Fees and charges for the issuance of permits and conducting of inspections relating to the location of Tiny Houses on property within the City and the connection of Tiny Houses to public utility systems shall be paid as established by the City Council from time to time by resolution or ordinance and set forth in the City’s Master Fee Schedule.

SECTION 2. All provisions of the Ordinances of the City of Lake Dallas, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the Ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 3. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

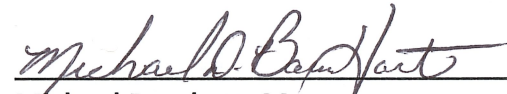
SECTION 4. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinance as a whole.

SECTION 5. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense as set forth in Section 1-16 of the Code of Ordinances.

SECTION 6. This ordinance shall take effect on the first day of the calendar month following its passage and publication in accordance with the provisions of the state law and the Charter of the City of Lake Dallas.

DULY PASSED BY THE CITY COUNCIL OF THE CITY OF LAKE DALLAS, TEXAS ON THE 27TH DAY OF FEBRUARY 2020.

APPROVED:



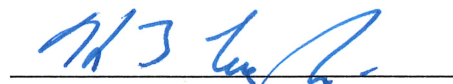
Michael Barnhart, Mayor

ATTEST:



Codi Delcambre, TRMC, City Secretary

APPROVED AS TO FORM:



Kevin B. Laughlin, City Attorney
(kbl:2/20/2020:113997)

