

PROPOSED DALLAS CITY CHARTER AMENDMENT

That the Dallas City Charter is hereby amended by adding Chapter XXV. "CITIZEN ENFORCEMENT" as follows:

SEC 1. RESIDENT ENFORCEMENT.

Any resident of Dallas has standing and may bring an action against the City of Dallas to require the City to comply with any of the provisions of this City Charter, any City ordinance or any law of the State of Texas.

- A. A claimant is entitled to recover in an action brought under this Chapter::
 - 1. declaratory and injunctive relief against the City; and
 - 2. costs and reasonable attorney's fees, if the court orders injunctive or declaratory relief [See Texas Citizens Participation Act and Uniform Declaratory Judgements Act].
- B. The City's governmental immunity to suit and from liability is waived to the extent of liability created by the Charter, City Ordinance and/or Texas state law.
- C. Claimants shall notify the City of their claim not later than sixty days before the date such claimant files an action under this Chapter. The notice must reasonably describe the charter provision, ordinance, or state law that the Claimant believes has been or may be violated.
- D. "resident" shall mean any person who resides in the City of Dallas, and any firm, corporation, limited liability company, joint venture, trust, estate, nonprofit, or association which is physically located in or otherwise conducts business in the City of Dallas.
- E. If any section, paragraph, clause, or provision of this Section is for any reason held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Section, and to this end, the provisions of this Section are declared to be severable. This Section shall supersede the Dallas City Code to the extent there are any conflicts.

PROPOSED BALLOT LANGUAGE

FOR } SHALL THE CITY CHARTER BE AMENDED TO ALLOW CITIZENS TO FORCE THE
 } CITY OF DALLAS TO FOLLOW ITS OWN ORDINANCES, ITS OWN CHARTER AND
AGAINST } TEXAS STATE LAW?