

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Department of Transportation

**AGENDA DATE:** Introduction: January 29, 2013  
Public Hearing: February 5, 2013

**CONTACT PERSON NAME AND PHONE NUMBER:** Keith Bennett, CNU-A, (915)621-6882,  
bennettkd@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

Approve an Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing and Parking Generally), Section 12.44.180 (Regulations Pertaining to Certain Special Situations) and 12.44.200 (Disabled Parking on Private Property), to add a new offense for blocking an architectural improvement designed to aid persons with disabilities, the penalty as provided 12.84.010 in the El Paso City Code.

**BACKGROUND/DISCUSSION:**

This ordinance is to bring El Paso City Code into compliance with state law. It will also allow the Municipal Court Hearing Officer to fine individuals that park in access aisles or block ramps and curb ramps.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

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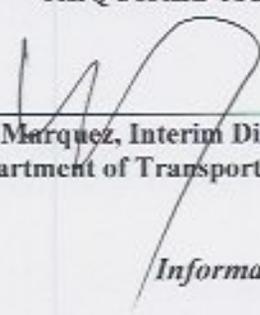
**BOARD / COMMISSION ACTION:**

N/A

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

  
\_\_\_\_\_  
Ted Marquez, Interim Director  
Department of Transportation

*Information copy to Jane Shang, Deputy City Manager*

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 (STOPPING, STANDING AND PARKING GENERALLY), SECTIONS 12.44.180 (REGULATIONS PERTAINING TO CERTAIN SPECIAL SITUATIONS) AND 12.44.200 (DISABLED PARKING ON PRIVATE PROPERTY), TO ADD A NEW OFFENSE FOR BLOCKING AN ARCHITECTURAL IMPROVEMENT DESIGNED TO AID PERSONS WITH DISABILITIES, THE PENALTY AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO CITY CODE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

**Section 1.** That Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, standing and parking generally), Section 12.44.180 (Regulations pertaining to certain special situations) Paragraph B.11 of the El Paso City Code, is amended to read as follows:

**12.44.180 - Regulations pertaining to certain special situations.**

B. The regulations applicable to each such zone are as follows:

11. Reserved for the temporarily and permanently disabled:

a. Parking, stopping or standing is prohibited and constitutes a violation except for vehicles displaying special license plates issued under Section 504.201, Texas Transportation Code or a disabled parking placard issued under Section 681.002, Texas Transportation Code, or is compliance with the requirements under Section 681.007, Texas Transportation Code,

b. Parking, stopping or standing is prohibited and constitutes a violation if the vehicle blocks an architectural improvement designed to aid persons with disabilities, including an access aisle or curb ramp.

c. A parking space shall be considered to be "reserved for the temporarily and permanently disabled" if it conforms to the rules promulgated by the statutorily-designated agency of the State of Texas pursuant to statutory authority, relating to the identification and dimensions of parking spaces for persons with disabilities,

d. A parking space reserved for the temporarily and permanently disabled shall be identified and reserved for the disabled by a sign incorporating the symbol of accessibility and placed so that it will not be obscured by parked vehicles. The signage shall be of such size that it is legible from a distance that would be reasonable for the condition. Where conditions exist that preclude the use of vertical signage, suitable phrases or symbols sufficient in size, permanency, meaning and location so as to adequately serve the intent of this subparagraph may be accepted,

e. Nothing herein shall be construed to affect any ordinance or regulation governing hours of parking, length of time vehicles are permitted to park, or parking meter requirements;

**Section 2.** That Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, standing and parking generally), Section 12.44.200 (Disabled parking on private property), of the El Paso City Code, is amended to read as follows:

**12.44.200 Disabled parking on private property.**

A. No person shall stop, stand, or park a vehicle in a parking space or parking area on private property that has been properly marked, signed, and designated as a parking space for the disabled in compliance with State law, without displaying either a special license plates issued pursuant to Texas Transportation Code Section 504.201, or a disabled parking placard issued pursuant to Texas Transportation Code 681.002, or a license plate or placard issued pursuant to Texas Transportation Code 681.007. Such stopping, standing, or parking is contrary to this section and constitutes a violation.

B. No person shall stop, stand, or park a vehicle so that the vehicle blocks an architectural improvement designed to aid persons with disabilities, including an access aisle or curb ramp. Such stopping, standing, or parking is contrary to this section and constitutes a violation.

C. A parking space reserved for the temporarily and permanently disabled shall be identified and reserved for the handicapped by a sign incorporating the symbol of accessibility and placed so that it will not be obscured by parked vehicles. The signage shall be of such size that it is legible from a distance that would be reasonable for the condition. Where conditions exist that preclude the use of vertical signage, suitable phrases or symbols sufficient in size, permanency, meaning and location so as to adequately serve the intent of this subparagraph may be accepted.

**Section 3.** Except as herein amended, Title 12 of the El Paso City Code shall remain in full force and effect.

**ADOPTED THIS** \_\_\_\_ day of \_\_\_\_\_ 2013.

CITY OF EL PASO

ATTEST:

\_\_\_\_\_  
John F. Cook,  
Mayor

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Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

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Cynthia Osborn  
Assistant City Attorney

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Ted Marquez, Interim Director  
Department of Transportation