

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

**DEPARTMENT:** Planning and Economic Development Department

**AGENDA DATE:** Introduction: Feb. 28, 2012  
Public Hearing: March 6, 2012

**CONTACT PERSON/PHONE:** Mathew McElroy, (915) 541-4193

**DISTRICT(S) AFFECTED:** City-wide

**SUBJECT:**

An Ordinance amending Title 9 (Health and Safety), Chapter 9.11 (Tree Care), Section 9.11.010 (General Provisions) of the El Paso City Code to amend the definition of Arboricultural Specifications Manual. The penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code.

**BACKGROUND / DISCUSSION:**

The City Manager has directed staff in several departments to implement application processing changes and code amendments that are intended to streamline and simplify the land development review process.

The Arboricultural Specification Manual will now be approved by the City Manager or designee, not the Development Coordinating Committee.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Scheduled for the Development Coordinating Committee on February 22, 2012.

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

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Mathew S. McElroy  
Deputy Director-Planning and Economic Development

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**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

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

**AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.11 (TREE CARE), SECTION 9.11.010 (GENERAL PROVISIONS) OF THE EL PASO CITY CODE TO AMEND THE DEFINITION OF ARBORICULTURAL SPECIFICATIONS MANUAL. THE PENALTY BEING AS PROVIDED IN CHAPTER 1.08, GENERAL PENALTY, OF THE EL PASO CITY CODE.**

**WHEREAS**, the purpose of Chapter 9.11 of the City Code is to promote and protect the public health, safety and general welfare by providing for the regulation of planting, maintenance, and removal of trees on public property and to prohibit nuisances or hazards caused by trees located on private property; and,

**WHEREAS**, the City desires to amend the definition for "Arboricultural Specifications Manual" by removing the reference to the development coordinating committee;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:**

**Section 1.** That Title 9, Health and Safety, Chapter 9.11, Tree Care, Section 9.11.010, General Provisions, Paragraph D, Subparagraph 1, of the El Paso City Code shall be amended as follows:

9.11 TREE CARE

9.11.010 General provisions.

D. Definitions. The following definitions apply under this chapter:

1. "Arboricultural Specifications Manual" means the manual containing regulations and standards for the planting, maintenance, and removal of trees located on public property. The manual shall be approved by the City Manager or designee.

**Section 2.** Except as herein amended, That Title 9, Health and Safety, of the El Paso City Code shall remain in full force and effect.

**PASSED AND APPROVED this \_\_\_\_\_ of \_\_\_\_\_ 2012**

**THE CITY OF EL PASO**

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

ATTEST:

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Richarda Duffy Momsen, City Clerk

**SIGNATURES CONTINUE ON FOLLOWING PAGE**

**APPROVED AS TO CONTENT:**

**APPROVED AS TO FORM:**

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Mathew McElroy,  
Deputy Director  
Planning & Economic Development

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Lupe Cuellar  
Assistant City Attorney

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