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

DEPARTMENT: **Development Services Department**

AGENDA DATE: **CCA Intro 03/11/08; Public Hearing 03/18/08**

CONTACT PERSON/PHONE: **Eddie Garcia, Senior Planner – 541-4638**

DISTRICT(S) AFFECTED: **N/A**

SUBJECT:

AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.16 (IMPROVEMENT STANDARDS AND DESIGN PRINCIPLES), SECTION 19.16.130 (POSTAL DELIVERY SERVICE), OF THE EL PASO CITY CODE TO ESTABLISH THE RESPONSIBILITIES FOR MAIL RECEPTACLES THE PENALTY IS AS PROVIDED IN CHAPTER 19.04.090 OF THE CITY OF EL PASO CITY CODE. (ALL DISTRICTS)

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BACKGROUND / DISCUSSION:
N/A

PRIOR COUNCIL ACTION:
N/A

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Pending Recommendation

**********REQUIRED AUTHORIZATION**********

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Pat Adauto, Deputy City Manager

APPROVED FOR AGENDA:

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.16 (IMPROVEMENT STANDARDS AND DESIGN PRINCIPLES), SECTION 19.16.130 (POSTAL DELIVERY SERVICE), OF THE EL PASO CITY CODE TO ESTABLISH THE RESPONSIBILITIES FOR MAIL RECEPTACLES THE PENALTY IS AS PROVIDED IN CHAPTER 19.04.090 OF THE CITY OF EL PASO CITY CODE.

WHEREAS, Title 19 (Subdivisions) of the El Paso City Code (the "Code") was adopted to promote the health, safety, morals and general welfare of the community; and,

WHEREAS, the Subdivision Ordinance helps guide the physical development of the community by promoting orderly and healthful design, and particularly by providing adequate public facilities; and,

WHEREAS, the Subdivision Ordinance addresses the placement and construction of postal mail receptacles in new subdivisions; and,

WHEREAS, the United States Postal Service has changed their policy concerning the responsibility for mail receptacles located within the City of El Paso requiring an amendment to the Subdivision Ordinance; and,

WHEREAS, the City Plan Commission has provided favorable recommendation, and the El Paso City Council finds that the amendments proposed herein will not adversely affect the health, safety, and welfare of the citizens of El Paso.

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

Section 1. That Title 19, (Subdivisions), Chapter 19.16 (Improvement Standards and Design Principles), Section 19.16.130 (Postal Delivery Service) of the El Paso City Code is amended as follows:

19.16.130 (Postal Delivery Service)

A. Requirement. Every subdivision shall provide for appropriate mail receptacles for postal delivery service. The subdivider shall coordinate with the United States Postal Service in determining the type of delivery service for the proposed subdivision, the location and the installation of any mail receptacles. In all cases, the location of delivery service shall be subject to the approval of the United States Postal Service and the City Manager or her designee. The subdivider shall be responsible for acquiring and installing the appropriate mail receptacles to accommodate the delivery method prescribed by the United Stated Postal Service.

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B. Neighborhood Delivery and Collection Box Units

1. General Provisions.
a. Where postal service to lots within a subdivision is approved using neighborhood delivery and collection box units, the subdivider shall provide for unit locations within dedicated right-of-way or in an identified postal easement. Subdivisions submitted as a preliminary plat shall indicate the proposed neighborhood delivery and collection box unit locations. The subdivider shall place a note on the final and recording plat of the subdivision indicating that the lots will be served using neighborhood delivery and collection box units Approved neighborhood delivery and collection box unit locations shall be shown on the subdivision improvement plans.
i. Where the sidewalk is installed adjacent to and parallel with the property line, the neighborhood delivery and collection box unit shall be located within the street right-of-way between the curb and the sidewalk.
ii. Where the sidewalk is installed adjacent to and parallel with the curbline, the neighborhood delivery and collection box unit shall be located within a public easement on the property side of the sidewalk. The minimum area of the public easement to accommodate the placement of the neighborhood delivery and collection box unit shall be six feet wide by six feet long. The public easement shall provide access for the installation, use and maintenance of the neighborhood delivery and collection box unit.
b. The subdivider shall furnish and install the neighborhood delivery and collection box units.
i. The subdivider shall coordinate with the El Paso Postmaster or designee, to identify the type of mail receptacles to be used in the subdivision and the location where the receptacles will be installed,
ii. Once the United States Postal Service determines that centralized delivery shall be used and that Neighborhood delivery and collection box units have been satisfactorily installed, approved and accepted by the El Paso Postmaster or designee, the El Paso Postmaster or designee, shall enter into an agreement with the subdivider that maintenance, replacement, or other actions with regards to damaged Neighborhood delivery and collection box units shall be borne by the United States Postal Service.
c. Neighborhood delivery and collection box units shall be relocated by the United States Postal Service as necessary to accommodate street widening.

2. Location. Neighborhood delivery and collection box units shall be placed in a location that is convenient, accessible, safe and efficient to all lots in the subdivision. The following criteria shall be used to determine the location of neighborhood delivery and collection box units:
a. Shall be located in an area with a slope of no more than one-quarter inch per foot;
b. Shall be located in an area that is illuminated by street lighting;
c. Shall not be located on an arterial street.

3. Permitted Uses. Use of the area on or above the neighborhood delivery and collection box unit concrete base shall be restricted to only those allowed by the United States Postal Service

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Section 2. Except as herein amended, Title 19 (Subdivisions), Chapter 19.16 (Improvement Standards and Design Principles) of the El Paso City Code shall remain in full force and effect.

APPROVED this _____ day of _____, 2008.

THE CITY OF EL PASO, TEXAS

_____
John Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

_____
for Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Patricia D. Adauto, Deputy City Manager
Development & Infrastructure Services

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