

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

DEPARTMENT: Department of Public Health – Administration

AGENDA DATE: CCA Introduction 04/19/11; Public Hearing 04/26/11

CONTACT PERSON/PHONE: Michael Hill, 771-5702

DISTRICT(S) AFFECTED: All

SUBJECT:

AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.46 (MOBILE FOOD VENDORS), SECTION 12.46.020 (MOBILE FOOD VENDING REGULATIONS) TO MODIFY CERTAIN PARKING, STANDING OR PARKING DISTANCE RESTRICTIONS; TO REMOVE THE NOCTURNAL SALES PROHIBITION AND DISTANCE LIMITATION REGARDING A COMMERCIAL DAYCARE FACILITY; THE PENALTY AS PROVIDED IN 12.46.020K

BACKGROUND / DISCUSSION:

Proposed changes first introduced by Rep. O'Rourke.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

April 5, 2011

AMOUNT AND SOURCE OF FUNDING:

BOARD / COMMISSION ACTION:

N/A

*****AUTHORIZATION*****

DEPARTMENT HEAD:



ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.46 (MOBILE FOOD VENDORS), SECTION 12.46.020 (MOBILE FOOD VENDING REGULATIONS) TO MODIFY CERTAIN STOPPING, STANDING OR PARKING DISTANCE RESTRICTIONS; TO REMOVE THE NOCTURNAL SALES PROHIBITION AND DISTANCE LIMITATION REGARDING A COMMERCIAL DAYCARE FACILITY; THE PENALTY AS PROVIDED IN SECTION 12.46.020K

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

Section 1. That Title 12 (Vehicles and Traffic), Chapter 12.46 (Mobile Food Vendors), Section 12.46.020 (Mobile food vending regulations), Subsection E and G shall be deleted and that Subsections C. and H. of the El Paso City Code shall be amended in their entirety to read as follow:

12.46.20 Mobile food vending regulations.

C. Such vehicle shall be allowed to stop, stand or park on any public street, or right-of-way, provided this area is not within twenty feet of an intersection; such vehicle does not obstruct a pedestrian crosswalk and the area is not prohibited to the stopping, standing or parking of such vehicles;

E. Reserved;

G. Reserved;

H. No sale or offering to sell shall be made from any mobile vending vehicle on city right-of-way within two blocks of any school;

Section 2. This ordinance shall take effect on April 26, 2011.

Section 3. Except as expressly herein amended, Title 12 (Vehicles and Traffic), Chapter 12.46 (Mobile Food Vendors) of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS ____ DAY OF _____, 2011.

THE CITY OF EL PASO:

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Josette Flores
Assistant City Attorney

Michael Hill, Director
Department of Public Health

Ted Marquez, P.E.
Traffic Engineer

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12.46.20 ~~12.46.020~~ Mobile food vending regulations.

C. Such vehicle shall be allowed to stop, stand or park on any ~~other~~ public street, or right-of-way, provided this area is not ~~in or~~ within twentyseventy-five feet of an intersection; such vehicle does not obstruct a pedestrian crosswalk and the area is not prohibited to the stopping, standing or parking of such vehicles;

E. ~~Reserved~~~~Such vehicle shall not stop, stand or park within thirty-five feet of any other motor vehicle that may be parked on that side of the street;~~

G. ~~Reserved~~~~No sale or offering to sell shall be made from any mobile vending vehicle on any public street or thoroughfare between sunset and sunrise;~~

H. No sale or offering to sell shall be made from any mobile vending vehicle on city right-of-way within two blocks of any school ~~or daycare facility;~~

Section 2. This ordinance shall take effect on April 26, 2011.

Section 3. Except as expressly herein amended, Title 12 (Vehicles and Traffic), Chapter 12.46 (Mobile Food Vendors) of the El Paso City Code shall remain in full force and effect.

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