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**SERVICE SOLUTIONS SUCCESS**

**CITY OF EL PASO, TEXAS  
AGENDA ITEM**

**DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** DEVELOPMENT SERVICES DEPARTMENT

**AGENDA DATE:** REGULAR – APRIL 20, 2010

**CONTACT PERSON NAME AND PHONE NUMBER:** VICTOR Q. TORRES,  
(915) 541-4557

**DISTRICT(S) AFFECTED:** ALL

**SUBJECT:**

Discussion and action regarding Council's direction to staff on April 6, 2010, to clarify the intended effective date of the changes to the requirements of Title 18 (Building and Construction), Chapter 18.08 (Building Code), Section 18.08.170 (Accessibility for People with Physical Disabilities), of the El Paso City Code, reducing the percentage of Type A Units from 5% to 3% pending Community Development's Analysis of Impediments to Fair Housing Choice (AI).

**NOTE:** CLARIFICATION AND INTRODUCTION OF ORDINANCE AMENDING PERCENTAGE OF UNITS SHOULD BE HEARD TOGETHER

**BACKGROUND / DISCUSSION:**

On April 6, 2010, City Council directed staff to reduce the percentage of Type A Units from 5% to 3% pending Community Development's Analysis of Impediments to Fair Housing Choice (AI).

Clarification is needed on whether to introduce an ordinance in advance of the Analysis of Impediments to Fair Housing Choice (AI), or to await the results of the analysis.

**PRIOR COUNCIL ACTION:**

April 6, 2010, City Council to reduce percentage of Type A units from 5% to 3%.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

N/A

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

**DEPARTMENT HEAD:** \_\_\_\_\_

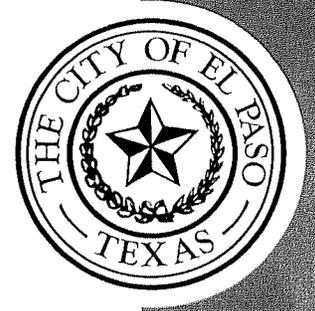
(If Department Head Summary Form is initiated by  
Purchasing, client department should sign also)

*Information copy to appropriate Deputy City Manager*

**Development Services Department**

Victor Q. Torres – Director

2 Civic Center Plaza – 5<sup>th</sup> Floor · El Paso, Texas 79901 · (915) 541-4622 · Fax (915) 541-4799



**Mayor**  
John F. Cook

**City Council**

*District 1*  
Ann Morgan Lilly

*District 2*  
Susie Byrd

*District 3*  
Emma Acosta

*District 4*  
Carl L. Robinson

*District 5*  
Rachel Quintana

*District 6*  
Eddie Holguin Jr.

*District 7*  
Steve Ortega

*District 8*  
Beto O'Rourke

**City Manager**  
Joyce A. Wilson

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

AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.08 (BUILDING CODE), SECTION 18.08.170 (ACCESSIBILITY FOR PEOPLE WITH PHYSICAL DISABILITIES), SUBSECTION 1107.6.2.1.1 (TYPE A UNITS), OF THE EL PASO CITY CODE, BY REDUCING THE AMOUNT OF REQUIRED TYPE A UNITS FROM FIVE PERCENT TO THREE PERCENT; THE PENALTY BEING AS PROVIDED IN SECTION 18.02.107 (VIOLATIONS AND PENALTIES) OF THE EL PASO CITY CODE.

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

**Section 1.** That Title 18 (Building and Construction), Chapter 18.08 (Building Code), Section 18.08.170 (Accessibility for people with physical disabilities), Subsection 1107.6.2.1.1 (Type A units), of the El Paso City Code, shall be and is hereby amended to read as follows:

**18.08.170 Chapter 11 Amended - Accessibility for people with physical disabilities.**  
**1107.6.2.1.1 Type A units.** In Group R-2 occupancies containing more than four (4) dwelling units or sleeping units, at least three (3) percent but not less than one of the units shall be a Type A unit. All units on a site shall be considered to determine the total number of units and the required number of Type A units. Type A units shall be dispersed among the various classes of units. All type A units shall be provided with a roll-in shower and a permanent mounted folding shower seat meeting the specifications and requirements for roll-in showers and mounted folding shower seats in ACC/ANSI 1171.1 – 2003, Section 608.

**Exceptions:**

1. The number of Type A Units is permitted to be reduced in accordance with Section 1107.7.

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2. Existing structures on a site shall not contribute to the total number of units on a site.

**Section 2.** Except as expressly herein amended, Title 18 (Building and Construction), Chapter 18.08 (Building Code) of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2010.

THE CITY OF EL PASO:

ATTEST:

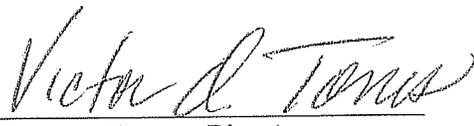
\_\_\_\_\_  
John F. Cook, Mayor

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Cynthia Osborn  
Assistant City Attorney

  
\_\_\_\_\_  
Victor Q. Torres, Director  
Development Services Department