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CITY OF EL PASO, TEXAS

AGENDA ITEM

DEPARTMENT HEAD'S SUMMARY FORM



DEPARTMENT: DEVELOPMENT SERVICES DEPARTMENT

AGENDA DATE: INTRO – APRIL 20, 2010; PUB HEARING – APRIL 27, 2010

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

DISTRICT(S) AFFECTED: ALL

SUBJECT:

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.

BACKGROUND / DISCUSSION:

On April 6, 2010 staff presented to Council the results of an audit conducted on accessible units within the City of El Paso. Representatives of VOLAR and the apartments association also provided a discussion on their attempts to create a database of accessible units. Subsequent to the discussions the council directed staff to develop a revised ordinance reducing the required number of accessible units from 5% to 3%.

PRIOR COUNCIL ACTION:

City Council – April 6, 2010; Action was to approve the percentage from five percent to three percent.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

Development Services Department

Victor Q. Torres – Director

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

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



DEPARTMENT HEAD:

V. Torres

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

Information copy to appropriate Deputy City Manager

Mayor
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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.

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