

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

DEPARTMENT: City Development Department

AGENDA DATE: Introduction: April 23, 2013 and Public Hearing: April 30, 2013

CONTACT PERSON NAME AND PHONE NUMBER: Mathew McElroy, City Development Director (X4193)

DISTRICT(S) AFFECTED: All

SUBJECT:

An ordinance amending Title 18 (Building And Construction), Chapter 18.44 (Grading), section 18.44.150 (Work Hours Specified), of The El Paso City Code, to provide a permit process for after hours grading, the penalty being as provided in sections 18.02.111 (Violations And Penalties) and 18.44.201 (Penalty – Severability) Of The El Paso City Code.

BACKGROUND / DISCUSSION:

The proposed amendment to the Grading Ordinance (18.44.150) is a precision change that references the established construction work hours as proposed in the Building and Construction Administrative Code (18.02) for clarity and consistency in the municipal code. The proposed amendment also references the exemption of construction after hours where authorized by the permitting process provided for in 18.02.105.20.2.

PRIOR COUNCIL ACTION:

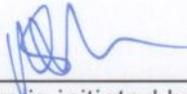
AMOUNT AND SOURCE OF FUNDING:

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

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.44 (GRADING), SECTION 18.44.150 (WORK HOURS SPECIFIED), OF THE EL PASO CITY CODE, TO PROVIDE A PERMIT PROCESS FOR AFTER HOURS GRADING, THE PENALTY BEING AS PROVIDED IN SECTIONS 18.02.111 (VIOLATIONS AND PENALTIES) AND 18.44.201 (PENALTY – SEVERABILITY) OF THE EL PASO CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Title 18 (Building and Construction), Chapter 18.44 (Grading), Section 18.44.150 (Work Hours Specified), of the El Paso City Code is hereby amended to read as follows:

18.44.150 - Work hours specified.

Grading shall be permitted during the Established Construction Hours as set forth in 18.02.105.20 of this Code. No grading of any kind shall be conducted outside Established Construction Hours or on legal holidays or weekends unless the property owner or his authorized agent has paid the established fee and obtained an After Hours Construction/Grading Permit pursuant to the requirements set forth in 18.02.105.20 of this Code.

Section 2. Except as herein provided, Title 18 (Building and Construction) shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2013.

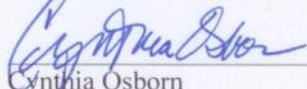
THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

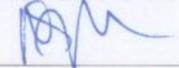
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:



Mathew McElroy, Director
City Development Department

18.44.150 - Work hours specified.

Grading shall be permitted ~~weekdays from seven a.m. to seven p.m. during the Established Construction Hours as set forth in 18.02.105.20 of this Code.~~ No grading of any kind will be conducted outside Established Construction Hours or on legal holidays and weekends unless ~~the landowner or his~~ authorized agent has notified the permit official, by noon of the day before the holiday or by noon on the Friday before the weekend. "Weekend" means the period between seven p.m. on Friday and seven a.m. on the following Monday. When grading is authorized on weekends or holidays, such grading will not be permitted within three hundred feet of a residentially zoned area before seven a.m. or after seven p.m. ~~on such weekends and holidays.~~ the property owner or his authorized agent has paid the established fee and obtained an After Hours Construction/Grading Permit pursuant to the requirements set forth in 18.02.105.20 of this Code.