

**CITY OF EL PASO, TEXAS
REQUEST FOR COUNCIL ACTION (RCA)**

DEPARTMENT: Environmental Services
AGENDA DATE: April 19, 2011 - Introduction
April 26, 2011 – Public Hearing
CONTACT PERSON/PHONE: Ellen A. Smyth, P.E., (915) 621-6719
DISTRICT(S) AFFECTED: All

SUBJECT:

An Ordinance amending Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management), Section 9.04.880 (City Abatement) to amend the notice requirement; The penalty being as provided in Section 9.04.630 of the El Paso City Code

BACKGROUND / DISCUSSION:

The addendum to the Ordinance is to delete the need to receive the returned receipt card from the United States Post Office. The correction notice shall be done in writing, and delivered in person or sent by certified mail.

PRIOR COUNCIL ACTION:

Original Contract February 2006; Addendum June 26, 2006

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

LEGAL: (if required) Josette Flores

FINANCE: (if required) _____

DEPARTMENT HEAD: _____

(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE _____

AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.04 (SOLID WASTE MANAGEMENT), SECTION 9.04.880 (CITY ABATEMENT) TO AMEND THE NOTICE REQUIREMENT; THE PENALTY BEING AS PROVIDED IN SECTION 9.04.630 OF THE EL PASO CITY CODE

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

Section 1. That Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management), Section 9.04.880 (City Abatement.), Subsection B of the El Paso City Code be amended to read as follows:

- B. Such notice shall be in writing and delivered in person or sent by certified mail to the owner, or to any one or more of the owners if the land is owned jointly or in common at the owner's address as recorded in the appraisal district records of the appraisal district in which the property is located, or to any agency having the authority to lease, rent, sell, manage or take care of the land. If the correction notice cannot be hand delivered at the time of the investigation, or the owner's address recorded in the central appraisal district is unknown, notice may be given by publication at least once in a newspaper of general circulation, by posting the notice on or near the front door of each building on the property to which the violation relates, or by posting the notice on a placard attached to a stake driven into the ground on the property which the violation relates, if the property contains no buildings.

Section 2. Except as herein amended, Chapter 9.04 shall remain in full force and effect.

(signatures follow on next page)

PASSED AND APPROVED this _____ day of _____, 2011.

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

Ellen A. Smyth, P.E., Director
Environmental Services Department