

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

**DEPARTMENT:** Environmental Services Department  
**AGENDA DATE:** CCA Introduction 6/8/10; Public Hearing 6/15/10  
**CONTACT PERSON/PHONE:** Ellen Smyth, 621-6719  
**DISTRICT(S) AFFECTED:** Citywide

**SUBJECT: ORDINANCE**

AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.08 (JUNKED VEHICLES), SECTION 9.08.020 (DEFINITIONS) TO AMEND THE DEFINITION OF JUNKED VEHICLE; TO CLARIFY WHICH ENTITY CANCELS CERTIFICATES OF TITLE IN 9.08.030 (ABATEMENT); AND TO CLARIFY APPROPRIATE COVER OF ANTIQUE AND SPECIAL INTEREST VEHICLES STORED OUTDOORS IN 9.08.040C (EXCEPTIONS); THE PENALTY AS PROVIDED IN SECTION 9.08.070 OF THE EL PASO CITY CODE

**BACKGROUND / DISCUSSION:**

The Environmental Services Department is requesting an ordinance be revised to be consistent with current procedures related to the enforcement of junked vehicles. These revisions include amending the definition of junked vehicle, clarification on the entity that cancels certificates of titles, and clarification on appropriate cover requirements for antique and special interest vehicles stored outdoors.

**PRIOR COUNCIL ACTION:** N/A

**AMOUNT AND SOURCE OF FUNDING:** N/A

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**BOARD / COMMISSION ACTION:** N/A

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

**LEGAL:** (if required) \_\_\_\_\_ **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 NO. \_\_\_\_\_**  
**AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.08 (JUNKED VEHICLES), SECTION 9.08.020 (DEFINITIONS) TO AMEND THE DEFINITION OF JUNKED VEHICLE; TO CLARIFY WHICH ENTITY CANCELS CERTIFICATES OF TITLE IN 9.08.030 (ABATEMENT); AND TO CLARIFY APPROPRIATE COVER OF ANTIQUE AND SPECIAL INTEREST VEHICLES STORED OUTDOORS IN 9.08.040 (EXCEPTIONS); THE PENALTY AS PROVIDED IN SECTION 9.08.070 OF THE EL PASO CITY CODE**

**WHEREAS**, the City Council of the City of El Paso finds that clarifying the definition of junked vehicle in the City Code will enable more efficient enforcement of said ordinance and enhance the health and safety of the community.

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

**Section 1.** That Title 9 (Health and Safety), Chapter 9.08 (Junked Vehicles), Section 9.08.020 (Definitions), Subsection D of the City Code be amended as follows:

**9.08.020 Definitions.**

D. "Junked vehicle" means either:

1. A vehicle that is self-propelled and does not have lawfully attached to it:
  - a. An unexpired license plate; or
  - b. A valid motor vehicle inspection certificate;and is inoperable and has remained inoperable for more than seventy-two (72) consecutive hours if the vehicle is on public property, or for more than thirty (30) consecutive days if the vehicle is on private property; or
2. A vehicle that is self-propelled and is wrecked, dismantled or partially dismantled, and has remained wrecked, dismantled or partially dismantled for more than seventy-two (72) consecutive hours if the vehicle is on public property, or for more than thirty (30) consecutive days if the vehicle is on private property.

**Section 2.** That Title 9 (Health and Safety), Chapter 9.08 (Junked Vehicles), Section 9.08.030 (Abatement), Subsection G of the City Code be amended as follows:

**9.08.030 Abatement.**

**G.** Not later than the fifth day after the removal of a junked vehicle or junked vehicle part, the City shall notify the State Department of Highways and Public Transportation of the removal of the junked vehicle or junked vehicle part, so that the State Department of Highways and Public Transportation may cancel the certificate of title. The notice must identify the vehicle or vehicle part.

**Section 3.** That Title 9 (Health and Safety), Chapter 9.08 (Junked Vehicles), Section 9.08.040 (Exceptions), Subsection C of the City Code be amended as follows:

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C. An unlicensed, operable or inoperable antique or special interest vehicle stored by a collector on the collector's property, if the vehicle and the outdoor storage area are maintained in a manner so that they do not constitute a health hazard and are screened from ordinary view by appropriate means including a fence.

**Section 4.** Except as expressly herein amended, Title 9 (Health and Safety), Chapter 9.08 (Junked Vehicles) of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

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

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

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