

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

**DEPARTMENT:** Development Services Department  
**AGENDA DATE:** Introduction July 7, 2009; Public Hearing July 14, 2009  
**CONTACT PERSON/PHONE:** Mathew McElroy, (915) 541-4193  
**DISTRICT(S) AFFECTED:** All Districts

**SUBJECT:**

An Ordinance amending Title 15 (Public Services) Chapter 15.08 (Street Rentals) Section 15.08.120 (Special Privilege Licenses), Subsection C, (Exceptions), of the El Paso City Code to add an exception for certain signs on the City's parkway, the penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code. **(All Districts)**

**BACKGROUND / DISCUSSION:**

See attached ordinance.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee – Approval

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

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

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

Mathew McElroy, Deputy Director of Planning

**APPROVED FOR AGENDA:** \_\_\_\_\_

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

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

**AN ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES) CHAPTER 15.08 (STREET RENTALS) SECTION 15.08.120 (SPECIAL PRIVILEGE LICENSES), SUBSECTION C, (EXCEPTIONS), OF THE EL PASO CITY CODE TO ADD AN EXCEPTION FOR CERTAIN SIGNS ON THE CITY'S PARKWAY, THE PENALTY BEING AS PROVIDED IN CHAPTER 1.08, GENERAL PENALTY, OF THE EL PASO CITY CODE.**

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

1. That Title 15 (Public Services), Chapter 15.08, (Street Rentals), Section 15.08.120, (Special Privilege Licenses), Subsection C, (Exceptions), of the El Paso City Code shall be amended as follows:

**SUBSECTION C, EXCEPTIONS**

11. Signs may be located in the public right-of-way without the requirement of a sign permit or a special privilege, which meet the following criteria:

- a. The sign is constructed of wood, metal, plastic or hardboard material, or is entirely fixed to a background constructed of any of these materials;
- b. The sign is located within the parkway and is not permitted in the median;
- c. The sign is freestanding;
- d. The sign may only be located in the parkway within the hours of ten a.m. and seven p.m.;
- e. The sign area is no larger than five square feet and is no greater than thirty-six inches in any dimension, and does not exceed thirty-six inches in height;
- f. The sign may be a portable two-sided, single panel style or two connected single panels ("A-frame" or "tent style"); and
- g. The sign owner shall be responsible for all claims, causes of action, liability, damages or expense for any damage to or loss of any property, or any injury to any person resulting from use of city right-of-way. Owner shall provide proof of insurance coverage that includes advertising injury (including defamation, invasion of privacy, false light, etc).

2. Except as expressly herein amended, Title 15 (Public Services), Chapter 15.08, (Street Rentals), Section 15.08.120, (Special Privilege Licenses), Subsection C, (Exceptions), of the El Paso City Code shall remain in full force and effect.

**PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2009.**

***SIGNATURES ON FOLLOWING PAGE***

CITY OF EL PASO:

---

John F. Cook, Mayor

ATTEST:

---

Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

---

Lupe Cuellar  
Assistant City Attorney

APPROVED AS TO CONTENT:

---

Patricia D. Aduato, Deputy City  
Manager Development and  
Infrastructure Services