

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

**DEPARTMENT:** Engineering Traffic Division  
**AGENDA DATE:** CCA 07/20/2010, Public Hearing 07/27/2010  
**CONTACT PERSON NAME AND PHONE NUMBER:** Ted Marquez, 541-4035  
**DISTRICT(S) AFFECTED:** All Districts

**SUBJECT:**

AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 (STOPPING, STANDING AND PARKING GENERALLY), SECTION 12.44.020 (WHERE NO SIGNS REQUIRED) OF THE EL PASO CITY CODE BY ADDING "DESIGNATED BIKE LANES, UNLESS OFFICIAL SIGNS ALLOW SUCH PARKING DURING SPECIFIC TIMES"; THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 (VIOLATION--PENALTY) OF THE EL PASO CITY CODE.

**BACKGROUND / DISCUSSION:**

Bike lanes are defined as "a portion of the roadway which has been designated by striping, signing and pavement marking for the preferential or exclusive use by bicyclists". Texas Penal Code 42.03 states "a person commits an offense if, without legal privilege or authority, he intentionally, knowingly, or recklessly obstructs a highway, street, ... or other place used for the passage or person, vehicles, or conveyances..." Therefore, Traffic Engineer recommends this ordinance prohibiting parking in designated bike lanes unless otherwise posted.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

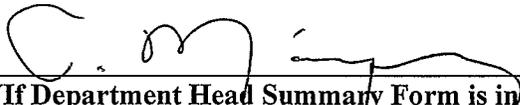
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**BOARD / COMMISSION ACTION:**

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\*\*\*\*\*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 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 (STOPPING, STANDING AND PARKING GENERALLY), SECTION 12.44.020 (WHERE NO SIGNS REQUIRED) OF THE EL PASO CITY CODE BY ADDING "DESIGNATED BIKE LANES, UNLESS OFFICIAL SIGNS ALLOW SUCH PARKING DURING SPECIFIC TIMES"; THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 (VIOLATION--PENALTY) OF THE EL PASO CITY CODE.

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

1. That Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, standing and parking generally), Section 12.44.020 (Where no signs required) of the El Paso City Code shall be and hereby is amended by adding the following:

N. Designated Bike Lanes, unless official signs allow such parking during specific times.

2. Except as expressly herein amended, Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, standing and parking generally), Section 12.44.020 (Where no signs required) 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:

  
Mark Shoosmith  
Assistant City Attorney

  
Ted Marquez, P.E.  
Assistant City Engineer