

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.38 (BUILDING AND STANDARDS COMMISSION), OF THE EL PASO CITY CODE, TO REVISE THE POWERS OF THE COMMISSION TO HEAR APPEALS FILED PURSUANT TO CHAPTER 18.40 OF THE CITY CODE RELATING TO VACANT BUILDING REGISTRATION AND REQUIREMENTS.

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

Section 1. That Title 2 (Administration and Personnel) of the El Paso City Code, Chapter 2.38, Building and Standards Commission, Section 2.38.070, Powers, be amended to read as follows.

Section 2.38.070 Powers.

- A. A hearing panel has the following powers and duties:
1. To declare a building substandard;
 2. To order the repair, within a fixed period, of buildings found to be in violation of Chapter 18.50;
 3. To order the immediate removal of persons or property found on private property, enter on private property to secure the removal if it is determined that conditions exist on the property that constitute a violation of Chapter 18.50, and order other action to be taken as necessary to remedy, alleviate or remove any substandard building found to exist;
 4. To issue orders or directives to any peace officer of the state, including a sheriff or constable or the chief of police of the municipality, to enforce and carry out the lawful orders or directives of the commission panel; or
 5. To determine the amount of civil penalty the municipality may recover as provided in Texas Local Government Code Section 54.017.
- B. A hearing panel has the following additional powers and duties with respect to appeals and matters brought to the Commission pursuant to the provisions in chapter 18.40 of this code:
1. To hear and decide appeals filed pursuant to section 18.40.070 of this code, relating to the registration of vacant buildings and related matters and requirements, in accordance with and as provided in chapter 18.40.
- C. In addition to the powers and duties of the hearing panels, the commission shall periodically meet as a whole for the purpose of planning and advising the city council on matters concerning substandard housing and enforcement of this chapter

Section 2. Except as expressly herein amended, Title 18 (Building and Construction) of the El Paso City Code shall remain in full force and effect.

Section 3. This ordinance shall take effect on _____.

ADOPTED this _____ day of _____, 2010.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Elaine S. Hengen
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

Patricia D. Aduato
Deputy City Manager
Development & Infrastructure Services