

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

DEPARTMENT: Development Services Department

AGENDA DATE: Regular Agenda
Introduction: July 20, 2010
Public Hearing: July 27, 2010

CONTACT PERSON/PHONE: Linda Castle, (915) 541-4029

DISTRICT(S) AFFECTED: All

SUBJECT:

An Ordinance amending Title 15 (Public Services) Chapter 15.08 (Street Rentals) Section 15.08.120 (Special Privilege Licenses), Subsection G, (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:

This amendment was originally submitted July 14, 2009; however, the Mayor vetoed this amendment and other amendments to Title 20 regarding signs.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

*****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 G, (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 G, (Exceptions), of the El Paso City Code shall be amended as follows:

SUBSECTION G, 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 G, (Exceptions), of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED this ____ day of _____
2010.

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:

Mathew McElroy, Deputy Director
Development Services Department