

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

**DEPARTMENT:** Environmental Services Department  
**AGENDA DATE:** CCA Introduction 8/4/09; Public Hearing 8/11/09  
**CONTACT PERSON/PHONE:** Ellen Smyth, 621-6719  
**DISTRICT(S) AFFECTED:** Citywide

**SUBJECT: ORDINANCE**

AN ORDINANCE AMENDING TITLE 5 (BUSINESS, TAXES, LICENSES AND REGULATIONS), CHAPTER 5.96 (TATTOOING AND BODY PIERCING LICENSES), TO CORRECT TITLES AND REFERENCES; SECTION 5.96.050 (APPLICATION PROCESSING), TO CLARIFY THE APPLICATION PROCESS; AND SECTION 5.96.090 (FEES); THE PENALTY AS IS PROVIDED IN SECTION 5.96.110 OF THE EL PASO CITY CODE.

**BACKGROUND / DISCUSSION:**

The Environmental Services Department is requesting an ordinance be revised to update administrative tasks and the language pertaining to the existing fee structure relating to tattooing and body piercing licenses. These functions were previously part of the El Paso City-County Health & Environmental District. During the past year, we have reviewed the ordinances and procedures for this function and propose the following recommendations.

**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 5 (BUSINESS, TAXES, LICENSES AND REGULATIONS), CHAPTER 5.96 (TATTOOING AND BODY PIERCING LICENSES), TO CORRECT TITLES AND REFERENCES; SECTION 5.96.050 (APPLICATION PROCESSING), TO CLARIFY THE APPLICATION PROCESS; AND SECTION 5.96.090 (FEES); THE PENALTY AS IS PROVIDED IN SECTION 5.96.110 OF THE EL PASO CITY CODE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

**Section 1.** That all references in Title 5 (Business, Taxes, Licenses and Regulations), Chapter 5.96 (Tattooing and body piercing licenses) of the El Paso City Code to the terms building permits and inspections director, or director of the building permit and inspections department, shall be substituted with the term “Director of the Development Services Department”.

**Section 2.** That all references in Title 5 (Business, Taxes, Licenses and Regulations), Chapter 5.96 (Tattooing and body piercing licenses) of the El Paso City Code to the term permit(s) shall be substituted with the term “license(s)”.

**Section 3.** That Title 5 (Business, Taxes, Licenses and Regulations), Chapter 5.96 (Tattooing and body piercing licenses), Section 5.96.020 (Definitions.), Subsection F. of the El Paso City Code be deleted and all remaining Subsections be renumbered accordingly.

**Section 4.** That Title 5 (Business, Taxes, Licenses and Regulations), Chapter 5.96 (Tattooing and body piercing licenses), Section 5.96.050 (Application processing.) of the El Paso City Code be amended as follows:

**5.96.050 Application processing.**

A. Upon approval of the director and compliance of the applicant with Chapter 9.32 of this code and payment of all fees as identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council, the license shall be issued and valid for three hundred sixty-five days. Said license shall be renewed on or before the date of expiration each year.

**Section 5.** That Title 5 (Business, Taxes, Licenses and Regulations), Chapter 5.96 (Tattooing and body piercing licenses), Section 5.96.070 (License denial, suspension and revocation.), Subsection B.9. of the El Paso City Code be amended as follows:

**5.96.070 B.9. License denial, suspension and revocation.**

B.9. State that the denial, suspension or revocation may be appealed under the provisions set forth in Section 5.96.080 of this chapter.

**Section 6.** That Title 5 (Business, Taxes, Licenses and Regulations), Chapter 5.96 (Tattooing and body piercing licenses), Section 5.96.090 (Fees) Subsection A. of the El Paso City Code be amended as follows:

**5.96.090 Fees.**

The owner, operator or artist shall pay to the City such fees identified in the adopted budget resolution for the current fiscal year or other appropriately adopted resolution by the City Council for the licenses and services provided in accordance with this chapter.

**Section 7.** This ordinance shall take effect on September 1, 2009.

**Section 8.** Except as expressly herein amended, Title 5 (Business, Taxes, Licenses and Regulations), Chapter 5.96 (Tattooing and body piercing licenses) of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2009.

THE CITY OF EL PASO:

ATTEST:

\_\_\_\_\_  
John F. Cook, Mayor

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Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

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Josette Flores  
Assistant City Attorney

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