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

DEPARTMENT: Engineering Department, Traffic Division

AGENDA DATE: September 4, 2007

CONTACT PERSON/PHONE: Ted Marquez, 541-4035 C.M.

DISTRICT(S) AFFECTED: Districts 1,2,3,4,5,6,7,8

SUBJECT: **ORDINANCE**

AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 (STOPPING, STANDING AND PARKING GENERALLY), SECTION 12.44.180 (REGULATIONS PERTAINING TO CERTAIN SPECIAL SITUATIONS), SUBSECTION B, TO AMEND TO READ FUNERAL ZONE: MUST BE ADJACENT TO A MORTUARY, FUNERAL HOME, OR CHURCH. VEHICLES OF THE MORTUARY OR FUNERAL HOME, WHILE USED IN ITS BUSINESS, MAY USE THE ZONE AT ANY TIME; OTHER VEHICLES MAY NOT PARK OR STAND IN THE ZONE EXCEPT WHEN PART OF A FUNERAL PROCESSION. THE PENALTY BEING AS PROVIDED IN SECTION 12.48.010 (VIOLATION--PENALTY) OF THE EL PASO CITY CODE.

BACKGROUND / DISCUSSION:

This ordinance is being amended at the request from Reverend Molina, Pastor at Our Lady Of Assumption Church. The Engineering Traffic Division has received requests for funeral zone installations in front of churches. The Engineering Traffic Division has concluded that there is a need to provide funeral zones by churches but the existing ordinances only permits these type of installations next to mortuaries/funeral homes. Therefore it is this Division's recommendation that this ordinance be amended.

PRIOR COUNCIL ACTION: N/A

AMOUNT AND SOURCE OF FUNDING: N/A

BOARD / COMMISSION ACTION: **N/A**

**********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 12 (VEHICLES AND TRAFFIC), CHAPTER 12.44 (STOPPING, STANDING AND PARKING GENERALLY), SECTION 12.44.180 (REGULATIONS PERTAINING TO CERTAIN SPECIAL SITUATIONS), SUBSECTION B, TO AMEND TO READ FUNERAL ZONE: MUST BE ADJACENT TO A MORTUARY, FUNERAL HOME, OR CHURCH. VEHICLES OF THE MORTUARY OR FUNERAL HOME, WHILE USED IN ITS BUSINESS, MAY USE THE ZONE AT ANY TIME; OTHER VEHICLES MAY NOT PARK OR STAND IN THE ZONE EXCEPT WHEN PART OF A FUNERAL PROCESSION. THE PENALTY BEING AS PROVIDED IN SECTION 12.48.010 (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 12.44.180 (Regulations pertaining to certain special situations), Subsection B, Subparagraph 2 (Funeral Zone) of the El Paso City Code shall be and hereby is amended to read as follows:

   B2. Funeral Zone: Must be adjacent to a mortuary, funeral home, or church. Vehicles of the mortuary or funeral home, while used in its business, may use the zone at any time; other vehicles may not park or stand in the zone except when part of a funeral procession.

2. Except as expressly herein amended, Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing and Parking Generally), Section 12.44.180 (Regulations pertaining to certain special situations.), Subsection B, Subparagraph 2 (Funeral Zone) of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2007.

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:

_____
R. Alan Shubert, P.E., C.B.O.
City Engineer

Doc No. 32624
Doc Name: Eng-Traffic/Ord/Amd /12.44.180-Funeral Zone
Doc Author: LCUE

JOHN F. COOK
MAYOR

JOYCE WILSON
City Manager

CHARLIE McNABB
City Attorney

CITY COUNCIL

ANN MORGAN LILLY, DISTRICT 1
SUSIE BYRD, DISTRICT 2
JOSE ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

Office of the City Attorney

MEMORANDUM

TO: Ted Marquez
Assistant City Engineer, Traffic Division

FROM: Lupe Cuellar
Assistant City Attorney

SUBJECT: Definition for Funeral Home and Mortuary

DATE: August 8, 2007

In reply to your request for assistance in creating definitions for funeral home and mortuary, the following is the definition for both:

ORDINANCE
TITLE 20 ZONING

Chapter 20.02 General Provisions & Definitions
Article II. Definitions
Section 20.02.400 Funeral home.
Section 20.02.592 Mortuary. (See Funeral home)

20.02.400 Funeral home.
"Funeral home" means a facility for the arrangement of funerals and the preparation of the dead for burial or cremation.

Should you have any questions or if I may be of further assistance, please do not hesitate to call.

Our Lady Of Assumption Church
4800 Byron Street • El Paso, Texas 79930
(915) 566-4040

Traffic Dept.
2 Civic Center Plaza
Fifth Floor
El Paso, Texas 79901

July 6, 2007

Dear Mr. Ted Marquez, Traffic Engineer;

The congregation of Our Lady of Assumption would appreciate if the traffic dept. would paint our curbs, plus the markings for the Funerals and also the school crossings when children are in school for safety purposes. Any consideration in this matter will be greatly appreciated.

Sincerely,

Rev. Joe Molina,
Pastor

RECEIVED
JUL 11 2007
07-4174
TRAFFIC ENGINEERING DIST 2