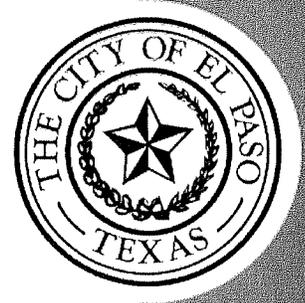


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**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**



DEPARTMENT: City Development Department

AGENDA DATE: Introduction: September 18, 2012
Public Hearing: October 2, 2012

CONTACT PERSON NAME AND PHONE NUMBER: Victor Morrison-Vega, (915) 541-4556

DISTRICT(S) AFFECTED: All

SUBJECT:

An ordinance amending Title 18 (Building and Construction), Chapter 18.18 (Outdoor Lighting Code) Sections 18.18.060 (Definitions), 18.18.240 (Laser Source Lighting), 18.18.250 (Searchlights) and 18.18.280 (Temporary Exemption Requirements) of the El Paso City Code, to increase the time for a temporary exemption permit for Laser Source Lights and Searchlights from three days to not more than thirty days, the penalty being as provided in Section 18.18.400 (Violations) of the El Paso City Code.

BACKGROUND / DISCUSSION:

This revision is to allow for the use of searchlights and laser light sources in conjunction with seasonal displays. A temporary exemption permit will be required not to exceed a thirty day period

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Cortney Carlisle Niland

City Manager
Joyce A. Wilson

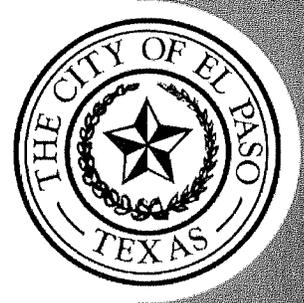


City Development Department

Two Civic Center Plaza – 5th Floor · El Paso, Texas 79901
Phone (915) 541-4622 · Fax (915) 541-4799

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BOARD / COMMISSION ACTION:

N/A

*****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

Mayor
John F. Cook

City Council

District 1
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ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 18 (BUILDING AND CONSTRUCTION), CHAPTER 18.18 (OUTDOOR LIGHTING CODE) SECTIONS 18.18.060 (DEFINITIONS), 18.18.240 (LASER SOURCE LIGHT), 18.18.250 (SEARCHLIGHTS) AND 18.18.280 (TEMPORARY EXEMPTION REQUIREMENTS) OF THE EL PASO CITY CODE, TO INCREASE THE TIME FOR A TEMPORARY EXEMPTION PERMIT FOR LASER SOURCE LIGHTS AND SEARCHLIGHTS FROM THREE DAYS TO NOT MORE THAN THIRTY DAYS, THE PENALTY BEING AS PROVIDED IN SECTION 18.18.400 (VIOLATIONS) OF THE EL PASO CITY CODE.

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

Section 1. That Title 18 (Building and Construction), Chapter 18.18 (Outdoor Lighting Code), Section 18.18.060 (Definitions) is hereby amended to amend the following definition:

18.18.060 - Definitions.

“Seasonal decorations” means temporary outdoor light displays consisting of unshielded low-wattage incandescent lamps of 15 watts or less.

Section 2. That Title 18 (Building and Construction), Chapter 18.18 (Outdoor Lighting Code), Section 18.18.240 (Laser source light) is hereby amended to read as follows:

18.18.240 – Laser source light.

The use of laser source light or any similar high intensity light for outdoor advertising, entertainment or decorative purposes, when projected above the horizontal, is prohibited unless a temporary exemption permit is obtained pursuant to 18.18.280-18.18.300.

Section 3. That Title 18 (Building and Construction), Chapter 18.18 (Outdoor Lighting Code), Section 18.18.250 (Searchlights) is hereby amended to read as follows:

18.18.250 – Searchlights.

The operation of searchlights for non-governmental purposes is prohibited unless a temporary exemption permit is obtained pursuant to 18.18.280-18.18.300.

Section 4. That Title 18 (Building and Construction), Chapter 18.18 (Outdoor Lighting Code), Section 18.18.280 (Temporary exemption requirements) is hereby amended to read as follows:

18.18.280 – Temporary exemption requirements.

- A. Temporary exemption permits apply to:
 - 1. Carnivals, festivals, grand openings, concerts and other similar temporary events.
 - 2. Construction, provided that such temporary exemption shall not apply to the use of lights otherwise prohibited under this chapter during hours of the day during which construction is prohibited by law.
 - 3. Laser source light, provided that:
 - a. the laser source light shall not be directed onto residential property or the structures thereon or on the public right of way or any vehicles thereon and shall be aimed and directed, so as not to shine on any buildings; and
 - b. applicant obtains all applicable state or federal approvals.
 - 4. Searchlights, provided that:
 - a. the searchlight shall be aimed and directed, so as not to shine on any buildings; and
 - b. applicant obtains all applicable state or federal approvals.
- B. An applicant requesting a temporary exemption permit under this chapter shall submit such application at the time of the application for any other permit required for the temporary event that is required by this City Code.
- C. Temporary exemption permits shall be requested no less than five city working days prior to the beginning of the temporary event.
- D. Applicant shall pay the established fee.

Section 5. That Title 18 (Building and Construction), Chapter 18.18 (Outdoor Lighting Code), Section 18.18.345 (Seasonal decorations) is hereby amended to read as follows:

18.18.345 – Seasonal decorations.

Seasonal decorations are exempt from all requirements of this chapter. Except that laser source lights or searchlights used in conjunction with seasonal decorations shall require a temporary exemption permit issued pursuant to 18.18.280-18.18.300.

Section 6. This ordinance shall become effective immediately.

Section 7. Except as herein provided, Title 18 (Building and Construction) shall remain in full force and effect.

PASSED AND APPROVED this _____ day of _____, 2012.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:



Mathew McElroy, Director
City Development Department