

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

Department: City Manager's Office

Agenda Date: July 12, 2016

Contact Person: Dionne Mack, City Manager's Office, 212-1717

Districts Affected: District 8

Subject:

An ordinance amending Title 12 (Vehicles and Traffic)—Chapter 12.80 (Miscellaneous Traffic Regulations)—Section 12.80.030 (Coasters, Roller Skates, And Similar Devices—Use Restrictions) to delete any reference to the Civic Center Plaza and the Arts Festival Plaza, and to apply the use restrictions to the entire area to the San Jacinto Plaza, Sidewalk Café Areas, and the entire area of the Downtown Management District. The penalty being as provided in Section 1.08.010 of the El Paso City Code.

Background / Discussion:

The current language reflects applicability in the Civic Center Plaza and the Arts Festival Plaza. The ordinance is being amended to apply to the San Jacinto Plaza and downtown sidewalks cafes and the entire Downtown Management District area which is necessary to protect the health, safety of the community and public property.

SELECTION SUMMARY:

N/A

PRIOR COUNCIL ACTION

The current ordinance was adopted by City Council in 1998.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

*****Required Authorization*****

Legal: (if required) _____ **Finance:** (if required) _____

Department Head: _____

Approved for Agenda:

City Manager: _____ **Date:** _____

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ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC)—CHAPTER 12.80 (MISCELLANEOUS TRAFFIC REGULATIONS)—SECTION 12.80.030 (COASTERS, ROLLER SKATES, AND SIMILAR DEVICES—USE RESTRICTIONS) RELATING TO APPLICABILITY IN THE CIVIC CENTER PLAZA AND THE ARTS FESTIVAL PLAZA, AND EXPANDING APPLICABILITY TO THE SAN JACINTO PLAZA, SIDEWALK CAFÉ AREAS, AND THE ENTIRE AREA OF THE DOWNTOWN MANAGEMENT DISTRICT. THE PENALTY BEING AS PROVIDED IN SECTION 1.08.010 OF THE EL PASO CITY CODE.

WHEREAS, the current ordinance regulating use of coasters, roller skates and similar devices is specific to the Civic Center Plaza and the Arts Festival Plaza;

WHEREAS, expanding the applicability of the ordinance to the San Jacinto Plaza and downtown sidewalk cafes is necessary in order to protect the health and safety of the community and public property; and

WHEREAS, expanding regulation of use of such devices to the entire area of the Downtown Management District is necessary in order to protect the health and safety of the community and public property.

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

Section 1: Title 12 (Vehicles and Traffic) be amended as follows:

12.80.030 - Coasters, roller skates and similar devices—Use restrictions.

This section shall apply to the Downtown Management District area, which is generally bounded on the north by Wyoming Street, on the south by the Cesar Chavez Memorial Hwy, on the west by Santa Fe and Paisano, and on the east by Ochoa and Alley G (Kansas).

- A. No person upon roller skates, skateboard, or riding in or by means of any coaster, toy vehicle, razor scooters, or similar roller devices, as well as bicycles, shall go upon the Civic Center Plaza, the Arts Festival Plaza, the San Jacinto Plaza, or within 20 feet of any downtown sidewalk café.
- B. No person upon roller skates, skateboard, or riding in or by means of any coaster, toy vehicle, razor scooters, or similar roller devices, shall go upon any roadway, except while crossing a street on a crosswalk, subject to the duties applicable to pedestrians, and in compliance with all laws that apply to pedestrians.

- C. Bicycles can be ridden within the Downtown Management District area, and are exempt from this section, so long as they are used in compliance with Chapter 12.76 (Bicycles) of this Title, and the traffic laws, and upon sidewalks with due regard to the safety of pedestrians. No bicycles may be used on any surface or structure that is not intended for transportation.
- D. Any person may ride any roller device or bicycle on the areas located within the Downtown Management District, including, but not limited to, the sidewalks, public rights-of-way, parking lots, walkways and ramps, provided that such device or bicycle is ridden when used to provide transportation and with due regard to the safety of pedestrians, and provided that the transportation not be used in close proximity to pedestrians. When in close proximity to pedestrians, riders must yield to or stop for pedestrians, and walk and carry, or otherwise maintain possession of, the devices without using them for transportation purposes.
- E. Riders are specifically prohibited from engaging in actions, with their devices, that may cause alarm or risk to pedestrians, including, but not limited to, engaging in any acrobatics, tricks, or extreme riding throughout the area designated as the Downtown Management District.
- F. Riders are specifically prohibited from riding, or attempting to ride, the devices on any structure or surface not intended for pedestrian or vehicular traffic. Riders of said devices are prohibited from riding or attempting to ride on handrails, guardrails, planters, decorative structures, fountains, walls, windows, buildings, or any other structure or surface that is not intended for pedestrian or vehicular traffic.
- G. This section shall not apply within the Downtown Management District to any person using roller skates, skateboards, or riding in or by means of any coaster, toy vehicle, or similar device with the permission of the property owner.
- H. Any person violating any provision of this section shall be deemed guilty of a misdemeanor and shall be punished in accordance with Chapter 1.08 of the code.

Section 2: Except as herein amended, Title 12 (Vehicles and Traffic) shall remain in full force and effect.

ADOPTED this _____ day of _____, 2016.

CITY OF EL PASO

Oscar Leaser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

16-1026-7531/Doc #554645/Ordinance Amending Title 12

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APPROVED AS TO FORM:



Oscar G. Gabaldón, Jr.
Assistant City Attorney

APPROVED AS TO CONTENT:



Dionne Mack
Director
Quality of Life

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