

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

DEPARTMENT: Environmental Services

AGENDA DATE: September 30, 2014 – Introduction
October 07, 2014 – Public Hearing

CONTACT PERSON NAME AND PHONE NUMBER: Ellen A. Smyth, Director (915) 621-6719

DISTRICT(S) AFFECTED: All

SUBJECT:

An ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses and Permits), to replace the phrase "Trash Receptacles" with "Waste Containers"; the penalty as provided in section 15.08.125 of the El Paso City Code.

BACKGROUND / DISCUSSION:

This is an administrative change of the term "Waste Containers" so that all City ordinances will have consistent terms and definitions.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

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

ORDINANCE NO. _____

**ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES), CHAPTER
15.08 (STREET RENTALS), SECTION 15.08.120 (SPECIAL PRIVILEGE
LICENSES AND PERMITS) TO REPLACE THE PHRASE “TRASH
RECEPTACLES” WITH “WASTE CONTAINERS”; THE PENALTY AS
PROVIDED IN SECTION 15.08.125 OF THE EL PASO CITY CODE**

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

Section 1. That Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses and Permits), Subsection 15.08.120E (Types of Encroachments) Table 1-1, line 2 (Surface encroachments), “b.” to replace the word “trash receptacles” with “waste containers” in the chart, as follows:

15.08.120E Table 1-1, 2 (Surface encroachments)

Table 1-1

Type of Encroachment	Authorizing Instrument	Term	Additional Requirements
b. Street furniture (includes but is not limited to, benches, bollards, waste containers, lighting, shelters, outdoor pavilions, and other streetscape components providing convenience, safety and access to activities, amenities and location information)	Permit	One—ten years	See Section J

Section 2. That Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses and Permits), Subsection (H)(5) (Exceptions) be amended as follows:

5. Encroachments such as, but not limited to, newspaper racks, benches, waste containers, and public utility facilities where the city has granted a franchise or lease permitting such use of the public right-of-way provided they comply with subsection J. (Street Furniture) of this chapter.

Section 3. That Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses and Permits), Subsection (J)(5) (Street Furniture – Trash and Recycling Receptacles) be amended to include additional requirements as follows:

15.08.120 J. Street furniture. For purposes of this section, street furniture shall include benches, seat walls, planters, bicycle racks, newspaper racks, waste and recycling containers.

5. Waste and recycling containers.

- a. Waste and recycling containers shall be located between the face of the curb and the pedestrian pathway.
- b. Waste and recycling containers may be combined into one unit or placed side-by-side adjacent to each other; however, they shall be placed so that the longest dimension is parallel to the curb face.
- c. A minimum distance of three feet measured between the base of a street element and the closest portion of the waste or recycling container except that one waste container and one recycling container may be placed side-by-side.
- d. A minimum setback of two feet between the face of the curb and the closest portion of the waste or recycling container.
- e. A minimum width of six feet between the closest portion of the waste or recycling container and the building face or other streetscape element.

Section 4. Except as herein enumerated, Title 15 (Public Services), Chapter 15.08 (Street Rentals of the City Code shall remain in full force and effect.

(Signatures follow on next page)

APPROVED this _____ day of _____, 2014.

CITY OF EL PASO

Oscar Leeser
Mayor

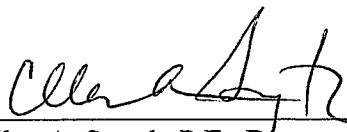
ATTEST:

Richarda Duffy Momsen
Assistant City Attorney

APPROVED AS TO FORM:

Josette Flores
Assistant City Attorney

APPROVED AS TO CONTENT:



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