



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

DEPARTMENT: Development Services Department
AGENDA DATE: Introduction 10/20/09; Public Hearing 11/10/09
CONTACT PERSON/PHONE: Eduardo Garcia 541-4638
DISTRICT(S) AFFECTED: All Districts

SUBJECT:

An Ordinance to amend Title 20 (Zoning) to amend various sections thereunder pertaining to the duties and structure of the Development Services Department, and the duties of staff; and to clarify the type of criminal penalty for a violation; the penalty being as provided in Section 20.24.020 of the El Paso City Code.

BACKGROUND / DISCUSSION:

An Ordinance amending Title 20 relating to duties and structure of the Development Services Department and clarify type of criminal penalty for a violation. See attached Ordinance.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Unanimous Approval Recommendation

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Q. Torres
Director, Development Services

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

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
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson

Development Services Department

Victor Q. Torres – Director

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

ORDINANCE NO. _____

AN ORDINANCE TO AMEND TITLE 20 (ZONING) TO AMEND VARIOUS SECTIONS THEREUNDER PERTAINING TO THE DUTIES AND STRUCTURE OF THE DEVELOPMENT SERVICES DEPARTMENT, AND THE DUTIES OF STAFF; AND TO CLARIFY THE TYPE OF CRIMINAL PENALTY FOR A VIOLATION; THE PENALTY BEING AS PROVIDED IN SECTION 20.24.020 OF THE EL PASO CITY CODE.

WHEREAS, the structure of the bureaus of the Planning Department and the Building Permits and Inspections Department has been changed to make these units divisions of the Development Services Department; and

WHEREAS, various provisions in the City Code relating to the Planning Department, the Building Permits and Inspections Department, the building official and the department directors need to be amended to reflect the change in structure and titles.

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

Section 1. That Title 20 (Zoning), Chapter 20.02 (General Provisions and Definitions), Section 20.02.158 (Building Official) of the El Paso City Code, is amended to reconcile the definition of Building Official with that definition in Title 18, to read as follows:

20.02.158 Building official.

“Building official” means the person identified and designated in Section 18.02.101.4 of this Code.

Section 2. That Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), sections 20.04.610 (Building permit application); 20.04.700 (Generally); 20.04.820 (Home occupation license), of the El Paso City Code, are amended to change the phrases “offices of the building official” and “office of the building official” to “development services department”, as used within these sections, and the Code Publisher is directed to revise the applicable code provisions.

Section 3. That Title 20 (Zoning), Chapter 20.10 (Supplemental use regulations), Sections 20.10.365 (Mobile service units); 20.10.455, subsections D 3 e iii, E 3 e iii, and G 3 e iii (Personal wireless service facilities); 20.10.600 (Secondary manufactured homes

(ranch-farm district only)); and 20.10.680, subsection E, (Temporary uses), of the El Paso City Code, are amended to change the phrase “building permits and inspections division” to “development services department”, as used within these sections, and the Code Publisher is directed to revise the applicable code provisions.

Section 4. That Title 20 (Zoning), Chapter 20.24 (Enforcement - Penalty), Section 20.24.020 (Criminal prosecution) of the El Paso City Code, is amended to reconcile the penalty provision with other language used in the City Code, to read as follows:

20.24.020 Criminal prosecution.

Any person violating any provision of this title shall be guilty of a misdemeanor and upon conviction, be fined a sum not exceeding two thousand dollars. Each day that a provision of this title is violated shall constitute a separate offense.

Section 5. Except as herein amended, Title 20 of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS _____ day of _____ 2009.

CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Elaine S. Hengen
Senior Assistant City Attorney

Victor Q. Torres, Director
Development Services Department

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S E R V I C E S O L U T I O N S S U C C E S S

**DEVELOPMENT SERVICES
PLANNING DIVISION**

MEMORANDUM

DATE: October 12, 2009

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Eduardo Garcia, Lead Planner

SUBJECT: **Title 20 Amendments to Duties and Structure
of Development Services Department**

The City Plan Commission (CPC) on October 8, 2009 **recommended approval of the amendments to Title 20.**

The CPC determined that the Title 20 Amendments protects the best interest, health, safety and welfare of the public in general; and that the Amendments will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.



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