

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

DEPARTMENT: Environmental Services

AGENDA DATE: December 1, 2015

CONTACT PERSON NAME AND PHONE NUMBER: Ellen A. Smyth, Director, (915) 212-6060

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: Goal 8: Nurture and Promote a Healthy, Sustainable Community

SUBJECT:

That the El Paso City Council approve an amendment to Chapter 9.04 (Solid Waste) to remove sections defunct as of August 24, 2010.

BACKGROUND / DISCUSSION:

When the solid waste ordinance of the El Paso City Code was amended on August 24, 2010, certain provisions related to haulers of solid waste in the City were re-organized and the existing solid waste operator permit was replaced with a hauler permit. Inadvertently, the existing sections related to the solid waste operator permits were not repealed at that time; therefore, this proposed amendment will remove them from the existing Code.

PRIOR COUNCIL ACTION:

Chapter 9.04 was amended on August 24, 2010, replacing solid waste operator permits with solid waste hauler permits.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:

Ellen A. Smyth, P.E.

November 13, 2015

Name

Signature

Date

Information copy to appropriate Deputy City Manager

ORDINANCE _____

AN ORDINANCE AMENDING ORDINANCE NO. 017380, TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.04 (SOLID WASTE MANAGEMENT) TO DELETE REDUNDANT SECTIONS INCLUDING TYPES OF PERMITS IN SECTION 9.04.961, THE APPLICATION FOR PERMITS IN SECTION 9.04.962, VEHICLE STANDARDS AND MARKINGS IN SECTION 9.04.963, TERM OF PERMIT IN SECTION 9.04.964, PERMIT TRANSFERABILITY IN SECTION 9.04.965, VIOLATION OF PERMIT IN SECTION 9.04.966, AND APPEAL FROM DENIAL, SUSPENSION, REVOCATION IN SECTION 9.04.967 OF THE EL PASO CITY CODE

WHEREAS, on August 24, 2010, City Council adopted Ordinance No. 017380, which amended Title 9, (Health and Safety), Chapter 9.04 (Solid Waste Management) in its entirety, and added Article VII – Haulers, including a hauler permit requirement in Section 9.04.390, vehicle requirements in Section 9.04.420 and an application, issuance and appeal process in Section 9.04.410, among other relevant items in that Article VII;

WHEREAS, City Code Sections 9.04.961 through 9.04.967 were inadvertently left in Ordinance No. 017380 and are redundant because Article VII – Haulers addresses the same topics; and

WHEREAS, City Council wishes to delete Sections 9.04.961 through 9.04.967 from the City Code as they have been replaced by the provisions in Article VII – Haulers of the Chapter 9.04 (Solid Waste Management) of the City Code.

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

Section 1. That Chapter 9.04, Solid Waste Management shall be amended by deleting Sections 9.04.961 through 9.04.967, as follows:

9.04.961 – Reserved.

9.04.962 – Reserved.

9.04.963 – Reserved.

9.04.964 – Reserved.

9.04.965 – Reserved.

9.04.966 – Reserved.

9.04.967 – Reserved.

Section 2. That except as expressly amended herein Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management) shall remain in full force and effect.

ORDINANCE NO. _____

PL Matter #15-1005-1205/PL Doc#461339/ORD DELETING SECTIONS 9.04.961-9.04.067/JF

PASSED AND APPROVED this _____ day of _____, 2015.

CITY OF EL PASO

Oscar Leaser
Mayor

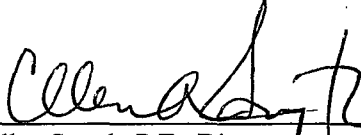
ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Josette Flores
Assistant City Attorney

APPROVED AS TO CONTENT:



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

ORDINANCE NO. _____

PL Matter #15-1005-1205/PL Doc#461339/ORD DELETING SECTIONS 9.04.961-9.04.067/JF



Chapter 9.04 (Solid Waste) Ordinance Amendment **Environmental Services**

"Delivering Outstanding Services"



1. Strategic Goal No. 8

- Nurture and promote a healthy, sustainable community



2. Background

- The City's Solid Waste existing ordinance was repealed and replaced in August 2010
- Due to a clerical error, Sections 9.04.961 – 9.04.967 of the existing ordinance were not repealed



3. Amendment

- This amendment will remove the identified sections, whose requirements are now included in Article VII – Haulers



4. Effect

- There will be no additional operational or cost effects from this amendment
- The published ordinance will reflect the intent of the major revision approved by Council on August 24, 2010



Questions and Comments

"Delivering Outstanding Services"