

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

**AGENDA DATE:** March 12, 2024

**PUBLIC HEARING DATE:** March 26, 2024

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Philip F. Etiwe, (915) 212-1553  
Raul Garcia, (915) 212-1643

**DISTRICT(S) AFFECTED:** City-wide

**STRATEGIC GOAL:** #3 Promote the Visual Image of El Paso

**SUBGOAL:** 3.2 Set one standard for infrastructure across the city

**SUBJECT:**

An Ordinance amending Title 15, (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.160 (Mobile Billboards) of the El Paso City Code ending the mobile billboard pilot program and allowing mobile billboard permits to be issued on a yearly basis. The penalty is as provided for in Chapter 15.08.160 of the El Paso City Code.

**BACKGROUND / DISCUSSION:**

Mobile billboards on city streets are currently regulated through a temporary special privilege pilot program. This item will allow the yearly renewal of the special privilege permits, thereby allowing the City to regulate mobile billboards on a continuous basis.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?**  X  YES \_\_\_ NO

**PRIMARY DEPARTMENT:** Planning & Inspections, Planning Division

**SECONDARY DEPARTMENT:** N/A

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\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

*Philip Etiwe*

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**AN ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES), CHAPTER 15.08 (STREET RENTALS), SECTION 15.08.160 (MOBILE BILLBOARDS) OF THE EL PASO CITY CODE ENDING THE MOBILE BILLBOARD PILOT PROGRAM AND ALLOWING MOBILE BILLBOARD PERMITS TO BE ISSUED ON A YEARLY BASIS. THE PENALTY IS AS PROVIDED UNDER CHAPTER 15.08.160 OF THE EL PASO CITY CODE.**

**WHEREAS**, the public right of way is primary for the passage of persons and goods;  
and

**WHEREAS**, the City has authority to allow for the use of a street for a private purpose provided that use does not interfere with the public use of the street and does not create a dangerous condition on the street; and

**WHEREAS**, the City finds that it is in the best interest of the public to regulate mobile billboards on city streets in order to ensure that the public use of the street is maintained and no dangerous conditions on the street are created; and

**NOW THEREFORE, 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) is amended, establishing Section 15.08.160 (Mobile Billboards), Subsection C, of the El Paso City Code is amended as:

- C. Permit. An applicant who wants to operate a mobile billboard on the public right-of-way shall apply for a permit on an application form as required by the director. The director shall issue no more than three permits to three applicants that comply with requirements of this section and any regulations adopted by the director pursuant to this section. The director shall not issue a permit to an applicant that does not comply with the requirements of this section or any regulations adopted by the director pursuant to this section. An applicant is not eligible to apply for a permit for one year following a revocation of a permit under this section. Unless terminated earlier as provided under this section, all permits issued under this section expire one (1) year from date of permit issuance. A permit may be renewed by submitting updated documents and providing payment of the annual fee, in accordance with the approved Special Privilege Development Agreement. An applicant shall apply for renewal at least sixty days before the expiration of the registration. No permit shall be issued to an applicant owing ad valorem taxes to the city or who has defaulted on an agreement with the city within five years preceding the application for a permit under this section. Notwithstanding anything to the contrary, a permit may only be issued to an applicant who owns the mobile billboard for which the permit is requested. All application forms and documents under this section must be executed by the owner of the mobile billboard. Nothing in the section prohibits city council from amending this section to change the expiration date of all permits.

*Signatures on Following Page)*

**APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

**THE CITY OF EL PASO:**

\_\_\_\_\_  
Oscar Leeser  
Mayor

**ATTEST:**

\_\_\_\_\_  
Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

*Russell Abeln*  
\_\_\_\_\_  
Russell T. Abeln  
Senior Assistant City Attorney

**APPROVED AS TO CONTENT:**

*Philip Etiwe*  
\_\_\_\_\_  
Philip Etiwe, Director  
Planning & Inspections Department

## REDLINES

### 15.08.160

C. Permit. An Applicant who wants to operate a Mobile Billboard on the Public Right-of-Way shall apply for a Permit on an application form as required by the Director. The Director shall issue no more than three Permits to three Applicants that comply with requirements of this Section and any regulations adopted by the Director pursuant to this Section. The Director shall not issue a Permit to an Applicant that does not comply with the requirements of this section or any regulations adopted by the Director pursuant to this section. An Applicant is not eligible to apply for a permit for one year following a revocation of a permit under this Section. Unless terminated earlier as provided under this section, all permits issued under this section expire ~~on February 15, 2024~~ **one (1) year from date of permit issuance. A permit may be renewed by submitting updated documents and providing payment of the annual fee, in accordance with the approved Special Privilege Development Agreement. An applicant shall apply for renewal at least sixty days before the expiration of the registration.** No Permit shall be issued to an Applicant owing ad valorem taxes to the City or who has defaulted on an agreement with the City within five years preceding the application for a Permit under this Section. Notwithstanding anything to the contrary, a Permit may only be issued to an Applicant who owns the Mobile Billboard for which the permit is requested. All application forms and documents under this section must be executed by the owner of the Mobile Billboard. Nothing in the section prohibits City Council from amending this Section to change the expiration date of all Permits.