

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

AGENDA DATE: March 14, 2023

PUBLIC HEARING DATE: March 28, 2023

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Kevin Smith, (915) 212-1566

DISTRICT(S) AFFECTED: All Districts

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

SUBGOAL: 3.1 Provide business friendly permitting and inspection process
3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.150 (Shared Mobility Devices), to make the current permitting program permanent. The penalty is as provided in Section 15.08.150 of the El Paso City Code.

BACKGROUND / DISCUSSION:

On January 8, 2019, City Council approved an ordinance establishing a twelve-month pilot program for the shared use mobility devices. City Council approved extensions of the pilot program to April 1, 2023. This is a staff recommendation to sunset the pilot program and to permit permanent deployment of these devices.

PRIOR COUNCIL ACTION:

- January 8, 2019 – City Council approved Ordinance 018899 establishing and governing the shared mobility pilot program.
- January 21, 2020 – City Council approved Ordinance 019012 extending pilot program by one year, to January 31, 2021.
- January 19, 2021 – City Council approved Ordinance 019134 extending pilot program by one year, to January 31, 2022.
- January 19, 2022 – City Council approved Ordinance 019281 extending pilot program by one year, to January 31, 2023.
- January 31, 2023 – City Council approved Ordinance 019433 extending the pilot program by 60 days.

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

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

DEPARTMENT HEAD:

Philip Etiwe

ORDINANCE NO. _____

ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES), CHAPTER 15.08 (STREET RENTALS), SECTION 15.08.150 (SHARED MOBILITY DEVICES), TO MAKE THE CURRENT PERMITTING PROGRAM PERMANENT. THE PENALTY IS AS PROVIDED IN SECTION 15.08.150 OF THE EL PASO CITY CODE.

WHEREAS, on January 8th, 2019 the City of El Paso adopted Ordinance No. 018899 allowing for the placement of shared mobility devices on the public right of way for a 12 month evaluation period; and

WHEREAS, on January 21st, 2020 the City of El Paso adopted Ordinance No. 019012 extending the evaluation period for an additional 12 month period; and

WHEREAS, on January 19th, 2021 the City of El Paso adopted Ordinance No. 019134 extending the evaluation period for an additional 12 month period; and

WHEREAS, on January 19th, 2022 the City of El Paso adopted Ordinance No. 019281 extending the evaluation period for an additional 12 month period; and

WHEREAS, on January 31st, 2023 the City of El Paso adopted Ordinance No. 019433 extending the evaluation period for an additional 60 days; and

WHEREAS, City Council wishes to sunset the pilot program and authorize permitted allowance of shared mobility devices on City right-of-way;

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

SECTION 1. Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.150 (Shared Mobility Devices), Subsection C, of the El Paso City Code is amended to read as follows:

- C. Permit. A person who wants to place a shared use mobility device on the public right-of-way shall apply for a permit on an application form as required by the director. The director shall issue a permit to a person that complies with requirements of this section and any regulations adopted by the director pursuant to this section. The director shall not issue a permit to a person that does not comply with the requirements of this section or any regulations adopted by the director pursuant to this section. A person 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 after 12 months of issuance regardless of the date such permit is issued. No permit shall be issued to a person 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 a person who owns the shared use mobility devices for which the permit is requested. All application forms and documents under this section must be executed by the owner of the shared use mobility devices. Nothing in the section prohibits city council from amending this section to change the expiration date of all permits.

SECTION 2. Except as herein amended, all provisions of Title 15 remain in full force and effect.

SIGNATURES ON FOLLOWING PAGE

ORDINANCE NO. _____

HQ 23- 461 | Tran #488155 | Planning & Inspections Dept.

Title 15 – Shared Use Mobility Devices (Scooter) – Ordinance Amendment

RTA

ADOPTED this _____ day of _____, 2023.

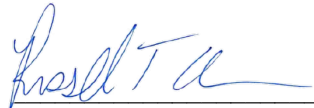
CITY OF EL PASO:

Oscar Leeser, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning and Inspections Department

ORDINANCE NO. _____

HQ 23- 461 | Tran #488155 | Planning & Inspections Dept.
Title 15 – Shared Use Mobility Devices (Scooter) – Ordinance Amendment
RTA

Redlines

Title 15.08.150 – Shared Mobility Devices

C. Permit. A person who wants to place a shared use mobility device on the public right-of-way shall apply for a permit on an application form as required by the director. The director shall issue a permit to a person that complies with requirements of this section and any regulations adopted by the director pursuant to this section. The director shall not issue a permit to a person that does not comply with the requirements of this section or any regulations adopted by the director pursuant to this section. A person 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 after 12 months of issuance regardless of the date such permit is issued~~sixty (60) days after the date this Ordinance is approved~~. No permit shall be issued to a person 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 a person who owns the shared use mobility devices for which the permit is requested. All application forms and documents under this section must be executed by the owner of the shared use mobility devices. Nothing in the section prohibits city council from amending this section to change the expiration date of all permits.