

019137

**AN EMERGENCY ORDINANCE  
RE-ENACTING EMERGENCY ORDINANCE NO. 019091, AS AMENDED BY  
EMERGENCY ORDINANCE NO. 019119; PENALTY AS PROVIDED IN SECTION 6**

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas declared a state of disaster and the President of the United States of America declared a national emergency in relation to COVID-19; and

**WHEREAS**, by proclamation issued on March 13, 2020, the Mayor declared a local state of disaster for the City of El Paso resulting from a public health emergency; and

**WHEREAS**, on March 17, 2020, El Paso City Council adopted Emergency Ordinance No. 019035 extending the City’s Disaster Declaration due to a Public Health Emergency; and

**WHEREAS**, since March 2020, El Paso City Council has re-enacted Emergency Ordinance No. 019035 monthly basis; and

**WHEREAS**, Governor Abbott similarly renewed the State’s COVID-19 Disaster Declaration; and

**WHEREAS**, El Paso City Charter Section 3.10 allows City Council to adopt an emergency ordinance to meet a public emergency affecting life, health, property, or the public peace; and

**WHEREAS**, the El Paso City Council desires to support restaurants and similar establishments in their efforts to safely operate during the COVID-19 pandemic by further facilitating outdoor service and dining opportunities; and

**WHEREAS**, on August 31, 2020, City Council enacted an Emergency Ordinance Instituting Emergency Measures to Allow Temporary Uses on the Public Right of Way and Private Property by Suspending Various City Ordinances (“**Emergency Ordinance No. 019091**”); and

**WHEREAS**, City Council has re-enacted Emergency Ordinance Re-Enacting Emergency Ordinance No. 019091 each month, with the most recent re-enactment taking place on January 5, 2021 (Ord. No. 019127) (“Re-enacting Ordinance”); and

**WHEREAS**, pursuant to City Charter Section 3.10, every emergency ordinance shall stand repealed automatically as of the 31<sup>st</sup> day following the date on which it was adopted, but may be re-enacted if the emergency still exists; and

**WHEREAS**, a disaster continues to exist and requires that certain emergency measures be taken to meet a public emergency affecting life, health, property or the public peace; and

**WHEREAS**, the City Council desires to re-enact its August 31, 2020, Emergency Ordinance No. 019091, as amended by Emergency Ordinance No. 019119, which shall take effect immediately, and remain in effect until March 3, 2021, or until otherwise terminated, re-enacted, or superseded by a conflicting El Paso Local Health Authority order, or state or federal law or order.

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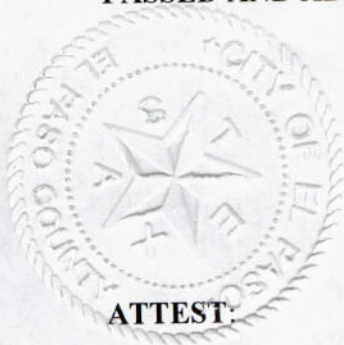
**ORDINANCE NO.** \_\_\_\_\_



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

1. That Emergency Ordinance No. 019091 is re-enacted and shall remain in full force and continue for thirty (30) days unless re-enacted in accordance with City Charter Section 3.10 or until terminated by the City Council, whichever is sooner;
2. This ordinance is adopted as an emergency measure with the unanimous vote of the City Council Representatives present and the consent of the Mayor and pursuant to City Charter Section 3.10.

PASSED AND ADOPTED, this 1<sup>ST</sup> day of February 2021.



**THE CITY OF EL PASO, TEXAS:**

*Oscar Leeser*

Oscar Leeser  
Mayor of the City of El Paso

**ATTEST:**

*Laura D. Prine*

Laura D. Prine  
City Clerk

**APPROVED AS TO FORM:**

*Karla M. Nieman*

Karla M. Nieman  
City Attorney

**APPROVED AS TO CONTENT:**

*Samuel Rodriguez*

Samuel Rodriguez, P.E.  
City Engineer

**019137**

**ORDINANCE NO.** \_\_\_\_\_

20-1052-1069 | PL# 1045713

Re-Enactment of Emergency Ord. No.019091 (Emergency Measures)-Third Re-enactment

KMN | JSG