

EMERGENCY ORDINANCE NO. 3

CONTINUING THE DECLARATION OF EMERGENCY AND RE-ENACTING THE EMERGENCY ORDINANCE INSTITUTING EMERGENCY MEASURES DUE TO A PUBLIC HEALTH EMERGENCY; SEVERABILITY CLAUSE; PENALTY AS PROVIDED HEREIN

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

WHEREAS, Chapter 418 of the Government Code governs Emergency Management at state and local levels, and Chapters 121 and 122 of the Texas Health and Safety Code, establishes the powers and authority of local regulation of public health; and

WHEREAS, by order issued on March 13, 2020 the County Judge of the County of El Paso has declared a county state of disaster for El Paso County, Texas; and

WHEREAS, by proclamation issued on March 16, 2020, the Mayor declared a local state of disaster for the Town of Horizon City resulting from a public health emergency; and

WHEREAS, on March 19, 2020 and April 14, 2020, the City Council of the Town of Horizon City renewed, extended and continued the Mayor's declaration of disaster for thirty days until May 13, 2020, in accordance with Section 418.108 of the Texas Government Code; and

WHEREAS, on March 19, 2020, the City Council adopted an Emergency Order instituting Emergency Measures due to a Public Health Emergency and extended such ordinance by Ordinance No. 2 on April 14, 2020; and

WHEREAS, the Texas Governor continues his emergency declaration, and continues to issue emergency orders to address those certain services that can be reopened ("Reopened Services") on such reopening date(s) stated in each order, and to provide guidance for each category of Reopened Services and urge people and governmental entities to take actions necessary to reopen the economy while slowing the spread of COVID-19, most recently by Orders GA-21 and GA-22 on May 5 and 7, 2020 to expand Reopened Services and revise authorized penalties;

WHEREAS, the number of COVID-19 cases in Horizon City and in the adjacent El Paso County areas continues to rise based on the evidence provided by the local health authority, the El Paso County Judge continues and has amended his orders regarding the movement of people and occupation of premises, which pursuant to Texas Government Code Section 418.108(h)(i) are effective in incorporated (and unincorporated) areas of the county, including the Town of Horizon City; and

WHEREAS, the Town of Horizon City is a home rule municipality and under City Charter Section 3.17 allows for the City Council to adopt an emergency ordinance to meet a public emergency affecting, life, health, property or the public peace; and

WHEREAS, the state of disaster requires that certain emergency measures be taken pursuant to the Executive Order of the Governor Relating to Emergency Management; therefore,