

## **ORDINANCE NO. 503**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BEE CAVE DECLARING A LOCAL STATE OF DISASTER DUE TO WINTER WEATHER EMERGENCY; ESTABLISHING EMERGENCY POWERS FOR THE DURATION OF THE DISASTER; ESTABLISHING REPEALER, SEVERABILITY AND COMPLIANCE WITH STATE LAW.**

WHEREAS, as set forth in Section 418.004(l) of the Texas Government Code, a disaster is the “occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made cause, including fire, flood, earthquake, wind, storm, wave action, oil spill or other water contamination, volcanic activity, epidemic, air contamination, blight, drought, infestation, explosion, riot, hostile military or paramilitary action, or other public calamity requiring emergency action, or energy emergency;” and

WHEREAS, persons within the City of Bee Cave, Travis County, Texas, were severely impacted by the severe winter weather including an imminent threat of injury, loss of life, and widespread and severe property damage; and

WHEREAS, the magnitude of the potential need and the urgency of the need for assistance constitutes an imminent threat of expanding the disaster; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor is designated as the Emergency Management Director of the City of Bee Cave and may exercise those powers granted to the governor on an appropriate local scale and as continued or renewed by City Council action.

### **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEE CAVE, TEXAS:**

- Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.
- Section 2. That the local state of disaster declared by Mayor King for the City of Bee Cave pursuant to §418.108(a) of the Texas Government Code on February 2, 2023, is hereby extended by the City Council until \_\_\_\_\_, 2023 pursuant to § 418.108(b).
- Section 3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster due to winter weather emergency shall be given prompt and general publicity and shall be filed promptly with the City Clerk.

- Section 4. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster due to winter weather emergency activates the City of Bee Cave's emergency management plan.
- Section 5. Pursuant to §418.020(c) of the Government Code, this declaration authorizes the City Manager to exercise all emergency powers as are available to address this emergency.
- Section 6. All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters herein.
- Section 7. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 8. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.
- Section 9. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.
- Section 10. This Ordinance shall be in force and effect from and after its final passage, and any publication required by law.

**PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE \_\_ DAY of FEBRUARY, 2023.**

CITY OF BEE CAVE, TEXAS

By: \_\_\_\_\_  
Kara King, Mayor

ATTEST:

\_\_\_\_\_

Kaylynn Holloway, City Secretary