

## **ORDINANCE NO. 2021-3830**

**AN ORDINANCE AMENDING THE CITY COUNCIL'S ADOPTED RULES OF PROCEDURE FOR CITY COUNCIL MEETINGS; FINDING COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; CONTAINING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

**WHEREAS**, Section 2.07. Meetings. b. Rules. of the City Charter of the City of La Porte provides that "City council shall determine its own rules and order of business."; and

**WHEREAS**, Section 6.09. Decorum. A. By Councilpersons. of the City Council Rules of Procedure and Ethics Policy provides that "6.09. Decorum.

(A) By Councilpersons. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its Presiding Officer, except as otherwise herein provided.

All Councilpersons in the Council chamber must wear an appropriate face mask or face covering over both the nose and mouth during City Council meetings until the City Council deems it appropriate to rescind this requirement."

**WHEREAS**, considering issues related to the spread of COVID-19 and the ensuing local, county, state, and national disaster declarations and applicable restrictions and/or guidelines concerning face masks and face coverings and the protection of those participating in Council meetings; and

**WHEREAS**, the Governor for the State of Texas has issued Executive Order GA-36, which states "no governmental entity, including a county, city, school district, and public health authority, and no governmental official may require any person to wear a face covering or to mandate that another person wear a face covering";

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA PORTE:**

**Section 1.** The City Council Rules of Procedure and Ethics Policy are hereby amended by removing the second paragraph of Section 6.09. Decorum A. By Councilpersons, which reads, "All Councilpersons in the Council chamber must wear an appropriate face mask or face covering over both the nose and mouth during City Council meetings until the City Council deems it appropriate to rescind this requirement."

**Section 2.** Open Meetings Act Notice. The City Council officially finds, determines, recites, and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Act, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City

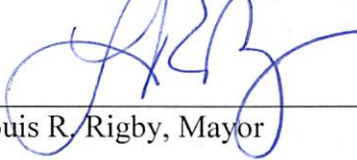
Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

**Section 3.** Repeal. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

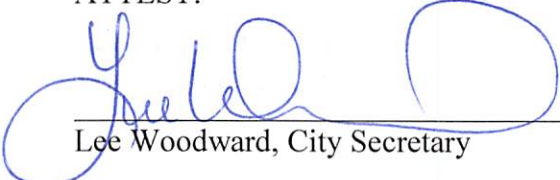
**Section 4.** Effective Date. This ordinance shall take effect immediately upon its passage and approval.

**PASSED AND APPROVED, this 24<sup>th</sup> day of May, 2021.**

**CITY OF LA PORTE, TEXAS**

  
\_\_\_\_\_  
Louis R. Rigby, Mayor

ATTEST:

  
\_\_\_\_\_  
Lee Woodward, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Clark T. Askins, Assistant City Attorney



## Exhibit A

Current wording	Proposed amendment	Wording if adopted
<p>6.09. Decorum.</p> <p>(A) By Councilpersons. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its Presiding Officer, except as otherwise herein provided.</p> <p>During any period in which face masks or face coverings are required in public by a local disaster declaration or other law, all Councilpersons in the Council chamber must wear an appropriate face mask or face covering during City Council meetings.</p>	<p>6.09. Decorum.</p> <p>(A) By Councilpersons. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its Presiding Officer, except as otherwise herein provided.</p> <p><del>All Councilpersons in the Council chamber must wear an appropriate face mask or face covering during City Council meetings until the City Council deems it appropriate to rescind this requirement.</del></p>	<p>6.09. Decorum.</p> <p>(A) By Councilpersons. While the Council is in session, the members must preserve order and decorum, and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the Council nor disturb any member while speaking or refuse to obey the orders of the Council or its Presiding Officer, except as otherwise herein provided.</p>