

ORDINANCE NO. 2023-14

**AN ORDINANCE OF THE CITY OF EAGLE
PASS CODE OF ORDINANCES ESTABLISHING
A PUBLIC HEALTH DEPARTMENT UNDER
TEXAS HEALTH AND SAFETY CODE SECTION
121**

WHEREAS, the City of Eagle Pass, Texas recognizes the importance of maintaining and improving the public health of its residents and visitors; and

WHEREAS, Subchapter D of Chapter 121 of the Texas Health and Safety Code provides for the establishment of a local health department to promote and protect public health; and

WHEREAS, a public health department can provide essential public health services, including disease prevention and control, environmental health services, emergency preparedness and response, and health education and promotion; and

WHEREAS, the City of Eagle Pass, Texas desires to establish a public health department to protect and promote the public health and welfare of its citizens, to prevent the spread of communicable diseases, and to ensure a safe and healthy environment for all residents and visitors.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EAGLE PASS:

SECTION 1: There is hereby established a Public Health Department for the City of Eagle Pass, hereinafter referred to as the "Department," pursuant to the provisions of Subchapter D of Chapter 121 of the Texas Health and Safety Code.

SECTION 2: The Department is established for the purpose of promoting and protecting public health, preventing disease and injury, and ensuring a healthy environment for the residents and visitors of the City of Eagle Pass, Texas. The Department may provide essential public health services, as defined in Section 121.002 of the Texas Health and Safety Code, including but not limited to:

- a) Disease prevention and control, including investigations of infectious diseases, contact tracing, and disease surveillance;
- b) Emergency preparedness and response, including planning and response to natural disasters, outbreaks of infectious disease, and other public health emergencies; and
- c) Health education and promotion, including outreach and education to promote healthy behaviors, prevent chronic diseases, and improve the overall health of the community.

SECTION 3: The Department shall be organized in accordance with the provisions of Chapter 121 of the Texas Health and Safety Code and shall operate under the direction of

a Director appointed by the City Council, who shall be the chief administrative officer, and if the Director is a physician, the Director is also the Health Authority; however, if the Director is not a physician, the Director shall appoint a physician as the health authority, subject to the approval of the City Council and the Department.

SECTION 4: The Department shall have the powers and duties provided for in Chapter 121 of the Texas Health and Safety Code, including, providing essential public health services to:

- a) monitor the health status of individuals in the community to identify community health problems;
- b) diagnose and investigate community health problems and community health hazards;
- c) inform, educate, and empower the community with respect to health issues;
- d) mobilize community partnerships in identifying and solving community health problems;
- e) develop policies and plans that support individual and community efforts to improve health;
- f) enforce laws and rules that protect the public health and ensure safety in accordance with those laws and rules;
- g) link individuals who have a need for community and personal health services to appropriate community and private providers;
- h) ensure a competent workforce for the provision of essential public health services;
- i) research new insights and innovative solutions to community health problems; and
- j) evaluate the effectiveness, accessibility, and quality of personal and population-based health services in a community.

SECTION 5: The Department shall be funded by the City of Eagle Pass and may receive grants and other funding as provided for by law.

SECTION 6: The Department may contract with individuals or entities to perform services, provide goods, or otherwise assist in the operation of the Department.

SECTION 7. If any section, part, or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Council in passing this Ordinance that its parts shall be severable, and all other parts of this Ordinance shall not be affected thereby, and they shall remain in full force and effect.

SECTION 8. This ordinance shall be in full force and effect from and after its final passage and publication as provided by law.

READ, PASSED, AND APPROVED ON FIRST READING on this 15th Day of May, A.D., 2023.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES: Salinas, Diaz, Garcia
NAYS: None
ABSTAINED: None
ABSENT: Davis and Cruz

READ, PASSED, AND APPROVED ON FIRST READING on this 6th Day of June, A.D., 2023.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES: Salinas, Davis, Diaz, Garcia, Cruz
NAYS: None
ABSTAINED: None
ABSENT: None

READ, PASSED, AND APPROVED ON FIRST READING on this 13th Day of June, A.D., 2023.

ATTEST:

Rolando Salinas
Mayor

Imelda B. Rodriguez
City Secretary

AYES: Salinas, Davis, Diaz, Garcia and Cruz

NAYES: None

ABSTAINED: None

ABSENT: None

APPROVED AS TO FORM AND LEGALITY:

Langley & Banack, Inc.
City Attorney