



**Issue:** **Effective Date of Ordinance 2211 and the Repeal of the City's Current State of Emergency.**

**Date:** January 4, 2022

**Submitted:** Nick Woodman, City Attorney

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On July 26, 2021, Mayor Steele signed Ordinance 2211 into law. This Ordinance repealed Ordinance 2110 and Ordinance 2111, which both formed the legal foundation for the City's COVID-19 state of emergency and the executive actions taken by the Mayor. Ordinance 2211 had a delayed and conditional effective date, meaning the repeal action of the Ordinance would take effect later or upon the occurrence of a certain condition.

Specifically, Ordinance 2211 would become effective on September 1, 2021, or upon the expiration of the Missouri Governor's State of Emergency related to COVID-19 (Executive Order 21-09), whichever event occurs later. The Governor kept the statewide state of emergency in effect since the passage of Ordinance 2211. Recently, the Governor announced that he would let the state of emergency expire on December 31, 2021.

With the Governor's expiration of the statewide state of emergency, Ordinance 2211 has become effective and as a result, the City Council's declared state of emergency in the City of Nixa has terminated and Ordinance 2110 and Ordinance 2111 have been repealed.

1 AN ORDINANCE OF THE COUNCIL OF THE CITY OF NIXA REPEALING  
2 ORDINANCE 2110 & ORDINANCE 2111 FOR THE PURPOSE OF TERMINATING  
3 THE STATE OF EMERGENCY AND EMERGENCY POWERS GRANTED TO THE  
4 MAYOR TO ADDRESS THE COVID-19 PANDEMIC.  
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6  
7 WHEREAS on March 18, 2020, the City Council adopted Ordinance 2110 for the  
8 purpose of declaring a state of emergency within the City of Nixa and delegating certain  
9 emergency powers to the Mayor to address the COVID-19 Pandemic; and  
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11 WHEREAS on March 23, 2020, the City Council adopted Ordinance 2111 to  
12 extend the state of emergency declared by Ordinance 2110; and  
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14 WHEREAS the City Council now desires to repeal these Ordinance to terminate  
15 the state of emergency and to withdraw the Mayor's emergency powers.  
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17 NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF  
18 NIXA, AS FOLLOWS, THAT:  
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20 SECTION 1: City Council hereby repeals, in their entirety, Ordinance 2110,  
21 adopted on March 18, 2020, and Ordinance 2111, adopted on March 23, 2020. Said  
22 Ordinances shall have no further effect within the City of Nixa from the effective date of  
23 this Ordinance.  
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25 SECTION 2: This Ordinance shall be in full force and effect on September 1,  
26 2021, or upon expiration of the Missouri Governor's State of Emergency related to  
27 COVID-19, which ever event occurs later.  
28

29 ADOPTED BY THE CITY COUNCIL THIS 26<sup>TH</sup> DAY OF JULY 2021.  
30

31 ATTEST:

32 Cindy Robbins  
33 CITY CLERK  
34

[Signature]  
PRESIDING OFFICER

35 APPROVED BY THE MAYOR THIS 26<sup>th</sup> DAY OF July 2021.  
36

37 ATTEST:

38 Cindy Robbins  
39 CITY CLERK  
40

[Signature]  
MAYOR

41 APPROVED AS TO FORM:  
42

43 [Signature]  
44 CITY ATTORNEY  
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46

**AMENDMENT NO. 2 TO COUNCIL BILL NO. 2021-068**

**A MOTION:**

To amend said Council Bill by striking out the following language appearing on lines 24 through 26:

“from and after its final passage by the City Council and after its approval by the Mayor, subject to the provisions of section 3.11(g) of the City Charter.”

and inserting in lieu thereof the following language:

“on September 1, 2021, or upon expiration of the Missouri Governor’s State of Emergency related to COVID-19, which ever event occurs later.”

So that, the language of Section 2 of the bill shall thereafter read as follows:


“This Ordinance shall be in full force and effect on September 1, 2021 , or upon expiration of the Missouri Governor’s State of Emergency related to COVID-19, which ever event occurs later.”

Said Amendment was adopted by the required majority of City Council on the 26<sup>th</sup> day of July 2021 and said Council Bill was therefore amended and modified as set forth herein.



\_\_\_\_\_  
PRESIDING OFFICER

ATTEST:

  
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CITY CLERK