



City of Omaha  
Jean Stothert, Mayor

## Law Department

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**Paul D. Kratz**  
City Attorney

Honorable President

and Members of the City Council,

Attached for your consideration is an Ordinance requested by Councilmembers Pete Festersen and Ben Gray. The Ordinance amends Omaha Municipal Code Chapter 12, Article III, entitled "Prevention of COVID-19," Section 12-51, extending the sunset provision of Article III from February 23, 2021, to May 25, 2021.

If passed, the Ordinance, being legislative in character, would take effect 15 days from the time of its passage pursuant to Section 2.12 of the Home Rule Charter of the City of Omaha.

Councilmembers Pete Festersen and Ben Gray request your favorable consideration of this Ordinance.

Respectfully submitted,

Ryan J. Wiesen  
Assistant City Attorney

01/15/2021

Date

ORDINANCE NO. \_\_\_\_\_

1 AN ORDINANCE to amend Chapter 12, Article III, entitled "Prevention of COVID-19," Section  
2 12-51 of the Omaha Municipal Code; to extend the sunset provision; and to provide the  
3 effective date thereof.

4 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OMAHA:

5 Section 1. That, as a result of the Novel Coronavirus (COVID-19) pandemic and with  
6 continued community transmission of confirmed COVID-19 cases within the City limits of the  
7 City of Omaha, a danger to the public health, safety, and welfare continues to exist within the  
8 City of Omaha. This ordinance seeks to extend the imposition a non-pharmaceutical  
9 intervention to combat the spread of COVID-19 and to halt the progression thereof.

10 Section 2. That Chapter 12, Article III, Section 12-51 of the Omaha Municipal Code is  
11 hereby amended as follows:

12 **Sec. 12-51. – Sunset Provision.**

13 The requirements imposed by this Article shall expire and terminate at 11:59 p.m. on  
14 ~~February 23~~May 25, 2021, unless otherwise extended by ordinance of the City Council.

15  
16 Section 3. The sections, subsections, paragraphs, sentences, clauses, and phrases of  
17 this Ordinance are severable, and if any section, subsection, paragraph, sentence, clause, or  
18 phrase of this Ordinance shall be declared invalid, unenforceable, or unconstitutional by the  
19 valid judgment or decree of a court of competent jurisdiction, such invalidity, unenforceability, or  
20 unconstitutionality shall not affect any of the remaining sections, subsections, paragraphs,  
21 sentences, clauses, or phrases of this Ordinance.

22 Section 4. This Ordinance shall be in full force and take effect 15 days from and after  
23 the date of its passage.

ORDINANCE NO. \_\_\_\_\_  
PAGE 2

INTRODUCED BY COUNCILMEMBER

\_\_\_\_\_

APPROVED BY:

PASSED \_\_\_\_\_

\_\_\_\_\_  
MAYOR OF THE CITY OF OMAHA      DATE

ATTEST:

\_\_\_\_\_  
CITY CLERK OF THE CITY OF OMAHA      DATE

APPROVED AS TO FORM:

 01/15/2021

\_\_\_\_\_  
ASSISTANT CITY ATTORNEY      DATE