

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**



DEPARTMENT: Code Enforcement Department

AGENDA DATE: 8/12/25

PUBLIC HEARING DATE: 8/19/25

CONTACT PERSON NAME: Code Enforcement, Steve Alvarado

PHONE NUMBER: 915-212-6026

2nd CONTACT PERSON NAME:

PHONE NUMBER:

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL:

Goal 2 - Set the Standard for a Safe and Secure City

SUBGOAL:

2.8 - Implement Effective Code Enforcement Strategies to Reduce Nuisances, Enhance Visual Appearance and Improve Overall Health and Safety

SUBJECT:

An Ordinance amending Title 9 (Health and Safety), Chapter 9.12 (Food and Food Handling Establishments), Section 9.12.007 (Applicability) of the El Paso City Code to perform the following in accordance with House Bill 2844 of the Texas 89th Legislative Session: amend Section 9.12.007 (Applicability), to add a separate provision. The penalty as provided in 9.12.890 of the El Paso City Code.

BACKGROUND / DISCUSSION:

On May 19, 2025, Governor Abbott signed into law House Bill 2844, which requires us to amend Title 9 to meet the new State requirements for restaurants.

COMMUNITY AND STAKEHOLDER OUTREACH:

No.

PRIOR COUNCIL ACTION:

No prior city Council action.

AMOUNT AND SOURCE OF FUNDING:

No impact to the current budget as these enforcement actions are being addressed by Code Enforcement.

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

NAME	AMOUNT (\$)

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

Arthur Steve Alvarado

Digitally signed by Arthur Steve Alvarado
Date: 2025.08.05 16:21:14 -06'00'

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 9 (HEALTH AND SAFETY), CHAPTER 9.12 (FOOD AND FOOD HANDLING ESTABLISHMENTS), SECTION 9.12.007 (APPLICABILITY) OF THE EL PASO CITY CODE TO PERFORM THE FOLLOWING IN ACCORDANCE WITH HOUSE BILL 2844 OF THE TEXAS 89TH LEGISLATIVE SESSION: AMEND SECTION 9.12.007 (APPLICABILITY), TO ADD A SEPARATE PROVISION. THE PENALTY AS PROVIDED IN 9.12.890 OF THE EL PASO CITY CODE.

WHEREAS, House Bill 2844 of the Texas 89th Legislative Session requires the city to amend any ordinance relating to the regulation of food service establishments, including retail food stores and mobile food vendors; and

WHEREAS, the City of El Paso wishes to amend Title 9, Chapter 9.12, Section 9.12.007 Applicability.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

SECTION 1. That Title 9 (Health and Safety), Chapter 9.12 (Food and Food Handling Establishments), Section 9.12.007 (Applicability) of the El Paso City Code is hereby amended to read:

This chapter shall not apply to the following, as they are not considered to be food establishments under 25 Texas Administrative Code Section 228.2 Definitions Subsection 57(D):

A.—G.

This chapter does not affect small-scale food businesses as defined in Chapter 437, Section 437.0063 of the Texas Health and Safety Code. Section 437.0063 of the Texas Health and Safety Code is adopted by reference.

SECTION 2. Except as herein amended, Title 9 of the El Paso City Code shall remain in full force and effect.

(Signatures on Following Page)

ORDINANCE NO. _____

ADOPTED this ____ day of _____, 2025.

CITY OF EL PASO

Renard U. Johnson
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Eric Gutierrez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Arthur S. Alvarado, Director
Code Enforcement Department

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