

ORDINANCE NO. _____

AN ORDINANCE AMENDING EL PASO CITY CODE TITLE 13 (STREETS, SIDEWALKS AND PUBLIC PLACES), CHAPTER 13.38 (SPECIAL EVENTS) SECTION 13.38.40 (PERMIT APPLICATION) TO AMEND SUBSECTION E (INSURANCE AND INDEMNIFICATION AGREEMENT) TO AMEND LANGUAGE REFERENCING THE RISK MANAGEMENT OFFICE BY REPLACING WITH ENTERPRISE RISK AND SAFETY OFFICE, THE PENALTY BEING AS PROVIDED IN SECTION 13.38.110 (VIOLATION—PENALTY) OF THE EL PASO CITY CODE.

WHEREAS, by Ordinance No. _____, the El Paso City Council created the Enterprise Risk and Safety Office for the purpose of strengthening governance, accountability, transparency and enable informed decision-making; and

WHEREAS, due to the creation of the newly formed Enterprise Risk and Safety Office it is found the amendments to the El Paso City Code are required.

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

SECTION 1. That Title 13 (Streets, Sidewalks and Public Places), Chapter 13.38 (Special Events), Section 13.38.40 (Permit Application), Subsection E (Insurance and Indemnification Agreement) is amended to read as follows:

13.38.40(E)– Insurance and Indemnification Agreement.

Insurance and Indemnification Agreement. In addition, prior to permit issuance, the following documentation shall be submitted to the Permit Official no later than three (3) business days prior to the date the special event is scheduled to begin.

1. Indemnification Agreement. An applicant, by accepting and signing permit, agrees to indemnify, defend and hold harmless the City, its officers, agents, servants, and employees for and against all claims, causes of action, liability, damages, or expenses (including, but not limited to attorney fees and costs) for any damage or loss of property, illness, injury, physical, or mental impairment, loss of service, or death to any person arising out of or in connection with the special event. The indemnity specifically covers the City's own negligence, whether joint or sole. Entities that may not lawfully grant indemnities or may not lawfully be required to do so by the City need not grant the indemnity provided for in this subsection.
2. Insurance. A certificate of liability insurance shall be required naming the City as an additional insured in the amount and type of coverage required by the City's Enterprise Risk and Safety Office. If such policy shall not be kept in full force and effect, the permit shall thereupon automatically become void.

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SECTION 3. Except as herein amended Title 13 (Streets, Sidewalks and Public Places) of the El Paso City Code shall remain in full force and effect.

ADOPTED this _____ day of _____, 2026.

THE CITY OF EL PASO

Renard U. Johnson, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:

Sarah Hartnett

Sarah L. Hartnett
Senior City Attorney

APPROVED AS TO CONTENT:

Yvette G. Griffin

Yvette G. Griffin
Enterprise Risk and Safety Office