

WINTER WEATHER EVENT

ORDER NO. 20210216-027

BY

THE MAYOR OF THE CITY OF AUSTIN

WHEREAS, as of February 12, 2021, Governor Greg Abbott a issued disaster proclamation certifying that severe winter weather poses an imminent threat of widespread and severe property damage, injury and loss of life due to prolonged freezing temperatures, heavy snow, and freezing statewide and declaring a state of disaster in all 254 Texas counties pursuant to §418.017 of the Texas Government Code; and

WHEREAS, beginning February 14, 2021, the City of Austin, Texas, has experienced severe snow and ice storm coupled with extremely cold temperatures; and

WHEREAS, on February 14, 2021, I, Mayor Steve Adler, issued a Declaration of Local Disaster pursuant to Texas Government Code Chapter 418, to allow the City of Austin to take measures in response to the severe snow and ice storm coupled with extremely cold temperatures and protect the health and safety of Austin residents; and

WHEREAS, due to record low temperatures, the ERCOT power system is currently facing an unprecedented peak in winter demand for electricity, and this record demand continues to exceed the generation capacity available to serve the grid;

WHEREAS, ERCOT has issued a Level 3 Energy Emergency Alert (“EEA 3”) and ordered electric utilities across the state to implement controlled power outages to reduce high demand and protect the integrity of the electric grid, and the duration of these controlled outages has been significantly extended due to the current emergency grid conditions and severe cold weather;

WHEREAS, the continuation of extreme weather and resulting controlled outages presents an imminent threat to the health and safety of Austin residents; and

WHEREAS, these outages have been taking place across the service territory, and ERCOT is unable to predict when grid conditions will improve enough to restore the grid to full functionality; and

WHEREAS, the citizens and businesses of Austin can do their part to help alleviate the strain of electricity demand on the grid – any reduction of electricity consumption, particularly during peak morning hours tomorrow, will help stabilize the grid and reduce the likelihood that more controlled outages will be necessary.

NOW THEREFORE, I, MAYOR OF THE CITY OF AUSTIN, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY ORDER, EFFECTIVE AS OF FEBRUARY 16, 2021, AND CONTINUING THROUGH FEBRUARY 22, 2021, THAT IN THE CITY OF AUSTIN:

SECTION 1. Effective as of February 16, 2021, and continuing through February 22, 2021:

- (a) A manufacturing, industrial, or commercial business that uses electricity in its operations or processes is ordered to minimize or shut down non-essential processes and operations to the greatest extent possible.
- (b) All Austin residents and businesses within Austin are advised to set their thermostats to no more than 68 degrees.
- (c) This Order does not apply to a business providing essential services, or any manufacturing or industrial processes or operations that must remain engaged to prevent damage to facilities or equipment or to otherwise maintain the integrity of those processes or operations, but only to the extent such processes or operations cannot be minimized or wound-down as expeditiously as possible.
- (d) This order is supplemental to any orders or directives issued by the Governor, Public Utility Commission of Texas, and ERCOT, and is not intended to conflict with or supplant any such orders or directives.

SECTION 2. Effective as of February 16, 2021, and continuing through February 22, 2021, unless terminated or modified by a subsequent Order, the Mayor of the City of Austin deems it in the public interest to **PROHIBIT** the sale of any of the following good or services for more than the price the person charged for the goods or services on February 11, 2021, except where an increased retail price is the result of increased supplier or other costs (including the loss of supplier supporting funds):

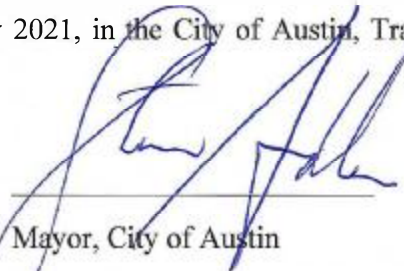
- (a) groceries, beverages, toilet articles, ice;
- (b) restaurant, cafeteria, and boarding-house meals;
- (c) medicine, pharmaceutical, and medical equipment and supplies;
- (d) hotel rooms, motel rooms, or any other temporary lodging available to the public;
- (e) transportation provision;
- (f) matches, candles, lamp illumination and heat unit carbides, dry batteries, light bulbs, flashlights, and hand lanterns;
- (g) hand tools (manual and power), hardware and household supplies, and equipment rental; and
- (h) plumbing and electrical tools and supplies.

SECTION 3. Enforcement. The actions described in Section 2 are prohibited and enforced under the Texas Deceptive Trade Practices-Consumer Protection Act through a temporary restraining order, permanent injunction assessment of civil penalties of (a) not more than \$10,000 per violation and, (b) if the act or practice subject to the proceeding was calculated to acquire or deprive money or other property from a consumer who was 65 years of age or older when the act or practice occurred, an additional amount of not more than \$250,000.

SECTION 4. Savings Clause. If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

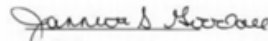
SECTION 5. Posting. Austin Energy and the City Clerk will post this Order on their websites. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.

ORDERED this the 16th day of February 2021, in the City of Austin, Travis County, Texas, in witness whereof I subscribe my name.



Mayor, City of Austin

Filed with me, the City Clerk of the City of Austin, this ___ day of February 2021, by Mayor Steve Adler, whose signature I hereby attest under my hand.



City Clerk