

ORDINANCE NO. 20-015

AN ORDINANCE OF THE CITY OF BEAUMONT EXTENDING THE STAY HOME-WORK SAFE ORDER OF THE CITY OF BEAUMONT; PROVIDING FOR SEVERABILITY AND PROVIDING A PENALTY.

WHEREAS, on the 16<sup>th</sup> day of March, 2020 the Mayor issued a Proclamation, as amended March 19, 2020, declaring a State of Disaster for the City of Beaumont, Texas resulting from the imminent threat to the public health and the potential loss of life from the spread of COVID-19 in the City of Beaumont; and,

WHEREAS, the conditions necessitating Declaration of a State of Disaster continue to exist; and,

WHEREAS, the City Council, on March 23, 2020 passed Ordinance No. 20-010 extending the Declaration of Local Disaster due to public health emergency until such time as the Declaration is terminated by ordinance of the City Council; and,

WHEREAS, the Mayor determined that further restriction of movement of persons was necessary to reduce the substantial risk of harm to the public and therefore, citizens are required to stay at home or place of residence except to perform certain essential activities or to perform work in or obtain services from an essential business, essential government service, or in critical infrastructures; and,

WHEREAS, the Mayor, on March 27, 2020, issued a Stay Home-Work Safe Order, as amended on March 31, 2020, for the citizens of Beaumont. The Order, as amended, is attached hereto by reference as Exhibits "1" and "2."

WHEREAS, Section 418.108(b) of the Texas Government Code provides that a Local State of Disaster may not be continued for a period in excess of seven (7) days without the consent of the governing body of the political subdivision;

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

THAT the statements and findings set forth in the preamble to this ordinance are hereby,  
in all things, approved and adopted; and,

Section 1.

Pursuant to Section 122.006 of the Texas Health and Safety Code, the City is authorized to take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals. The City of Beaumont hereby declares that those persons under investigation, persons under management and quarantined persons remain within the confines of their homes or in safe, secure facilities during the quarantine period following their exposure to the COVID-19 virus.

Section 2.

The Stay Home-Work Safe Order issued by the Mayor for the City of Beaumont on March 27, 2020, as amended, is hereby adopted and shall continue in effect until terminated by ordinance of the City Council.

Section 3.

That the March 31, 2020 amended Stay Home-Work Safe Order is further amended as follow:

- (A.) To prohibit the use of, and access to playground equipment and basketball courts in all city parks.
- (B.) To amend **Section 5, One Adult Rule**, to read as follows: Only one adult member of a household can enter any retail/wholesale establishment at one time. The one adult may also be accompanied by a Functional Needs adult

who requires the assistance and care of the one adult entering the establishment. This applies to those essential activities, businesses, critical infrastructure, travel, and basic operations outlined in Section 6 below.

(C.) To amend **Section 8**, to read as follows: The City of Beaumont suspends the charging and collection of all fares for service for the Beaumont Municipal Transit System. Beaumont Municipal Transit shall enforce the social distancing requirements. Travel shall be limited to the essential travel as outlined herein.

#### Section 4.

That if any section, subsection, sentence, clause or phrase of this ordinance, or the application of same to a particular set of persons or circumstances should for any reason be held to be invalid, such invalidity shall not affect the remaining portions of this ordinance, and to such end the various portions and provisions of this ordinance are declared to be severable.

#### Section 5.

Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

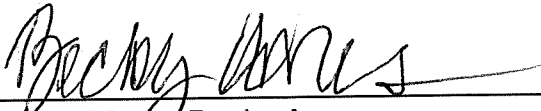
#### Section 6.

This ordinance is passed as an emergency measure and pursuant to local authority for emergency measures and shall become effective immediately upon its approval.

The meeting at which this ordinance was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

PASSED BY THE CITY COUNCIL of the City of Beaumont this the 3rd day of April, 2020.



  
- Mayor Becky Ames -