

ORDINANCE NO. 2020-4164

EXTENSION OF DISASTER ORDINANCE

WHEREAS, on March 17, 2020, the Mayor of College Station issued a proclamation declaring a state of disaster for the City of College Station resulting from the threat of a public health emergency resulting from coronavirus disease 2019, now designated SARS-CoV2, (COVID-19); and

WHEREAS, on March 18, 2020 the Mayor of College Station issued an order closing all bars, limiting restaurants to only take-out, drive-through, or delivery services and limiting gatherings to less than ten (10) people in the best interest of the public health, safety and welfare to protect life in College Station in response to COVID-19; and

WHEREAS, the conditions necessitating declaration of a state of disaster and order continue to exist; and

WHEREAS, §418.108(b) of the Texas Government Code provides that a local state of disaster may not be continued for a period of excess of seven days without the consent of the governing body of the political subdivision;

NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF COLLEGE STATION:

1. That the state of disaster proclaimed by the Mayor on March 17, 2020, and the order and amended disaster declaration issued by the Mayor on March 18, 2020, as set out in **Exhibit A** shall both continue until terminated by order of the College Station City Council; and
2. This ordinance is passed as an emergency measure and pursuant to local authority for emergency measures and shall become effective on the 23rd day of March, 2020.

PASSED AND ADOPTED, this 23rd day of March, 2020.

APPROVED:



Mayor

ATTEST:



City Secretary

APPROVED:



City Attorney

EXHIBIT A

MARCH 17, 2020 DECLARATION OF LOCAL DISASTER OF

AND

**MARCH 18, 2020 ORDER AND AMENDMENT TO DECLARATION OF LOCAL
DISASTER OF MARCH 17, 2020**



DECLARATION OF DISASTER

WHEREAS, the City of College Station on the 17th day of March, 2020, has identified an imminent threat of a public health emergency resulting from coronavirus disease 2019, now designated SARS-CoV2, (COVID-19); and

WHEREAS, beginning in December 2019, the virus causing COVID-19 was first identified during an outbreak detected in Wuhan, China; and

WHEREAS, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

WHEREAS, COVID-19 mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the World Health Organization on March 11, 2020, declared COVID-19 a pandemic; and

WHEREAS, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and

WHEREAS, the Mayor of the City of College Station has determined extraordinary measures must be taken to contain and prevent COVID-19 from spreading, to alleviate people from suffering and to protect life throughout the City of College Station; and

WHEREAS, this state of disaster requires certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, pursuant to Chapter 418 of the Texas Government Code.

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF COLLEGE STATION:

1. That a local state of disaster is hereby declared pursuant to §418.108(a) of the Texas Government Code.
2. Pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration, unless continued or renewed by the City Council of College Station.

3. Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the, City of College Station’s Emergency Management Plan.
5. That this declaration authorizes the City to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures, examining and regulating hospitals, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, establishment of quarantine stations, emergency hospitals, and other hospitals, and insuring compliance for those who do not comply with the City’s rules, pursuant to §122.006 of the Health and Safety Code.
6. That this declaration hereby recommends the size of gatherings to not more than ten (10) people and recommends the cancellation of all such gatherings until further notice. A “gathering” refers generally to a scheduled event or common endeavor where more than ten (10) persons are present in a confined space, room, or area.
7. In accordance with §418.173 of the Texas Government Code, a person who knowingly or intentionally violates this declaration commits an offense, punishable by a fine up to \$1,000.00 or confinement in jail for a term that does not exceed 180 days.
8. That this declaration hereby authorizes the use of all lawfully available enforcement tools.
9. That this proclamation shall take effect immediately from and after its issuance.

DECLARED this 17th day of March, 2020.

APPROVED:



Mayor

ATTEST:



City Secretary

APPROVED:



City Attorney



**ORDER BY THE MAYOR OF THE CITY COLLEGE STATION AND
AMENDMENT TO THE DECLARATION OF DISASTER**

WHEREAS, the City of College Station on the 17th day of March, 2020 issued a Declaration of Local Disaster, attached and incorporated into this Order, identifying an imminent threat of a public health emergency resulting from coronavirus disease 2019, now designated SARS-CoV2, (COVID-19); and

WHEREAS, beginning in December 2019, the virus causing COVID-19 was first identified during an outbreak detected in Wuhan, China; and

WHEREAS, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

WHEREAS, COVID-19 mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the World Health Organization on March 11, 2020, declared COVID-19 a pandemic; and

WHEREAS, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and

WHEREAS, the Mayor of the City of College Station has determined extraordinary measures must be taken to contain and prevent COVID-19 from spreading, to alleviate people from suffering and to protect life throughout the City of College Station; and

WHEREAS, this state of disaster requires certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, pursuant to Chapter 418 of the Texas Government Code.

NOW, THEREFORE, BE IT ORDERED AND PROCLAIMED BY THE MAYOR OF THE CITY OF COLLEGE STATION:

1. Effective as of 9:00 p.m. on March 18, 2020 and continuing until terminated or modified, the Mayor of College Station deems it in the best interest of public health, safety and welfare and to protect life in the City of College Station to order that:
 - a. All restaurants with or without drive-through services may only provide take out, drive-through, or delivery services as allowed by law; and
 - b. All indoor and outdoor restaurant dining rooms and areas shall close; and
 - c. All bars, nightclubs, lounges, taverns, and private clubs shall close; and
 - d. The College Station Police Department and College Station Fire Marshal's Office and any other peace officers are authorized to enforce this Order.
2. Part 6 of the March 17, 2020 Declaration of Disaster is amended to read as follows: That this declaration limits the size of gatherings to not more than ten (10) people and mandates the cancellation of all such gatherings until further notice. A "gathering" refers generally to a scheduled event or common endeavor where ten (10) persons are present in a confined space, room, or area.
3. That this order and proclamation shall take effect immediately from and after its issuance.

ORDERED AND DECLARED this 18th day of March, 2020.

APPROVED:



Mayor

ATTEST:



City Secretary

APPROVED:



City Attorney

ATTACHMENT:

DECLARATION OF LOCAL DISASTER OF MARCH 17, 2020



DECLARATION OF DISASTER

WHEREAS, the City of College Station on the 17th day of March, 2020, has identified an imminent threat of a public health emergency resulting from coronavirus disease 2019, now designated SARS-CoV2, (COVID-19); and

WHEREAS, beginning in December 2019, the virus causing COVID-19 was first identified during an outbreak detected in Wuhan, China; and

WHEREAS, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

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WHEREAS, the Mayor of the City of College Station has determined extraordinary measures must be taken to contain and prevent COVID-19 from spreading, to alleviate people from suffering and to protect life throughout the City of College Station; and

WHEREAS, this state of disaster requires certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, pursuant to Chapter 418 of the Texas Government Code.

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF COLLEGE STATION:

1. That a local state of disaster is hereby declared pursuant to §418.108(a) of the Texas Government Code.
2. Pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration, unless continued or renewed by the City Council of College Station.

3. Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the, City of College Station’s Emergency Management Plan.
5. That this declaration authorizes the City to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures, examining and regulating hospitals, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, establishment of quarantine stations, emergency hospitals, and other hospitals, and insuring compliance for those who do not comply with the City’s rules, pursuant to §122.006 of the Health and Safety Code.
6. That this declaration hereby recommends the size of gatherings to not more than ten (10) people and recommends the cancellation of all such gatherings until further notice. A “gathering” refers generally to a scheduled event or common endeavor where more than ten (10) persons are present in a confined space, room, or area.
7. In accordance with §418.173 of the Texas Government Code, a person who knowingly or intentionally violates this declaration commits an offense, punishable by a fine up to \$1,000.00 or confinement in jail for a term that does not exceed 180 days.
8. That this declaration hereby authorizes the use of all lawfully available enforcement tools.
9. That this proclamation shall take effect immediately from and after its issuance.

DECLARED this 17th day of March, 2020.

APPROVED:



Mayor

ATTEST:



City Secretary

APPROVED:



City Attorney