

PROCLAMATION DECLARING A LOCAL STATE OF DISASTER

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-CoV-2 which causes the coronavirus disease COVID-19, was detected in Wuhan, China, has spread throughout the world and has now been declared a global pandemic by the World Health Organization; and

WHEREAS, symptoms of COVID-19 include fever, cough, and shortness of breath, and outcomes have ranged from mild to severe illness and in some cases death; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern and advised countries to prepare for the containment, including active surveillance, early detection, isolation and case management, contact tracing, and prevention of onward spread of the disease; and

WHEREAS, the Centers for Disease Control and Prevention is closely monitoring the growing number of COVID-19 cases that have spread into the United States; and

WHEREAS, over 7,038 cases of COVID-19 have been reported in the United States, including at least 100 deaths; and

WHEREAS, the known cases of COVID-19 diagnosed in the State of Texas is currently increasing daily with over 140 positive or presumed positive cases across Texas; and

WHEREAS, the State Office of Court Administration, in consultation with the Supreme Court, Court of Criminal Appeals, and Regional Presiding Judges has provided guidance recommending postponement of all non-essential court proceedings, minimizing staff, and taking all other appropriate measures to prevent the spread of disease; and

WHEREAS, a declaration of local disaster includes the ability to take measures to reduce the possibility of exposure to disease and mitigate the risk to, and promote the health and safety of, the residents of the City of Mineral Wells; and

WHEREAS, the measures identified in this Declaration are designed to prevent deaths in the City of Mineral Wells; and

WHEREAS, the identification of “Social spread” cases of COVID-19 in the City of Mineral Wells and the region could potentially signal that transmission of the virus may no longer be limited to travel to outbreak areas or contact with travelers who have visited outbreak areas.

WHEREAS, on March 19, 2020 the Texas Department of State Health Services declared a state of public health disaster for the entire state of Texas; and

WHEREAS, on March 19, 2020, Governor Greg Abbott issued Executive Order GA-08 relating to COVID-19 preparedness and mitigation,

NOW, THEREFORE, BY VIRTUE OF THE AUTHORITY VESTED IN ME AS THE PRESIDING OFFICER OF THE GOVERNING BODY, THE CITY COUNCIL OF THE CITY OF MINERAL WELLS, A HOME RULE MUNICIPAL CORPORATION, BODY POLITIC AND POLITICAL SUBDIVISION OF THE STATE OF TEXAS SITUATED IN PALO PINTO AND PARKER COUNTIES, TEXAS, AND PURSUANT TO SECTION 418.108 OF THE TEXAS GOVERNMENT CODE (TEXAS DISASTER ACT),

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF MINERAL WELLS:

Section 1. Declaration of Local State of Disaster. A local state of disaster for public health emergency is hereby declared for the City of Mineral Wells, a Texas home rule municipal corporation, pursuant to Section 418.108(a) of the Texas Government Code.

Section 2. Duration of Local State of Disaster. Pursuant to Texas Government Code Section 418.108(b), the state of disaster for public health emergency shall continue for a period of not more than seven (7) days from the date of this declaration unless continued or renewed by the Mineral Wells City Council.

Section 3. Publicity and Filing. Pursuant to Texas Government Code Section 418.108(c), this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Clerk.

Section 4. Activation of the City Emergency Management Plan. Pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the City of Mineral Wells emergency management plan and grants the Mayor the powers set forth herein; including the power to temporarily close City buildings, facilities, and certain uses thereof; to temporarily postpone all non-essential municipal court proceedings; to temporarily suspend all City utility shut-offs to residential customers affected by COVID-19; and to prohibit all public and private social gatherings wherein ten (10) people or more are expected to be in attendance.

a. For purposes of this Order, a "social gathering" is any indoor or outdoor event, whether public or private, convening subject to the exceptions and clarifications below, that brings together or is likely to bring together ten (10) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, theatre, movie theater, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, restaurant, or nightclub/bar, or any other confined indoor or confined outdoor space. For clarity, this includes, but is not limited to, weddings, religious gatherings, parties, funerals, sporting events, social events, conferences, and other large gatherings.

b. People shall avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors; provided, however, that the use of drive-thru, pickup, or delivery options is allowed and highly encouraged throughout the limited duration of this order.

c. People shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance.

d. Schools shall temporarily close.

e. This Order also does not prohibit gatherings of people in multiple, separate enclosed spaces (including separate cubicles) in a single building such school classrooms or different floors of a multilevel building, so long as ten (10) people are not present in any single space at the same time. This Order also does not prohibit the use of enclosed spaces where ten (10) or more people may be present at different times during the day, so long as ten (10) or more people are not present in the space at the same time.

f. For purposes of clarity, a "social gathering" does not include the following spaces where ten (10) or more persons may congregate, so long as visitors are generally not within arm's length of one another for extended periods:

- (i) office space or residential buildings, such as apartment complexes;
- (ii) grocery stores, shopping malls, or other retail establishments where large numbers of people may be present, but it is unusual for them to be within arm's length of one another for extended periods; and
- (iii) hospitals and medical offices and facilities.

In all such settings, the Mayor of the City of Mineral Wells recommends following Social Distancing Recommendations, and personal hygiene measures, including providing hand sanitizer and facial tissues.

Section 5. Temporary Housing and Emergency Shelter. Pursuant to Section 418.020(d) of the Texas Government Code, the City of Mineral Wells is authorized to: (1) temporarily or permanently acquire by lease, purchase, or other means sites required for installation of temporary housing units or emergency shelters for disaster victims; and (2) enter into arrangements necessary to prepare or equip the sites to use the housing units or shelters, including arrangements for the purchase of temporary housing units or shelters and the payment of transportation charges.

Section 6. Protective Control Measures and Facilities. Pursuant to Section 122.006 of the Texas Health and Safety Code, the City of Mineral Wells is authorized to adopt rules to protect the health of persons in the City of Mineral Wells, including quarantine rules to protect its residents against communicable disease and provide for the establishment of quarantine stations, emergency hospitals, and other hospitals.

Section 7. Reporting of COVID-19 Testing. The city manager shall establish an order that all public, private, and commercial labs within the City of Mineral Wells shall report the number of COVID-19 tests conducted on a daily basis to the City of Mineral Wells and may establish a penalty for failure to report.

Section 8. Limits on Large Gatherings. Pursuant to Section 418.108, the city manager shall establish an order to limit the size of gatherings to no more than ten (10) people.

Section 9. Suspension of Boards and Commissions. It is ordered that all meetings of City advisory boards and commissions are hereby suspended unless otherwise approved by the Mayor.

Section 10. Penalties. Pursuant to Section 418.173 of the Texas Government Code, peace officers, City of Mineral Wells Code Department inspectors, and the Office of the Mineral Wells Fire Marshall, are hereby authorized to enforce this order. Persons who violate this Order commit a misdemeanor violation punishable by a fine not to exceed \$1,000 or confinement in jail for a term not to exceed 180 days.

Section 11. Effective Date. This Proclamation shall take effect at 11:59 pm on March 20, 2020 as issued by the Mayor of the City of Mineral Wells, Texas.

I HEREBY DECLARE A LOCAL STATE OF DISASTER WITHIN THE CITY OF MINERAL WELLS to continue until 11:59 pm on March 27, 2020 subject to the continuation or renewal of the City Council of the City of Mineral Wells upon the expiration of seven (7) days as provided by Texas Government Code Section 418.108.

ACCORDINGLY, I further proclaim activation of the City Emergency Management Plan and the activation of all other statutory and ordinance powers vested in me and all officers of the City of Mineral Wells to act in the premises and for the purposes stated. Prompt and general publicity is hereby proclaimed and ordered as to the issuance of this Proclamation.

ORDERED this 19th day of March, 2020, in the City of Mineral Wells, Palo Pinto and Parker Counties, Texas, in witness whereof I hereunto subscribe my name.

Filed with me, City Clerk Peggy Clifton of the City of Mineral Wells this 20th day of March, 2020, by Mayor Tammy Underwood whose signature I hereby certify is true and genuine, with general publicity of the foregoing Proclamation being put into effect the same date as the signing thereof.



Tammy Underwood, Mayor
City of Mineral Wells

City Clerk Peggy Clifton
City of Mineral Wells