

ORDINANCE NO. 2020-03

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MINERAL WELLS, TEXAS, CONSENTING TO THE EXTENSION OF THE DECLARATION OF LOCAL DISASTER EXECUTED BY MAYOR TAMMY UNDERWOOD ON MARCH 19, 2020 UNTIL RESCINDED OR AMENDED BY THE CITY COUNCIL; AUTHORIZING THE MAYOR, OR CITY MANAGER, TO SET AND ENFORCE A MAXIMUM NUMBER OF ATTENDEES FOR ANY MASS GATHERING IN THE CITY LIMITS OF THE CITY OF MINERAL WELLS TO PREVENT OR LIMIT THE SPREAD OF COVID-19; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Mineral Wells is a Home Rule municipality acting pursuant to Chapter 9 of the Local Government Code; and

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and

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

WHEREAS, on March 13, 2020, Texas Governor Greg Abbot issued a proclamation declaring a state of disaster for all counties within the State of Texas in response to the spread of COVID-19; and

WHEREAS, on March 19, 2020, Governor Abbot issued an executive order directing schools to close; banning gatherings of 10 or more people and ordering restaurants to limit operations to drive-through, delivery and pick-up, and bars; closing indoor recreation facilities and other public venues; banning people from visiting nursing homes; starting midnight central standard time on Friday, March 20, 2020 and is effective until midnight April 3; and

WHEREAS, on March 19, 2020, Mayor Tammy Underwood executed a Declaration of Local Disaster, for the City of Mineral Wells pursuant to section 418.108(a) of the Texas Government Code; and

WHEREAS, on March 19, 2020, Palo Pinto County Judge Shane Long executed a Declaration of Local Disaster, for Palo Pinto County; and

WHEREAS, on March 20, 2020, as amended on March 23, 2020, Parker County Judge Pat Deen executed a Declaration of Local Disaster, for Parker County; and

WHEREAS, in order to extend Mayor Underwood's Declaration of Local Disaster for a period longer than seven days, the City Council must consent to such an extension pursuant 418.108(b) of the Texas Government Code; and

WHEREAS, by majority vote, the City Council by this Ordinance has consented to such an extension of the declaration of local disaster until rescinded or amended by the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MINERAL WELLS, TEXAS:

SECTION ONE. That the findings set out in the preamble to this Ordinance are in all things approved and adopted.

SECTION TWO. That, in accordance with Section 418.108(b) of the Texas Government Code, the City Council hereby consents to allow the declaration of local disaster to be extended until rescinded or amended by the City Council.

SECTION THREE. The City Council of the City of Mineral Wells hereby authorizes the Mayor, or City Manager, in an effort to help contain the potential spread of COVID-19 at mass gatherings, to limit the number of attendees at such events to a maximum of ten (10) people for the period effective March 19, 2020 until rescinded or amended by City Council.

SECTION FOUR. This number may be adjusted by the Mayor, or City Manager, in consultation with the County Emergency Management Coordinator(s), in response to changes in the spread of COVID-19.

SECTION FIVE. The restrictions set out in the attached table may be updated as allowed by law, as necessary to respond to the evolving circumstances of this outbreak during the duration of this declaration and any extension without the issuance of a new declaration.

SECTION SIX. The Mayor, as the emergency management director, or her designee, is further authorized pursuant to Ch. 418 of the Texas Government Code and Chapter 38, Article II, Emergency Management, of the Code of Ordinances, the use of all lawfully available enforcement tools to carry out the declaration of local disaster and any order issued thereunder, until this authority is rescinded or amended by City Council action.

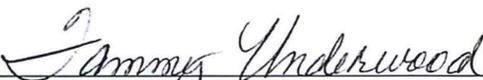
SECTION SEVEN. This Emergency Proclamation is issued pursuant to the City's Emergency Management Plan. Pursuant to Section 38-37 of the Mineral Wells City Code of Ordinances, it shall be an offense for any person, firm, corporation, or association to fail to comply with any provision of this Ordinance or of the City's Emergency Management Plan. A violation of this Ordinance or of the City's Emergency Management Plan shall be punishable as provided in section 1-14 of the Mineral Wells City Code of Ordinances. Each day a violation occurs shall constitute a separate offense.

SECTION EIGHT. This Ordinance shall be effective immediately from and after its passage and publication as required by law.

PASSED AND APPROVED by the City Council of the City of Mineral Wells, Texas this the 26th day of March 2020.

CITY OF MINERAL WELLS:

ATTEST:


Mayor Tammy Underwood




Peggy Clifton, City Clerk