



CITY OF PEARSALL

DECLARATION OF DISASTER AND PUBLIC EMERGENCY

WHEREAS, in December 2019, a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubel 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 January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, to date, there have been numerous positive cases in Texas; and

WHEREAS, on Wednesday March 11, 2020, the World Health Organization (WHO) declared the crisis is now a pandemic after it has infected roughly 189,000 people around the world and killed 7,511. 4,752 cases have been confirmed in the United States according to WHO; and

WHEREAS, the virus is characterized by mild symptoms including a runny nose, sore throat, cough, and fever, similar to the influenza where in severe cases it can lead to pneumonia or breathing difficulties according to WHO; and

WHEREAS, those with symptoms who have traveled to or been in contact with an individual who has traveled to a country that has coronavirus in the last two weeks are urged to see their physician; and

WHEREAS, the disease can be fatal but only in older individuals and those with other medical conditions such as asthma, diabetes, or heart disease may be more vulnerable in becoming severely ill; and

WHEREAS, due to pandemic, President Donald J. Trump announced a month-long travel restriction to several countries confirmed to have cases of the coronavirus that has gone into effect; and

WHEREAS, on March 13, 2020, President Trump declared a state of emergency due to COVID-19; and

WHEREAS, President Trump is expected to invoke the Stafford Act, which will allow state and local governments to access federal disaster relief funds; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor is designated as the Emergency Management Director of the City of Pearsall, and may exercise the powers granted to the governor on an appropriate local scale; and

WHEREAS, Section 418.108(a) of the Texas Government Code provides that the presiding officer of the governing body of a political subdivision may declare a state of local disaster; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the governor of state resources; and

WHEREAS, by this Declaration of Disaster and Public Health Emergency, I declare all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident; and

WHEREAS, pursuant to the authority granted to the Mayor under Texas Disaster Act of 1975, I authorize the use of all available resources of state government and political subdivisions to assist in the City's response to this situation; and

WHEREAS, on March 13, 2020, Greg Abbott, the Governor of the State of Texas, issued a proclamation that declared COVID-19 as an imminent threat of disaster; and

WHEREAS, on March 15, 2020, the CDC issued further revised guidance regarding social distancing and mass gatherings of 50 or more people; and

WHEREAS, on March 16, 2020, the CDC issued further revised guidance that persons should avoid social gatherings in groups of more than 10 people; and

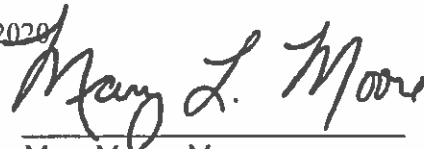
WHEREAS, I, Mary Moore, Mayor of the City of Pearsall, Texas, have determined that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be impacted by COVID-19.

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF PEARSALL:

1. That a local state of disaster and public health emergency is hereby declared for the City of Pearsall pursuant to the Texas Disaster Act of 1975 and Texas Government Code §418.108(a).
2. Pursuant to §418.108(b) of the Government Code, the state of disaster and public health emergency shall continue for a period of not more than thirty (30) days from the date of this declaration unless continued or renewed by the City Council.

3. Pursuant to §418.108(c) of the Government Code, the state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to §418.108(d) of the Government Code, this declaration activates the City of Pearsall's Emergency Management Plan including adoption of Pandemic/Influenza/Coronavirus response.
5. Pursuant to § 122.006 of the Health and Safety Code, this declaration authorizes the City to take any actions necessary to promote health and suppress disease, including quarantine, and regulating hospitals, regulating ingress and egress for the City, and fining those who do not comply with the City's rules.
6. By this declaration, I declare all rules and regulations that may inhibit or prevent prompt response to this threat are suspended for the duration of the incident, and authorize the City Manager to exercise all emergency powers as are available to address this emergency.
7. Pursuant to the Texas Disaster Act of 1975, I, Mayor Mary Moore as Mayor of the City of Pearsall, issue further guidance and restrictions set out within the Declaration Regarding Public and Private Gatherings attached hereto as **Exhibit 1**, and incorporated herein.
8. This declaration shall take effect immediately from and after its issuance.

ORDERED this the __19th__ day of March, 2020



Mary Moore, Mayor

ATTEST:



Krystal Garcia, City Clerk

EXHIBIT 1

PURSUANT TO THE TEXAS DISASTER ACT OF 1975, MAYOR MARY MOORE HEREBY ISSUES THIS EXECUTIVE ORDER AS FOLLOWS:

1. Effective as of 11:59 p.m. on Thursday, March 19, 2020, and continuing until 11:00 a.m. Sunday, April 19, 2020:
 - (a) That all indoor public and private gatherings and outdoor gatherings (“*Mass Gatherings*”) within an enclosed space of 50 persons or more anywhere in the incorporated and unincorporated territory of the City of Pearsall is hereafter prohibited beginning 11:59 p.m. on Thursday, March 19, 2020 and continuing for 30 days thereafter, unless extended consistent with requirements of state law;
 - (b) That constituents and residents of the City of Pearsall are encouraged to conduct essential business online or via regular mail to avoid visiting any City of Pearsall facilities unless absolutely necessary;
 - (c) That no temporary health permit for activities that are known to attract more than the established maximum of 50 persons as defined in “Mass Gathering” in 2(a) be approved for at least the next 30 days and would encourage meetings of 10 or less;
 - (d) Direct local restaurants and bars to follow all Center for Disease Control guidelines to include:
 - i. Disinfect and sanitize commonly touched surfaces and non-food contact surfaces at least once every hour;
 - ii. Not allow parties of more than six (6) people at one table;
 - iii. Encourage curbside food-to-go programs or deliveries;
 - iv. Adopt and implement a screening policy for food handlers and all employees, and establish protocols for employee’s exclusion if they develop the following symptoms
 - a. Fever greater than 100.3 degree Fahrenheit
 - b. Cough and shortness of breath
 - v. Encourage visible COVID-19 prevention print materials within the restaurant; and
2. Definitions and further guidance:
 - (a) For purposes of this Executive Order, a “Mass Gathering” is any event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together fifty (50) or more persons at the same time in a single room or other single confined or enclosed space, such as,

by way of example and without limitation, an auditorium, theater, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria or any other confined indoor or confined outdoor space.

- (b) A “Mass Gathering” includes events in confined outdoor spaces which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within arm’s length of one another for extended periods.
- (c) This Executive Order does not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as multiplex movie theater, so long as 50 people are not present in any single space at the same time.
- (d) For purposes of clarity, a “Mass Gathering” does not include the following:
 - (i) public or private schools and places of worship;
 - (ii) museums (so long as visitor are generally not within arm’s length of one another for extended periods);
 - (iii) spaces where 50 or more persons may be in transit or waiting for transit such as bus stops;
 - (iv) office space, hotels, or residential buildings;
 - (v) grocery stores, shopping malls, outdoor markets, or other retail establishments where large numbers of people are present but it is unusual for them to be within arm’s length of one another for extended periods;
 - (vi) hospitals, medical facilities and shelters;
 - (vii) funeral homes; and
 - (viii) jails and detention centers.

In all such settings, it is recommended that the public follow social distancing recommendations, and harm reduction measures, such as the use of hand washing and hand sanitizer whenever possible. People that are members of high-risk populations should be especially careful venturing outside of their homes. “High-risk populations include people who are:

- 60 years old or older;
- People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease, and weakened or compromised immune systems;
- and
- People experiencing homelessness.

- 3. The sections, paragraphs, sentences, clauses and phrases of this Executive Order are severable and if any phrase, clause, sentence, paragraph or section of this Executive Order should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections that can be given effect without the invalid provision, and to this end, the provisions of this Executive Order are severable.