

RESOLUTION NO. 2020-3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JAMAICA BEACH, TEXAS, EXTENDING THE REVISED DISASTER DECLARATION ISSUED BY MAYORAL PROCLAMATION ON MARCH 19, 2020 IN RESPONSE TO COVID-19 A PUBLIC HEALTH EMERGENCY; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on March 17, 2020, Mayor Steve Spicer, Mayor of the City of Jamaica Beach, Texas issued a Mayoral Proclamation declaring a local disaster for public health emergency for the City of Jamaica Beach, in response to help prevent and control COVID-19; and

WHEREAS, on March 19, 2020, Mayor Steve Spicer revised the Mayoral Proclamation declaring a local disaster for public health emergency, attached hereto as **Exhibit A**, to comply with the Executive Order issued by Governor Greg Abbott, Governor of the State of Texas; and

WHEREAS, pursuant to Section 418.108(b) of the Texas Local Government Code, a state of disaster for public health emergency 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 the City of Jamaica Beach, Texas.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JAMAICA BEACH, TEXAS:

SECTION 1: The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

SECTION 2: That the City Council of the City of Jamaica Beach hereby consents to the continuation and renewal of the Revised Declaration of the Public Health Emergency, which was signed and executed by Mayor Spicer on Thursday, March 19, 2020, and shall be renewed and continued through Monday, April 20, 2020 the City's next regularly scheduled meeting date, in accordance with section 418.108 of the Texas Local Government Code until said consent is terminated by the City Council or until the declaration of local disaster herein mentioned is terminated by order of the Mayor.

SECTION 3: Should any section, subsection, sentence, clause or phrase of this Resolution be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. The City Council hereby declares that it would have passed this Resolution, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 4: This Resolution shall become effective immediately upon its passage.

SECTION 5: That, during the continuation of the declaration of local disaster herein mentioned, the Mayor is authorized, without further act of the City Council, to exercise any powers, take any actions and issue any orders authorized by law, including but not limited to, any measures authorized by Chapter 418 of the Texas Government Code, including without limitation Section 418.108 and Section 418.1015 of said chapter.

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

CITY OF JAMAICA BEACH, TEXAS

Steve Spicer, Mayor

ATTEST:

Lupe Rushing, City Secretary

Exhibit A

CITY OF JAMAICA BEACH, TEXAS MAYORAL DECLARATION OF LOCAL STATE OF DISASTER DUE TO PUBLIC HEALTH EMERGENCY FIRST REVISION

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and

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

WHEREAS, COVID-19 virus 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, 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 City of Jamaica Beach, Texas, is taking extraordinary measures to prevent the spread of this potentially devastating disease in our community; and

WHEREAS, said state of disaster requires that 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; and

WHEREAS, on March 17, 2020, Mayor Steve Spicer, Mayor of the City of Jamaica Beach, Texas issued a Mayoral Proclamation declaring a local disaster for public health emergency for the City of Jamaica Beach, in response to help prevent and control COVID-19; and

NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF JAMAICA BEACH, TEXAS:

SECTION 1. That a local state of disaster for public health emergency is hereby declared for the City of Jamaica Beach, Texas, pursuant to Section 418.108(a) of the Texas Government Code.

SECTION 2. That pursuant to Section 418.108(b) of the Texas Government Code 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 City Council of the City of Jamaica Beach, Texas.

SECTION 3. That pursuant to Section 418.108(c) of the Texas Government Code 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 Secretary.

SECTION 4. That pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the City of Jamaica Beach, Texas, emergency management plan, and authorizes the furnishing of aid and assistance under the declaration.

SECTION 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 Section 122.006 of the Health and Safety Code.

SECTION 6. That this declaration hereby limits the size of gatherings to not more than 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 10 persons are present in a confined space, room, or area.

SECTION 7. That this declaration shall mandate the closure of gyms and shall prohibit eating and drinking at restaurants and bars. This restriction shall not include take out, delivery or drive through window operations.

SECTION 8. In accordance with Texas Government Code §418.173, 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.

SECTION 9. That this declaration hereby authorizes the use of all lawfully available enforcement tools.

SECTION 10. That this declaration shall take effect immediately from and after its issuance and shall supersede all previously signed declarations.

SECTION 11. That this declaration shall terminate at 11:59 pm on Monday, March 23, 2020, unless the restrictions are continued or renewed by the Jamaica Beach City Council, in accordance with section 418.108 of the Texas Government Code.

DECLARED this 19th day of March, 2020.

CITY OF JAMAICA BEACH, TEXAS:



Steve Spice, Mayor

ATTEST:



Lupe Rushing, City Secretary