

**ORDINANCE NO. 2020-007**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASTROVILLE EXTENDING A DECLARATION OF LOCAL DISASTER; ESTABLISHING RULES AND REGULATIONS FOR THE DURATION OF THE DISASTER; RESTRICTING CERTAIN ACTIVITIES; ESTABLISHING PENALTIES FOR VIOLATIONS.**

**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 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**, on March 5, 2020, the World Health Organization Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared that the COVID-19 outbreak should be characterized as pandemic; and

**WHEREAS**, the Center 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 1,629 cases of COVID-19 have been reported in the United States, including 41 deaths; and

**WHEREAS**, a large gathering of unidentifiable individuals without necessary mitigation for the spread of infection may pose a risk of the spread of infectious disease; and

**WHEREAS**, President Trump declared a national emergency on March 13, 2020; and

**WHEREAS**, Governor Greg Abbott declared a public health disaster on March 13, 2020; and

**WHEREAS**, the Center for Disease Control recommends that citizens stop handshaking, clean hands at the door, schedule regular hand washing, avoid touching faces and cover coughs and sneezes, disinfect surfaces like doorknobs, tables, desks, and handrails regularly, and increase ventilation by opening windows or adjusting air conditioning; and

**WHEREAS**, the Center for Disease Control recommends the use of videoconferencing for meetings when possible, and adjusting or postponing large meetings or gatherings; and

**WHEREAS**, the Center for Disease Control recommends citizens stay home if they are feeling

sick or when they have a sick family member in their home; and

**WHEREAS**, households with vulnerable seniors and those with underlying health conditions should conduct themselves as if they were a significant risk to the person with underlying conditions; and

**WHEREAS**, the identification of “community spread” cases of COVID-19 in the United States could have signaled that transmission of the virus is no longer limited to those who traveled to China, or had contact with travelers who have visited China; and

**WHEREAS**, the COVID-19 virus 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 continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

**WHEREAS**, a declaration of local disaster includes the ability to take measures to reduce the possibility of exposure to disease, control the risk, and promote the health and safety of Castroville residents; and

**WHEREAS**, the City of Castroville will work collaboratively with Medina County to ensure that all appropriate and necessary measures are taken to limit the development, contraction and spread of COVID-19; and

**WHEREAS**, pursuant to the Texas Disaster Act of 1975, the mayor is designated as the emergency management director of the City of Castroville, and may exercise the powers granted to the governor on an appropriate local scale; 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 isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons displaced or evacuated and request assistance from the governor of state resources; and

**WHEREAS**, the Mayor has made a Declaration of Public Health Emergency, and further declared all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident; and

**WHEREAS**, the Mayor, under the Texas Disaster Act of 1975, has authorized the use of all available resources of state government and political subdivisions to assist in the City’s response to this situation; and

**WHEREAS**, the Mayor has 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 infected or impacted by COVID-19;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CASTROVILLE:**

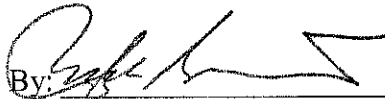
- Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.
- Section 2. That the local state of disaster and public health emergency is declared by Mayor Santleben for the City of Castroville pursuant to §418.108(a) of the Texas Government Code is hereby renewed and extended for a period ending April 30, 2020, pursuant to §418.108(b) of the Government Code, including all rules and regulation attached hereto as Exhibit A.
- Section 3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Clerk.
- Section 4. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates the City of Castroville emergency management plan.
- Section 5. Pursuant to §418.020(c) of the Government Code, this declaration authorizes the City to commandeer or use any private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelters for evacuees, subject to compensation requirements.
- Section 6. Pursuant to §122.005 of the Health and Safety Code, this declaration authorizes the City to prevent the introduction of a communicable disease into the municipality, including stopping, detaining, and examining a person coming from a place that is infected or believed to be infected with a communicable disease; establish, maintain, and regulate hospitals in the municipality or in any area within five miles of the municipal limits; or abate any nuisance that is or may become injurious to the public health by adopting rules necessary or expedient to promote health or suppress disease; or to prevent the introduction of a communicable disease into the municipality, including quarantine rules, and may enforce those rules in the municipality and in any area within 10 miles of the municipality.]
- Section 7. All ordinances or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters herein.
- Section 8. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 9. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

Section 10. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.


Section 11. This Ordinance shall be in force and effect from and after its final passage, and any publication required by law.

**PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 24<sup>th</sup> DAY of MARCH, 2020.**

CITY OF CASTROVILLE, TEXAS

By:   
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Secretary

**EXHIBIT A  
LOCAL DISASTER RULES AND REGULATIONS  
(See Attachment)**

## EXHIBIT A

Public Health Emergency Rules and Regulations and incorporating all amendments thereto.

### COVID-19 Public Health Emergency Rules and Regulations

1. The virus that causes COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle an influx of patients and safeguard public health and safety.

2. Due to the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Declaration mandates that, until such time as this Declaration expires or is expressly revoked, as follows:

(a) Municipal buildings shall operate as follows:

- City Library shall remain closed;
- City Hall shall remain open;
- Municipal Court shall remain open; and affected cases shall be rescheduled pursuant to the order(s) of the Municipal Judge;
- Steinbach Visitors Center shall remain closed;
- Regional Park shall remain closed for all events;
- Regional Park RV Park shall remain closed to new reservations;

(b) Municipal employees are subject to the following:

- Any municipal employee who has traveled outside of the country or in the states of California, Colorado or Washington from January 30, 2020 to the date of this declaration and thereafter shall not physically be present for work until such employee has seen a physician and has been cleared to return to work or self isolates, if employee feels he/she were exposed to COVID-19 as per CDC guidelines.

The City Administrator shall direct employees prohibited from being physically present for work to work at home to the extent practical.

3. For all other gatherings, it is strongly recommended that social distancing protocols established by the United States Centers for Disease Control and Prevention (CDC) and found within the "Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission" issued by the United States Centers for Disease Control and Prevention ("CDC") on or around March 11, 2020 (available online at [www.cdc.gov/coronavirus/2019ncov/downloads/community-mitigation-strategy.pdf](http://www.cdc.gov/coronavirus/2019ncov/downloads/community-mitigation-strategy.pdf)), as same may be updated from time to time.

4. Further, organizations that serve all populations particularly High Risk (as defined below) should follow CDC guidance for social distancing. "High-Risk" include people who are:

- 60 years old and older;
- People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems;
- People who are pregnant or were pregnant in the last two weeks.
- People experiencing homelessness.

5. The restrictions set out in this Exhibit may be updated by amendment to this declaration, as necessary to respond to the evolving circumstances of this outbreak during the duration of the Mayor's Declaration of Public Health Emergency and any extension by the Castroville City Council.

**ORDERED** this 19th day of March, 2020 by the Mayor.

**FIRST AMENDMENT TO DECLARATION OF PUBLIC HEALTH EMERGENCY IN CASTROVILLE, MEDINA COUNTY TEXAS**

**NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY OF CASTROVILLE, MEDINA COUNTY, TEXAS.**

1. That City Hall shall be subject to the following:
  - The lobby is closed temporarily;
  - Utility Payments will only be accepted in the drop-off boxes outside City Hall;
  - Municipal Court shall remain open but members of the public may only enter from the rear of building; and
  - All public restrooms shall be closed.
2. That except as amended herein the Declaration of Public Health Emergency in Castroville, Medina County, Texas on March 20, 2020 remains in full force and effect.

**ORDERED** this 23<sup>rd</sup> day of March, 2020 by the Mayor.

**SECOND AMENDMENT TO DECLARATION OF PUBLIC HEALTH EMERGENCY IN CASTROVILLE, MEDINA COUNTY TEXAS**

**NOW, THEREFORE, BE IT PROCLAIMED BY THE CITY OF CASTROVILLE, MEDINA COUNTY, TEXAS.**

1. That the City will waive the utilities cut-off date for the duration of this ordinance.

**ORDERED** this 24<sup>th</sup> day of March, 2020 by the City Council.