

**CITY OF ALTON, TEXAS
MAYORAL DECLARATION OF LOCAL STATE OF DISASTER
DUE TO PUBLIC HEALTH EMERGENCY**

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 Alton, 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.

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

SECTION 1. That a local state of disaster for public health emergency is hereby declared for the City of Alton, 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 **effective 11:59p.m. on May 26, 2020, and continuing until 11:59p.m. on June 3, 2020**, unless continued or renewed by the City Commission of the City of Alton, Texas.

SECTION 3. That pursuant to Section 418.108(e) 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 Alton, Texas, emergency management plan, and authorizes the furnishing of aid and assistance under the declaration.

SECTION 5. MOVEMENT OF PEOPLE AND OCCUPANCY OF PREMISES:

All individuals currently living within the City of Alton shall minimize social gatherings; minimize in-person contact with people who are not in the same household. It is highly encouraged and recommended that all persons stay at home, unless obtaining or providing for essential or reopened services as defined herein. Individuals should conduct personal activities in compliance with recommended guidelines including maintaining six feet physical distancing; washing hands with soap and water for at least twenty seconds or using hand sanitizer; covering coughs or sneezes; cleaning high-touch surfaces; not shaking hands; and covering mouth and nose.

All public or private gatherings of ten (10) persons or more occurring outside a single household or living unit are prohibited, except as specifically exempted under Executive Order EO-GA-18. Nothing in this Order prohibits the gathering of members of a household or living unit.

It is highly encouraged and recommended that all persons over the age of three (3) should wear some form of covering over their mouth and nose, such as a homemade mask, scarf, bandana, or handkerchief, when obtaining or providing essential services or reopened services, entering into any building open to the general public for essential services or reopened services; when on parking lots; when using public transportation, taxis, or ride services; when pumping gas; when providing take-out, curbside, or drive-thru services.

This recommendation shall not apply to persons that are: engaging in a permissible outside physical activity (unless within six feet of another person); persons driving or riding in a personal vehicle during essential or reopened activities; persons that are alone in a separate single room or office space; persons that are with their own residence, including household members; persons with medical conditions that when covering the nose and mouth may pose a greater health, safety or security risk; persons that are not covering for consumption purposes.

In accordance with Governor Abbott's Executive Order GA-23, people over the age of 65 are strongly encouraged to stay home as much as possible and maintain appropriate distance from any member of the household who has been out of the residence in the previous fourteen (14) days; must implement physical distancing, wash hands with soap and water at least twenty seconds or use hand sanitizer, cover mouth and nose.

SECTION 6. ESSENTIAL SERVICES:

For the purposes of this Order "Essential Services" shall consist of the critical infrastructure sectors and workers, and functions identified by the U.S. Department of Homeland Security-Cyber Security and Infrastructure Security Agency's *Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience In COVID-19 Response*, Version 3.0 (April 17, 2020) or any subsequent versions. Requests for additions to "Essential Services" should be directed to the Texas Division of Emergency Management (TDEM) at EssentialServices@tdem.texas.gov, or by visiting the [TDEM website at www.tdem.texas.gov/essentialservices](http://www.tdem.texas.gov/essentialservices).

For the purposes of this Order "Essential Services" shall include religious services conducted in churches, congregations, and houses of worship. It is highly recommended and encouraged that religious and worship services be provided remotely by video and teleconference. Services that are not conducted remotely should be conducted in compliance with the minimum health protocols in accordance with the joint guidance issued and updated by the Texas Attorney General and the Texas Governor's Office.

For the purposes of this Order, conditions and limitations set out below for Reopened Services, SHALL NOT APPLY to Essential Services.

SECTION 7. REOPENED SERVICES:

In accordance with Governor Abbott's Executive Order GA-18, "Reopened Services" shall consist of the following:

- 1) Retail Services that may be provided through pickup, delivery by mail, or delivery to the customer's doorstep.
- 2) In-Store Retail Services that operate at no more than twenty-five percent (25%) of the total listed occupancy of the retail establishment.
- 3) Dine-in restaurant services that operate at no more than twenty-five percent (25%) of the total listed occupancy of the restaurant; provided however that:
 - a) This applies only to restaurants that have less than fifty-one percent (51%) of their gross receipts from the sale of alcoholic beverages and/or are not required to post the 51% sign as required by the Texas Alcoholic Beverage Commission; and
 - b) Valet services are prohibited except for vehicles with placards or plates for disabled parking.
- 4) Services provided by an individual working alone in an office.
- 5) Beginning **May 8, 2020**, Barbershops, cosmetologists, nail salons, and tanning salons may also open.
 - a) Provided that they operate by having only one customer per stylist,
 - b) Provide 6' of separation between stations,
 - c) If allowing walk-ins, customers are allowed to wait inside only if they keeping a six foot separation from each other,
 - d) The "Appointment Only" system is highly recommended and encouraged.
- 6) Facemasks are strongly encouraged.
- 7) Beginning **May 18, 2020**, the following businesses may open:
 - a) Services provided by office workers in offices that operate at up to the greater of:
 - i) five individuals; or
 - ii) 25 percent of the total office workforce; provided, however, that the individuals maintain appropriate social distancing.
 - b) Manufacturing services, for facilities that operate at up to 25 percent of the total listed occupancy of the facility.
 - c) Gyms and exercise facilities and classes that operate at up to 25 percent of the total listed occupancy of the gym or exercise facility; provided, however, that locker rooms and shower facilities must remain closed, but restrooms may open.
 - d) Massage establishments and other facilities where licensed massage therapists or other persons licensed or otherwise authorized to practice under Chapter 455 of the Texas Occupations Code practice their trade; provided, however, that all such facilities must ensure at least six feet of social distancing between operating work stations.

- e) Personal-care and beauty services that have not already been reopened, such as tattoo studios, piercing studios, hair removal services, and hair loss treatment and growth services; provided, however, that (i) all such facilities must ensure at least six feet of social distancing between operating work stations; and (ii) to the extent such services are licensed or otherwise regulated by Texas law, such services may operate only as permitted by Texas law.
 - f) Child-care services other than youth camps as described below; provided, however, that to the extent such services are licensed or otherwise regulated by Texas law, such services may operate only as permitted by Texas law.
- 9) Beginning **May 22, 2020** the following services may open/operate as follows:
- a) Dine-in restaurant services may operate at up to 50% of the total listed occupancy; provided, however that (i) this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages; and (ii) any components of the restaurants that have interactive functions or exhibits, including child play areas, interactive games, and video arcades, must remain closed.
 - b) Bars and similar establishments that are not restaurants as defined above, that hold a permit from the Texas Alcoholic Beverage Commission, and that are not otherwise expressly prohibited in this executive order, for such establishments that operate at up to 25 percent of the total listed occupancy of the establishment; provided, however, that any components of the establishments that have interactive functions or exhibits, including child play areas, interactive games, and video arcades, must remain closed.
- 10) Beginning **May 31, 2020**, for all Texas counties:
- a) Youth camps, including but not limited to those defined as such under Chapter 141 of the Texas Health and Safety Code, and including all summer camps and other daytime and overnight camps for youths.
 - b) Youth and adult sports programs; provided, however, that practices may begin, but games and similar competitions may not begin until **June 15, 2020**.
- 11) Additional services as may be enumerated by any future orders or proclamations by the Governor's Office.

All Essential Services or activities or Reopened Services shall be provided and/or obtained in compliance the DSHS Minimum Standard Health Protocols at www.dshs.texas.gov/coronavirus/opentexas.aspx, and this Order; with CDC guidelines; with Physical Distancing for employees and the general public; washing hands with soap and water for at least twenty seconds or using hand sanitizer; covering coughs or sneezes; cleaning high-touch surfaces; not shaking hands; covering mouth and nose; and working from home through remote telework, if possible.

SECTION 8. WORK SAFE MEASURES:

All Essential Services or Reopened Services operating in the City of Alton, including, as defined above, shall adopt work safe measures and or reopening plans that should comply with the Minimum Standard Health Protocols as recommended by DSHS at www.dshs.texas.gov/coronavirus/opentexas.aspx; CDC guidance and Physical Distancing requirements including maintaining six foot physical distancing for both employees and the general public; washing hands with soap and water for at least twenty seconds or using hand

sanitizer; covering coughs or sneezes; and covering mouth and nose. Work safe measures must be available upon request.

In accordance with Governor Abbott's Executive Order GA-19 all licensed health care professionals shall be limited in their practice by and must comply with emergency rules promulgated by their state licensing agencies minimum safe practice standards during the COVID-19 disaster. www.tmb.state.tx.us/page/coronavirus#emergencyrules

SECTION 9. BUSINESS CLOSURES:

Except as specifically allowed above, people shall avoid visiting interactive amusement venues such as video arcades, amusement parks, or water parks, unless these enumerated establishments or venues are specifically permitted above.

SECTION 10. CITY OF ALTON OPERATIONS SHALL BE AS FOLLOWS:

City of Alton Facilities: To ensure the continued health and safety of City employees and the public, members of the public are encouraged to limit any in person transactions or visits to City facilities that are not related to emergency and essential services, as necessary. All citizens are requested to visit the City of Alton website for the most current information as to hours of operation and plans for continuing services. For the protection of City staff and citizens, some form of facial covering is required when entering into City buildings until the end of this order.

City of Alton Parks: City owned park trails, walking tracks shall remain open; however the use of outdoor playscapes, splash pads, and pavilions are closed and shall not be used/rented for the duration of this order.

City of Alton Committees and Boards: Employees, customers and patrons should follow CDC guidance; comply with Physical Distancing including maintaining six-foot physical distancing from each other, washing hands with soap and water at least twenty seconds or using hand sanitizer; and covering mouth and nose. Department Directors and other staff are not required to be present unless they have an item on the agenda; meetings shall be conducted in compliance with guidance provided by the Texas Attorney General's Office.

This Order shall be effective until **11:59 p.m. on June 3, 2020**, or until it is either rescinded, superseded, or amended pursuant to applicable law. This Order shall supersede all previous orders.

Any peace officer or other person with lawful authority, including but not limited to the City of Alton Police Department, the Hidalgo County Sheriff's Office, the Hidalgo County Constable's Offices, the Hidalgo County Fire Marshal's Office, the Hidalgo County District Attorney Investigators and all other law enforcement partner agencies are hereby authorized to enforce the provisions of this Order in accordance with the authority granted under Chapter 418 of the Texas Government Code.

ANY PERSON VIOLATING THIS ORDER MAY BE SUBJECT TO A FINE NOT TO EXCEED \$1,000 OR CONFINEMENT FOR A PERIOD NOT EXCEEDING 180 DAYS.

The City of Alton must promptly provide copies of this Order by posting on the City's website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.

If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

SECTION 11. That this declaration hereby authorizes the use of all lawfully available enforcement tools.

That this declaration shall take effect at 11:59p.m. on May 26, 2020.

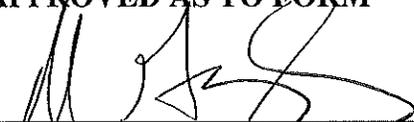
DECLARED this 26th day of May, 2020.

ATTEST:



Baudelia Rojas, City Secretary

APPROVED AS TO FORM



Ricardo Gonzalez, City Attorney

CITY OF ALTON:



Salvador Vela, Mayor

