

**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, Governor Abbott, by Executive Order GA-34, by virtue of the power and authority vested in him under Section 418.012, ordered that all counties not in an area with high hospitalizations are no longer mandated to wear face coverings and lifted operating limits for any business or other establishment; and

WHEREAS, there currently still exists a declaration of public health disaster in and for the State of Texas as declared by Texas Governor Gregg Abbott, and the transmission of COVID-19 remains a threat to the health and safety of the residents of the County of Hidalgo; 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 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 12:01 a.m. on April 28, 2021, and continuing until 11:59 p.m. on May 11, 2021**, unless continued or renewed by the City Commission of the City of Alton, Texas.

SECTION 2. 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 3. 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 4. FACIAL COVERING

In order to ensure measures remain in place to protect the health, safety, and welfare of Alton residents and to mitigate the spread of the Covid-19 virus, it is **RECOMMENDED AND STRONGLY ENCOURAGED** that every person in the City of Alton follow current and/or updated *Centers for Disease Control and Prevention (CDC) COVID-19 Your Health/Need to know* guidelines and shall wear a face covering over the nose and mouth when inside a business or other establishment, a space open to the public, or when in an outdoor public space, and avoid crowds; wherever it is not feasible to maintain six (6) feet of physical distancing from another person not in the same household; provided however, that this face-covering recommendation does not apply to the following:

1. Any person younger than 10 years of age;
2. Any person with a medical condition or disability that prevents wearing a face covering;
3. Any person while the person is consuming food or drink, or is seated at a restaurant to eat or drink;
4. Any person while the person is (a) exercising outdoors or engaging in physical activity outdoors, and (b) maintaining a safe distance from other people not in the same household;
5. Any person while the person is driving alone or with passengers who are part of the same household as the driver;
6. Any person obtaining services that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a personal care service involving the face, but only to the extent necessary for the temporary removal;
7. Any person while the person is in a swimming pool, lake, or similar body of water;
8. Any person who is voting, assisting a voter, serving as a poll watcher, or activity administering an election, but wearing a face covering is strongly encouraged;
9. Any person who is actively providing or obtaining access to religious worship, but wearing a face covering is strongly encouraged;
10. Any person while the person is giving a speech for a broadcast or to an audience.

<https://www.cdc.gov/coronavirus/2019-ncov/your-health/need-to-know.html>

SECTION 5. BUSINESS OR OTHER ESTABLISHMENT OPERATIONS:

In accordance with Governor Abbott's Executive Order GA-34, there are NO COVID-19 related operating limits for any business or other establishment; provided however that it is **RECOMMENDED AND STRONGLY ENCOURAGED** that businesses continue to limit occupancy and operate at a percentage of the total listed occupancy of the establishment that is reasonably necessary to maintain six feet (6) of physical distancing between employees and customers.

In order to ensure measures remain in place to protect the health, safety, and welfare of Alton

residents and to mitigate the spread of the Covid-19 virus, it is **RECOMMENDED AND STRONGLY ENCOURAGED** that business or other establishment follow current and/or updated *Centers for Disease Control and Prevention (CDC) COVID-19 Workplace and Businesses Guidance*, and require all employees and customers to follow hygiene measures when on business or other establishment premises, including but not limited to requiring employees and customers to wear some form of covering over their mouth and nose, when in an area or performing an activity which will necessarily involve close contact or proximity to co-workers or to customers where six (6) feet of separation is not feasible.

<https://www.cdc.gov/coronavirus/2019-ncov/community/workplaces-businesses/specific-industries.html>

Businesses and other establishments are **RECOMMENDED AND STRONGLY ENCOURAGED** to follow the current and/or updated *Occupational Safety and Health Administration (OSHA) Guidance on Preparing Workplaces for COVID-19*; businesses are encouraged to continue the use of existing “Work Safe” measures or “Reopening” plans that have been required by and/or submitted to the City of Alton to ensure measures are in place to protect the health, safety and welfare of County residents and to mitigate the continued spread of the Covid-19 virus.

<https://www.osha.gov/sites/default/files/publications/OSHA3990.pdf>

In compliance with Executive Order GA-34, ALL persons, providing or obtaining services from businesses or other establishments are strongly encouraged to use good-faith efforts and all available resources to follow the health recommendations provided by the Texas Department of State Health Services (DSHS) found in the link below:

<https://dshs.texas.gov/coronavirus/>

SECTION 6. GATHERINGS

Outdoor Gatherings

In accordance with Governor Abbott’s Proclamation amending Executive Order GA-30, any outdoor gathering in excess of ten (10) people is prohibited, unless the Mayor of the City of Alton approves of the gathering, and such approval is made subject to applicable conditions or restrictions not inconsistent with this Order.

Household Social Gatherings

It is **RECOMMENDED AND STRONGLY ENCOURAGED** that household social gatherings, including family gatherings, shall not include more than ten (10) persons.

SECTION 7. VULNERABLE POPULATION

ALL persons over the age of 65, are **STRONGLY ENCOURAGED** to stay at home as much as possible; to maintain appropriate physical distance from any member of the household who has been out of the residence in the previous fourteen (14) days; limit visits from outside of the household members; if leaving the home, to implement physical distancing and to practice good hygiene, environmental cleanliness, and sanitation. Visiting nursing homes, state supported

living centers, assisted living facilities, or long-term care facilities shall follow guidance from the Texas Health and Human Services Commission (HHSC). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities as appropriate.

<https://hhs.texas.gov/services/health/coronavirus-covid-19>

SECTION 8. 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 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 May 11, 2021**, or until it is either rescinded, superseded, or amended pursuant to applicable law. This Order shall supersede all previous orders.

In accordance with Governor Abbott's Executive Order GA-34, no jurisdiction may impose confinement in jail as a penalty for violating any order issued in response to COVID-19.

No jurisdiction may impose a penalty of any kind for failure to wear a face covering or failure to mandate employee or customers wear face-coverings, except that a legally authorized official may act to enforce trespassing laws and remove violators at the request of a business or other establishment or other property owner.

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.

This Order shall remain in full force and effect until it is modified, rescinded, superseded, or amended pursuant to applicable law, and/or the status of COVID-19. This Order supersedes prior Orders in the event of a conflict or apparent conflict between the Orders, this Order shall control.

It is the intent of this Order to remain as consistent with executive orders of Governor Greg Abbott. This Order is in addition to the executive orders issued by Governor Greg Abbott. As such, to the extent that this Order may be inconsistent with any orders issued by the Governor, then the Governor's Order shall control.

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.

That this declaration shall take effect at 12:01 a.m. on April 28, 2021.

DECLARED this 27th day of April, 2021.

CITY OF ALTON:

ATTEST:

Baudelia Rojas
Baudelia Rojas, City Secretary

Salvador Vela
Salvador Vela, Mayor

APPROVED AS TO FORM

Ricardo Gonzalez
Ricardo Gonzalez, City Attorney

