

ORDINANCE 822

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF JOURDANTON APPROVING AND EXTENDING THE LOCAL DECLARATION OF DISASTER AND EMERGENCY ORDERS ISSUED BY ROBERT A. WILLIAMS, MAYOR OF THE CITY OF JOURDANTON, TEXAS PURSUANT TO THE AUTHORITY VESTED IN HER UNDER SECTION 418.108 OF THE TEXAS GOVERNMENT CODE; RESTRICTING CERTAIN ACTIVITIES; PROVIDING AN EFFECTIVE DATE AND DECLARING AN EMERGENCY

WHEREAS, Governor Greg Abbott of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, Governor Abbott has renewed the disaster declaration for all Texas counties; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 continues to represent a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, Governor Abbott has issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, Governor Abbott issued Executive Order GA-08 on March 19, 2020, mandating certain social-distancing restrictions for Texans in accordance with guidelines promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC); and

WHEREAS, Governor Abbott issued Executive Order GA-14 on March 31, 2020, expanding the social distancing restrictions for Texans based on guidance from health experts and the President; and

WHEREAS, Governor Abbott subsequently issued Executive Orders GA-16, GA-18, GA-21, GA-23, and GA-26 from April through early June 2020, aiming to achieve the least restrictive means of combatting the threat to public health by continuing certain social-distancing restrictions, while implementing a safe, strategic plan to Open Texas; and

WHEREAS, as Texas reopens in the midst of COVID-19, increased spread is to be expected, and the key to controlling the spread and keeping Texas residents safe is for all Texans to consistently follow good hygiene and social-distancing practices, especially those set forth in the minimum standard health protocols from DSHS; and

WHEREAS, due to recent substantial increases in COVID-19 positive cases, and increases in the COVID-19 positivity rate and hospitalizations resulting from COVID-19, Governor Abbott has

mandated targeted and temporary adjustments to the reopening plan to achieve the least restrictive means for reducing the growing spread of COVID-19 and the resulting imminent threat to public health, and to avoid a need for more extreme measures; and

WHEREAS, Governor Abbott, issued revised orders GA-28 to be followed on a statewide basis effective at noon on June 26, 2020; and

WHEREAS, among the provisions in Governor Abbott's order was a requirement that any outdoor gathering in excess of 10 people, other than those set forth specifically in said order, is prohibited unless the mayor of the city in which the gathering is held approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with Governor Abbott's executive order; and,

WHEREAS, under Section 418.108, the Mayor as the presiding officer of the governing body of a political subdivision may declare a local state of disaster and prescribe certain rules and regulations during such time of disaster.

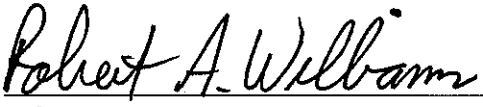
NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JOURDANTON, TEXAS:

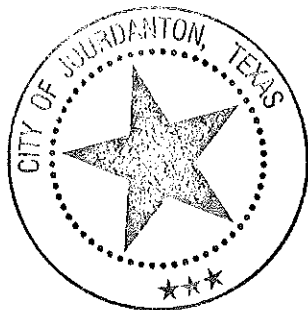
- Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.
- Section 2. That the local state of disaster and public health emergency and emergency orders issued by Mayor Williams by virtue of the power and authority vested in her by the Constitution and laws of the State of Texas, and as specifically authorized by Governor Abbott's Executive Order GA-28, whereby certain rules and restrictions were enacted with regards to any gathering of people in excess of 100 within the Jourdanton Sports Complex, effective at 6:00 A.M. on July 8, 2020, shall be extended until such time as Governor Abbott authorizes gatherings in excess of 100 persons without further restrictions.
- 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 Secretary.
- 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 Jourdanton, Texas, emergency management plan.
- Section 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, examining and regulating hospitals, regulating ingress and egress from the City, and fining those who do not comply with the City's rules.
- Section 6. 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 except those portions deemed to conflict with GA-28, or any subsequent emergency orders of Governor Abbott.

- Section 7. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 8. 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 9. 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 10. Should Governor Abbott lift the statewide disaster orders now in place prior to the date of expiration stated herein, this ordinance shall no longer be subject to enforcement by the City and shall be repealed by the City Council at the first legally posted meeting thereafter.
- Section 11. That all law enforcement personnel of the City are authorized to enforce any emergency orders of the Governor or Health Authority of the State of Texas to the extent and in the manner authorized by same.
- Section 12. This Ordinance shall be in force and effect from its passage, and any publication required by law.

PASSED, ADOPTED, and APPROVED the 13th day of July 2020.


Robert A. Williams, Mayor



ATTEST:



Debbie G. Molina, City Secretary

EXHIBIT A
Jourdanton Sports Complex Occupancy

1. The Jourdanton Sports Complex consists of five fields. Each field has a total occupancy maximum of 100 persons with not more than 10 in a group at any time.
2. No single group of persons larger than 10 is permitted without written approval of the Mayor and the agreement to adhere to safety protocols recommended by the state as reflected in the Open Texas guidelines applicable to the event. *(For example, an outdoor wedding where the guest count is projected to exceed 10 would need to submit evidence that the event will be held in conformance with the state issued guidelines for weddings and obtain written approval from the Mayor.)*
3. Guests, while in the park, should follow the health protocols from DSHS as stated by the Governor in GA-28

EXHIBIT B
Occupancy on Outdoor Gathering Guidelines

1. The total occupancy allowed for all outside gatherings of people in the City of Jourdanton shall be a maximum of 10, in accordance with GA-28 issued and amended by Governor Gregg Abbott.
2. No single group of persons larger than 10 is permitted without written approval of the Mayor and the agreement to adhere to safety protocols recommended by the state as reflected in the Open Texas guidelines applicable to the event. *[For example, an outdoor wedding where the guest count is projected to exceed 10 would need to submit evidence that the event will be held in conformance with the state issued guidelines for weddings and obtain written approval from the Mayor.]*
3. Submittal of request to hold an outdoor gathering of more than 10 in a group shall be provided, at least three (3) business days in advance of the gathering date, to the City Manager. Submittal shall include:
 - a. The location and hours of the gathering;
 - b. The density of the forum and the ability to ensure social distancing of 6 feet between individuals;
 - c. The overall number of projected attendees;
 - d. The likelihood of individuals over the age of 65 attending; and
 - e. The level of transmission in the city.
4. Within three (3) business days of receiving the submittal, the Mayor, shall notify the requestor, in writing of the approval/disapproval of the proposed outdoor gathering.
5. If authorized, the health protocols for individuals from the Texas Department of State Health Services stated by the Governor in GA-28 and GA-29 should be followed, including the wearing of face coverings.



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The following are the minimum recommended health protocols for all youth sporting activities in Texas. Youth sports organizers may adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all employees, contractors, volunteers and participants.

The virus that causes COVID-19 can be spread to others by infected persons who have few or no symptoms. Even if an infected person is only mildly ill, the people they spread it to may become seriously ill or even die, especially if that person is 65 or older with pre-existing health conditions that place them at higher risk. Because of the hidden nature of this threat, everyone should rigorously follow the practices specified in these protocols, all of which facilitate a safe and measured reopening of Texas. The virus that causes COVID-19 is still circulating in our communities. We should continue to observe practices that protect everyone, including those who are most vulnerable.

Please note, public health guidance cannot anticipate every unique situation. Youth sports organizers should stay informed and take actions based on common sense and wise judgment that will protect health and support economic revitalization. Youth sports organizers should also be mindful of federal and state employment and disability laws, workplace safety standards, and accessibility standards to address the needs of both workers and customers.

Health protocols for employees, contractors, and volunteers (“staff”):

- Provide notice to all parents and guardians of the enhanced risks of participants being in direct contact with anyone age 65 or older for 14 days after participating in a sport event or practice.
- Train all staff on appropriate cleaning and disinfection, hand hygiene, and respiratory etiquette.
- Screen all staff each day for any of the following new or worsening signs or symptoms of possible COVID-19:

<input type="checkbox"/> Cough	<input type="checkbox"/> Sore throat
<input type="checkbox"/> Shortness of breath or difficulty breathing	<input type="checkbox"/> Loss of taste or smell
<input type="checkbox"/> Chills	<input type="checkbox"/> Diarrhea
<input type="checkbox"/> Repeated shaking with chills	<input type="checkbox"/> Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit
<input type="checkbox"/> Muscle pain	<input type="checkbox"/> Known close contact with a person who is lab confirmed to have COVID-19
<input type="checkbox"/> Headache	
- Limit staff with underlying conditions from attending or staffing the youth sporting event.
- Staff should mitigate environmental exposures by additional cleaning and disinfecting of symptomatic staff’s work area, common areas, and bathrooms. Staff should follow and supervise the Program Activity Plan and, if applicable, the Transportation Plan.



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Health protocols regarding sick participants and staff members:

- Isolate staff and participants exhibiting new or worsening signs or symptoms of possible COVID-19 and contact the local health department.
- Do not allow staff with the new or worsening signs or symptoms of COVID-19 to return to work until:
 - In the case of a staffer who was diagnosed with COVID-19, the individual may return to work when all three of the following criteria are met: at least 3 days (72 hours) have passed *since recovery* (resolution of fever without the use of fever-reducing medications); and the individual has *improvement* in symptoms (e.g., cough, shortness of breath); and at least 10 days have passed *since symptoms first appeared*; or
 - In the case of a staffer who has symptoms that could be COVID-19 and does not get evaluated by a medical professional or tested for COVID-19, the individual is assumed to have COVID-19, and the individual may not return to work until the individual has completed the same three-step criteria listed above; or
 - If the staffer has symptoms that could be COVID-19 and wants to return to work before completing the above self-isolation period, the individual must obtain a medical professional's note clearing the individual for return based on a negative nucleic acid COVID-19 test and an alternative diagnosis.
- Staff should help the operator in identifying exposure risks (a.k.a. contact tracing).
- Each sporting team is considered a cohort. Outside of the sporting event, discourage mixing between cohorts.
 - Immediately isolate any participant or staff member who tests positive for COVID-19.
 - If a staff member tests positive for COVID-19, the youth sports organizer should notify parents or guardians of possible exposure to a lab-confirmed case of COVID-19.
 - If 3 or more cohorts in a sports league have individuals test positive for COVID-19, work with state and local public health authorities about continued operations of the youth sports league.
 - Using the groups or cohort strategy, contact tracing can be initiated promptly, and isolation and surveillance can be implemented in short order.

Health protocols for spectators:

- Individuals may not be in a group larger than 10 individuals. Within these groups, individuals should, to the extent possible, minimize in-person contact with others not in the individual's household. Minimizing in-person contact includes maintaining 6 feet of separation from individuals. When maintaining 6 feet of separation is not feasible, other methods should be utilized to slow the spread of COVID-19, such as washing or sanitizing hand frequently, and avoiding sharing utensils or other common objects.



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Health protocols for grounds and facilities:

- Develop, train, and implement increased daily sanitization protocols for common surfaces, restrooms, recreational equipment, and facilities.
- Make hand sanitizer, disinfecting wipes, soap and water, or similar disinfectant readily available throughout the facility.
- Consider having an individual wholly or partially dedicated to ensuring the health protocols adopted by the youth sports league are being successfully implemented and followed.
- Health policies and protocols should include communicating and coordinating with the local health department, local emergency services, and local health care providers.

Health protocols for youth sports facilities:

- Develop and implement a Program Activity Hygiene Plan to include:
 - Sanitization of all program areas
 - Sanitization of equipment before and after use
 - Hand washing or hand sanitizing before and after activities
- Group excursions related to youth sports are strongly discouraged, and should be limited or eliminated where feasible. To the extent those excursions continue, develop and implement Transportation Protocols to include:
 - One individual per seat and every other row in a vehicle
 - Staggered seating for maximum distancing
 - Asking participants and staff to wear face coverings or masks while in vehicle
 - All individuals should sanitize hands upon boarding the vehicle
- Remind participants, parents, and guardians of the enhanced risks of participants being in direct contact with anyone age 65 or older for 14 days after participating in the youth sporting event or practice.



CHECKLIST FOR OUTDOOR EVENTS

Outdoor events, such as July 4 celebrations and other large outdoor gatherings with estimated attendance of 10 or more, are permissible to hold in Texas. The county judge or the mayor, as appropriate, in coordination with the local public health authority, must give approval to such an outdoor gathering or event prior to it being held.

All individuals must wear a face covering (over the nose and mouth) wherever it is not feasible to maintain six feet of social distancing from another individual not in the same household or, for those engaging in physical activities outdoors, wherever the individual is not able to maintain a safe physical distance from others not in the same household.

The following are the minimum recommended health protocols for all outdoor events in Texas. These minimum health protocols are not a limit on the health protocols that individuals may adopt. Individuals are encouraged to adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all Texans.

The virus that causes COVID-19 can be spread to others by infected persons who have few or no symptoms. Even if an infected person is only mildly ill, the people they spread it to may become seriously ill or even die, especially if that person is 65 or older with pre-existing health conditions that place them at higher risk. Because of the hidden nature of this threat, everyone should rigorously follow the practices specified in these protocols, all of which facilitate a safe and measured reopening of Texas. The virus that causes COVID-19 is still circulating in our communities. We should continue to observe practices that protect everyone, including those who are most vulnerable.

Please note, public health guidance cannot anticipate every unique situation. Individuals should stay informed and take actions based on common sense and wise judgment that will protect health and support economic revitalization.

Health protocols for individuals:

- Individuals aged 65 or older are at a higher risk of COVID-19. To the extent possible, avoid contact within 6 feet with individuals aged 65 and older. Individuals aged 65 and older should stay at home as much as possible. Large gatherings, even those held outside, pose a significant risk to this population.
- Individuals may not be in a group larger than 10 individuals (including those within the individual's household). Within these groups, individuals should, to the extent possible, minimize in-person contact with others not in the individual's household. Minimizing in-person contact includes maintaining 6 feet of separation from individuals. When maintaining 6 feet of separation is not feasible, other methods should be utilized to slow the spread of COVID-19, such as washing or sanitizing hand frequently, and avoiding sharing utensils or other common objects.
- Individuals should maintain 6 feet of separation from others outside the individual's group. A group is defined as no more than 10 persons including the members of the household and those persons who traveled together to the event.
- Self-screen before going to an outdoor event for any of the following new or worsening signs or symptoms of possible COVID-19:

<input type="checkbox"/> Cough	<input type="checkbox"/> Sore throat
<input type="checkbox"/> Shortness of breath or difficulty breathing	<input type="checkbox"/> Loss of taste or smell
<input type="checkbox"/> Chills	<input type="checkbox"/> Diarrhea
<input type="checkbox"/> Repeated shaking with chills	<input type="checkbox"/> Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit
<input type="checkbox"/> Muscle pain	<input type="checkbox"/> Known close contact with a person who is lab confirmed to have COVID-19
<input type="checkbox"/> Headache	



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- Wash or disinfect hands after any interaction with employees, other individuals, or items at the outdoor event.
- Clean and sanitize any items before and after use.

Local approval factors:

- Local approval for large outdoor gatherings (those with an estimated attendance exceeding 10 individuals) is appropriate in this instance because a statewide standard is unable to take into account the various factors needed to ensure such a gathering in varied locations is safe and will minimize the spread of COVID-19. Further, business parity is not an issue at large outdoor events.
- In evaluating large gatherings (those with an estimated attendance exceeding 10 individuals), the county judge or the mayor, as applicable, should consider the following factors:
 - The overall number of projected attendees;
 - The likelihood of individuals over the age of 65 attending;
 - The density of the forum and the ability to ensure social distancing of 6 feet between individuals; and
 - The level of transmission in the county.
- Gatherings of less than 10 individuals may proceed consistent with all the health protocols above without approval of the county judge, local health authority, or mayor, as applicable.