

## **MAYORAL DECLARATION OF LOCAL DISASTER DUE TO PUBLIC HEALTH EMERGENCY**

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**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 Brenham, 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, codified in Chapter 418 of the Texas Government Code.

**NOW THEREFORE, BE IT PROCLAIMED AND DECLARED BY THE MAYOR OF THE CITY OF BRENHAM, TEXAS:**

**SECTION 1.** That a local state of disaster for public health emergency is hereby declared for the City of Brenham, 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 declaration of a local 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 consent of the City Council of the City of Brenham, 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 Brenham, Texas, emergency management plan, and authorizes the furnishing of aid and assistance under the declaration as well as all other applicable powers and functions as set forth therein.

**SECTION 5.** That this declaration authorizes the City, acting through the Mayor, to take any actions as authorized by Chapter 418, Texas Government Code or other applicable law, necessary to promote the public health, safety and welfare and suppress the COVID-19 virus, including but not limited to establishing curfews; regulating occupation of and/or closing of food establishments; regulating occupation of and/or closing of common bar spaces open to the public (“bar” means a holder of a wine and beer retailer's permit or mixed beverage permit) and prohibition of alcohol consumption on the bar premises; regulating occupation of and/or closing of event venues, entertainment facilities, festivals, sports venues, museums, tourist attractions, recreation facilities, and other similar facilities where people gather.

**SECTION 6.** That this declaration authorizes the City, acting through the Mayor (unless action of the City Council is expressly required by applicable law), to take any actions necessary to promote health and suppress disease, including but not limited to the COVID-19 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 7.** That this declaration hereby limits the size of gatherings to not more than ten (10) people and mandates the cancellation of all such gatherings with ten (10 or more persons until further notice. A “gathering” refers generally to a scheduled event or common endeavor where ten (10) persons are present, indoor or outdoor, public or private, in a confined space, room, or area.

**SECTION 8.** That this declaration, pursuant to Texas Government Code §418.016(a), hereby orders that the deadlines imposed on hoteliers by Chapter 24 Taxation, Article II Hotel Occupancy Tax for the filing of required monthly tax reports and monthly payment of local hotel occupancy taxes to the City of Brenham, Texas shall be extended by ninety (90) days according to the following schedule:

<b><u>Collection Month</u></b>	<b><u>Regular Due Date</u></b>	<b><u>Extended Due Date</u></b>
February, 2020	March 31, 2020	June 29, 2020
March, 2020	April 30, 2020	July 29, 2020
April, 2020	June 1, 2020	August 30, 2020
May, 2020	June 30, 2020	September 28, 2020

**SECTION 9.** 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 10.** That this declaration hereby authorizes the use of all lawfully available enforcement tools.

**SECTION 11.** That this declaration shall take effect immediately from and after its issuance.

**DECLARED** this the 19<sup>th</sup> day of March 2020.



Milton Y. Tate, Jr.  
Milton Y. Tate, Jr.  
Mayor

**ATTEST:**

Jeanne Bellinger  
Jeanne Bellinger, TRMC, CMC  
City Secretary