



**CITY OF ALAMO HEIGHTS , 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 cause a severe illness, including coughing, fever, shortness of breath 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 31, 2020, the Governor of the State of Texas issued a revised 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 ordered that Texans minimize social gatherings and in-person contact with people outside their households unless seeking essential services; and

**WHEREAS**, on April 12, 2020, the Governor of the State of Texas issued a proclamation renewing the disaster declaration for all counties in Texas and on April 17, 2020, the Governor issued Executive Order GA-16 which allowed for reopened services to begin on April 24, 2020 of retail stores that are not providing "essential services" but only if they provide pickup, delivery by mail or delivery to customer's doorstep in strict compliance with Texas Department of State Health Services; and

**WHEREAS**, on April 27, 2020, the Governor issued Executive Order GA-18 which keeps in place stay home/work home order but allows for individuals to seek essential services and now allows for reopened service" to begin on May 1, 2020, which includes retail stores, restaurants, movie theatres, museums and libraries to open up for services but are limited to occupancy of 25% or below and must adhere to social distancing; and

**WHEREAS**, on April 29, 2020, the County Judge of Bexar County issued a revised proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for Bexar County and setting various restrictions including a "**Stay Home Work Safe Measures**" and the mandating of face coverings for anyone over the age of 10 because these extraordinary emergency measures are required to mitigate the effects of this public health emergency and to facilitate a response to the public health threat; and

**WHEREAS**, the City of Alamo Heights, Texas, is also taking measures to prevent the spread of COVID-19 and prevent the spread throughout the City of Alamo Heights, that all persons currently residing within the City are hereafter directed to stay at home and residents may only leave their residences to engage in allowable activities which shall include "Essential Services" or "Reopened Services" as defined in the Governor's Executive Order GA-18; and

**WHEREAS**, it is the intent of this Declaration to remain as consistent with and to harmonize, to the extent possible, the Executive Orders of Governor Greg Abbott and the mandates contained in the current Executive Order of Bexar County Judge (as extended or modified); and

**NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF ALAMO HEIGHTS, TEXAS:**

**SECTION 1.** That a local state of disaster for public health emergency is hereby continued for the City of Alamo Heights 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 until 11:59 PM on May 15, 2020, unless continued or modified by the City Council of the City of Alamo Heights.

**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 Alamo Heights, Texas, emergency management plan.

**SECTION 5.** That pursuant to Section 122.006 of the Texas Health and Safety Code, this declaration authorizes the City to take any action necessary to promote health and suppress disease, including quarantine, examining hospitals, regulating ingress and egress from the City and fining those who do not comply with the City's rules.

**SECTION 6.** In accordance with Executive Order GA-18 issued by Governor on April 29<sup>th</sup>, attached hereto as **Exhibit A**, and to achieve the goals to reduce the spread of COVID-19, every person in Alamo Heights shall, except where necessary to provide or obtain "**essential services**" or "**reopened services**", minimize social gatherings and minimize in-person contact with people who are not in the same household. People over the age of 65, are strongly encouraged to stay at home as much as possible; to maintain appropriate distance from any member of the public; and, if leaving the home, to implement social distancing and to practice good hygiene, environmental cleanliness, and sanitation.

**SECTION 7.** "**Essential services**" shall consist of everything listed by the U.S. Department of Homeland Security (DHS) in its Guidance on the Essential Critical Infrastructure Workforce, Version 3.0 or any subsequent version including but not limited to grocery stores or gas stations.

**SECTION 8.** "**Reopened services**" shall include but not limited to the following (i) In-store retail services, for retail establishments that operate at up to 25 percent of the total listed occupancy of the establishment; (ii) Dine-in restaurant services, for restaurants that operate at up to 25 percent of the total listed occupancy of the restaurant; provided, however, that this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages and are therefore not required to post the 51 percent sign required by Texas law as determined by the Texas Alcoholic Beverage Commission; and (iii) movie theaters that operate at up to 25 percent of the total listed occupancy of any individual theater for any screening.

**SECTION 9.** That this declaration to be consistent with Bexar County Order issued on April 29, 2020, hereby requires all people 10 years or older to wear a cloth face covering over their nose and mouth when in a public place where it is difficult to keep six feet away from other people such

as visiting a grocery store/pharmacy or working in areas that involve close proximity with other coworkers. Coverings may include homemade masks, scarfs, bandanas, or a handkerchief. **Consistent with Governor's Executive Order GA-18, the City may not issue a civil or criminal penalty for failure to wear a face covering.** Face coverings *do not* need to be worn in the following circumstances: (i) when exercising outside or engaging in physical activity outside; (ii) while driving alone or with passengers who are part of the same household as the driver; (ii) when doing so poses a greater mental or physical health, safety or security risk; (iv) while pumping gas or operating outdoor equipment; (v) while in a building or activity that requires security surveillance or screening, for example, banks; and (vi) when consuming food or drink.

**SECTION 10.** That this declaration hereby directs bars, lounges, taverns, private clubs, arcades, bowling alleys, bingo parlors, indoor commercial amusement businesses, gyms, martial arts studios, nail salons, hair salons, barber shops, hair removal salons, massage parlors, spas, tattoo and piercing parlors and all other non-medical, personal care services shall remain closed.

**SECTION 11.** That this declaration hereby directs the public from visiting nursing homes or retirement centers unless they are providing critical assistance.

**SECTION 12.** Subject to the further guidance set out in Bexar County Judge's Order of April 29, extending the Stay Home, Work Safe Measures through May 19, 2020, those measures include the suspension of home foreclosures and evictions.

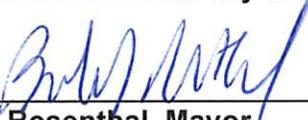
**SECTION 13.** That this declaration hereby directs the residents and visitors to Alamo Heights to comply with Bexar County Judge's Order issued on April 29, 2020 and Governor's GA-18, issued on April 27, 2020.

**SECTION 14.** That effective immediately, and continuing through May 15, 2020, the City hereby adopts the provisions of Executive Order GA-18 issued by Governor Greg Abbott on April 27, 2020. The provisions of GA-18 are incorporated herein by reference as if written word for word. Any provision in the Bexar County Judge's Order issued on April 29<sup>th</sup> that may be in conflict with Governor's Executive Order GA-18, the Governor's Order shall control.

**SECTION 15.** 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 16.** That this declaration shall take effect immediately from and after its issuance and be effective until 11:59 PM on May 15, 2020 unless extended or modified by City Council.

**DECLARED this 30th day of April, 2020.**

  
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**Bobby Rosenthal, Mayor**