

**ORDINANCE OF THE CITY OF KYLE, TEXAS CONTINUING
DECLARATION DISASTER
FOR THE CITY OF KYLE, TEXAS**

WHEREAS, the Mayor of the City of Kyle, Texas declared a state of local disaster on March 17, 2020 due to imminent threat from COVID-19; and

WHEREAS, in accordance with Texas Government Code Section 418.108(b), the declaration of local state of disaster may not be continued or renewed for a period of more than seven (7) days except with the consent of the City Council of the City of Kyle, Texas; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern, advising countries to prepare for the containment, detection, isolation and case management, contract tracing and prevention of onward spread of the disease; and

WHEREAS, on March 5, 2020, the World Health Organization Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and

WHEREAS, on March 13, 2020, Governor Abbott declared a state of disaster for all counties in the State of Texas due to COVID-19 posing an imminent threat of disaster in the state; and

WHEREAS, the Center for Disease Control and Preparation is closely monitoring the number of COVID-19 cases that have spread in the United States; and

WHEREAS, on March 15, 2020, the Judge Becerra issued a disaster declaration, which was extended for 120 days by the Hays County Commissioners Court on March 16, 2020; and

WHEREAS, the COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, large gatherings of unidentifiable individuals without necessary mitigation for the spread of infection may pose a risk for the spread of infectious disease; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

WHEREAS, this Ordinance was approved by a vote of at least five members of the City Council; and

WHEREAS, the City Council of the City of Kyle, Texas, pursuant to Texas Government Code Section 418.108(b), has consented to continue the declaration of local state of disaster for the City of Kyle, Texas.

NOW THEREFORE, BE IT DECLARED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, THAT:

- 1.) Pursuant to Section 4.07 of the City Charter, the City Council hereby finds and determines that an emergency exists, such emergency being the imminent threat to life, health, property, and public peace posed by the outbreak of COVID-19 and its effects. This Ordinance is being adopted by one reading pursuant to Section 4.07 of the City Charter. This Ordinance is effective immediately and the City Manager is hereby authorized and directed to cause the publication of the caption of this Ordinance in two successive issues of a newspaper of general circulation in the City. This ordinance shall be automatically repealed within sixty (60) days unless reenacted by the City Council.
- 2.) The declaration of state of local disaster for the City of Kyle, Texas resulting from threats posed by COVID-19 is hereby continued.
- 3.) This Declaration continues to activate the City's Emergency Management Plan.
- 4.) This Declaration continues to activate the recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of aid and assistance under the Declaration, and the preparedness and response aspects of the plans are activated as provided in the plans and such other measures as set forth in the Mayor's March 17, 2020 disaster declaration.
- 5.) This Declaration continuing a local state of disaster shall be effective for one-hundred twenty (120) days on and from its date of issuance, provided however that this Declaration may be terminated before the expiration of 120 days by subsequent order of the Mayor or action of the City Council, and may be continued or renewed beyond said period from its date of issuance only with the consent of the City Council of the City of Kyle, Texas.
- 6.) Orders issued by the Mayor prior to the effective date of this Ordinance are hereby ratified, confirmed, and approved.
- 7.) In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates this Ordinance, or a declaration, order or proclamation issued by the Mayor under Chapter 418, Government Code, the

City Charter, or the emergency management plan, 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. Article III, Chapter 20, of the City's Code of Ordinances is hereby amended to add this section 7 to a section entitled: Section 20.103. Penalty for Violation of the Emergency Management Plan.

- 8.) The sections, paragraphs, sentences, clauses and phrases of this Declaration are severable and if any phrase, clause, sentence, paragraph or section of this Declaration should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Declaration that can be given effect without the invalid provision, and to this end the provisions of this Order are severable.
- 9.) This Declaration shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
- 10.) This Declaration shall take effect immediately from and after its issuance.

This Ordinance is hereby **PASSED AND APPROVED**, this ____ day of _____, 20____.

Travis Mitchell, Mayor
City of Kyle, Texas

ATTEST:

Jennifer Vetrano, City Secretary