

**City of West Orange
Monday, March 26, 2020
Special Session**

**West Orange Community Center
2700 Western Avenue (rear entrance)
West Orange, Texas
Noon**

COUNCIL MEMBERS PRESENT:

Mayor Roy McDonald Dale Dardeau Randy Branch
Michael Shugart, Sr.

APPOINTED OFFICIALS PRESENT:

Alex Parker Theresa Van Meter Mike Stelly
Rex Peveto

Call to Order

Mayor McDonald called the meeting to order at noon, stating that a quorum of Council was present.

Special Session

Discussion and Possible Action on a Declaration of Disaster for the City of West Orange
– Council Member Shugart made a motion that the Declaration of Disaster (*attached*) pertaining to COVID-19 be approved as presented. Said declaration shall go into effect at 11:59 p.m. this night and remain in effect for a period not to exceed thirty (30) days from this date. His motion was followed by a second by Council Member Dardeau. No discussion followed.

Mayor McDonald called for a vote on the motion, which passed unanimously by those present.


Adjournment

With there being no further business before Council, Mayor McDonald adjourned the meeting at 12:01 p.m.



Roy McDonald, Mayor

ATTEST:



Theresa Van Meter, City Secretary



COPY

DECLARATION OF DISASTER

CITY OF WEST ORANGE, 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 West Orange, 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, pursuant to Chapter 418 of the Texas Government Code.

NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF WEST ORANGE, TEXAS:

SECTION 1. That a local state of disaster for public health emergency is hereby declared for the City of West Orange, 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 for a period of not more than thirty (30) days from the date of this declaration as declared by the City Council of the City of West Orange, Texas, or until cancelled by the Mayor and/or City Council.

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 West Orange, Texas,

emergency management plan, and authorizes the furnishing of aid and assistance under the declaration.

SECTION 5. That this declaration authorizes the City to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, establishment of quarantine stations, emergency 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 6. That this declaration hereby limits the size of gatherings – both public and private - to not more than 10 people and mandates the cancellation of all such gatherings until further notice. A "gathering" refers generally to any event or common endeavor where (ten) 10 or more persons are present in a confined space, room, or area, including weddings, funerals and memorial services. This also refers to the total number of persons present at any one household/residence at any one time unless a resident of said property.

Larger essential retail outlets will be exempted so long as they are able to adhere to social distancing by keeping patrons a minimum of 6 feet separation from each other. Persons are to shop in these facilities only when necessary. Only one person per household may enter facility to shop, unless said individual has no means of childcare, or needs physical assistance.

SECTION 7. It is hereby ORDERED that a twenty-four (24) hour curfew shall be in place immediately throughout West Orange for all individuals who are under the age of eighteen (18) who:

- a. Are not in school; or
- b. Are not accompanied by school personnel, a parent or guardian; or
- c. Are not going directly to their place of employment or going directly home from that place of employment.

This Section does not apply to special needs students during the times local school districts are required by federal law to provide services to those that qualify.

SECTION 8. It is hereby ORDERED that a person, business, corporation or individual shall not sell any product(s), goods and/or services for more than the price that was charged on March 12, 2020.

SECTION 9. It is hereby ORDERED that all municipal court appearance days have been extended from the fourteen (14) day maximum initial appearance date to forty-five (45) days, other cases will be at the discretion of the municipal court Judge.

SECTION 10. It is hereby ORDERED that all health clubs, gyms, exercise facilities, hair and nail salons, barber shops and game rooms shall close according to their normal posted business hours this date and remain closed until further notice.

SECTION 11. It is hereby ORDERED that all bars, taverns and restaurants be closed for in-house dining; only to-go and delivery services shall be permitted.

SECTION 12. 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 13. That this declaration hereby authorizes the use of all lawfully available enforcement tools.

SECTION 14. That this declaration shall become effective at 11:59 p.m. on March, 26, 2020.

DECLARED this 26th day of March, 2020.


Roy McDonald, Mayor

Attest:


Theresa Van Meter, City Secretary

