

ORDINANCE 2020-11

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS EXTENDING A DECLARATION OF LOCAL DISASTER; ESTABLISHING RULES AND REGULATIONS FOR THE DURATION OF THE DISASTER; RESTRICTING CERTAIN ACTIVITIES.

WHEREAS, pursuant to Ordinance No. 2020-09, adopted by City Council for reasons stated within the findings of said ordinance, the Mayor's declaration of local disaster and public health emergency in response to the COVID-19 pandemic was extended for a period of thirty days; and

WHEREAS, in response to the COVID-19 pandemic Burnet County Officials have declared a public health emergency and have issued executive orders consistent with such declaration; and

WHEREAS, as of May 4, 2020, the Center for Disease Control and Prevention reports:

- 1,152,372 COVID-19 reported cases and 67,456 deaths directly related to COVID-19 nationwide; and
- 31,548 COVID-19 reported cases and 867 deaths directly related to COVID-19 within the State of Texas; and
- 23 COVID-19 reported cases within the County of Burnet; and

WHEREAS, City officials continue to work collaboratively with County officials and with local health authorities to combat the COVID-19 pandemic; and

WHEREAS, on May 5, 2020, the Governor of the State of Texas issued an Executive Order relating to gradually reopening the economy from previous restrictions and provided the public with a report of extensive guidelines, which remains in effect until May 19, 2020; and

WHEREAS, the City Council, due to the continued imminent threat of disaster created by the COVID-19 pandemic, and pursuant to Texas Government Code Section 418.108(b), Texas Health and Safety Code, Sec. 122.006, and the police powers granted to the City as a home rule municipality has determined that it is necessary for the health, safety, and welfare of the citizens of Burnet to continue the declarations of local state of disaster emergency for the City of Burnet, Texas, until terminated, and to approve the Proclamation issued by Mayor Crista Goble Bromley related to the COVID-19 pandemic to align with the Texas Governor's May 5th Executive Order, and any future orders of the Governor of the State of Texas related to reopening the economy from the restrictions of the COVID-19 guidelines;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, 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. The declaration of local state of disaster and, to the extent allowed by law, the state of public health emergency previously declared for the City of Burnet in response to the COVID-19 pandemic ("the Declaration"), by Mayor Crista Goble Bromley, and extended by City Council Ordinance No., 2020-09 is hereby extended until September 30, 2020, unless otherwise terminated or repealed by the Mayor or this City Council, or extended by this City Council.

SECTION 3. The Mayor's Proclamation issued on May 6, 2020, and attached hereto, is adopted and approved and shall continue in full force and effect to run concurrently with the Governor's May 5th Executive Order, and any other future Executive Orders which may be issued by the Governor of the State of Texas, unless otherwise terminated or repealed by the Mayor or this City Council, or extended by this City Council.

SECTION 4. The Mayor is hereby delegated and given the full power and authority of the City Council to review, ratify, and adopt any subsequent City of Burnet emergency orders necessary for the public health, safety, and welfare relating to the COVID-19 pandemic, provided such orders will expire in seven days unless approved by this City Council.

SECTION 5. The Declaration continues to activate the Emergency Management Plan utilized by the City of Burnet.

SECTION 6. The Declaration continues to activate the recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans, as well as the preparedness and response aspects of such plans.

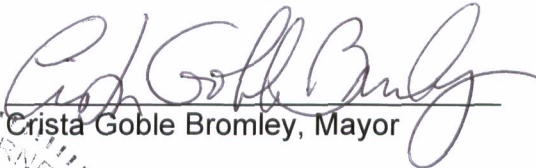
SECTION 7. The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections that can be given effect without the invalid provision, and to this end the provisions are severable.

SECTION 8. This Ordinance and the Mayor's Proclamation shall be given prompt and general publicity and shall be filed promptly with the City Secretary of the City of Burnet, Texas and forwarded to the State of Texas.


SECTION 10. This Ordinance shall take effect immediately from and after its issuance.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 12th DAY of May, 2020.

CITY OF BURNET, TEXAS


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary



CITY OF BURNET AMENDED PROCLAMATION CLARIFYING
DECLARATION OF LOCAL DISASTER AND PUBLIC HEALTH
EMERGENCY

WHEREAS, the Governor of the State of Texas has issued a statewide disaster declaration related to the COVID-19 pandemic, and on April 17, 2020, the Governor issued Executive Orders GA-15, GA-16 and GA-17, relating to a plan for the gradual reopening of the economy from previous orders related to the continuing COVID-19 pandemic; and

WHEREAS, the Governor of the State of Texas issued an Executive Order on May 5, 2020, relating to the expanded reopening of businesses as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and

WHEREAS, pursuant to powers granted to me under Texas Government Code Sections 418.108 and 418.1015, Chapter 81 of the Texas Health and Safety Code, and other relevant statutes, I, Crista Goble Bromley, Mayor of the City of Burnet, Texas, on March 24, 2020, issued a Declaration of Public Health Emergency and Disaster for the City due to the imminent threat of disaster posed by the COVID-19 pandemic; and

WHEREAS, City Council approved Ordinance 2020-09 extending the Declaration of Public Health Emergency and Disaster, effective for 30 days; and

WHEREAS, I have determined that additional measures must be taken to clarify the Declaration and Orders of the City of Burnet's to maintain consistency with the Governor's Executive Orders and the orders of Burnet County for the health, safety and welfare of our citizens.

NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF BURNET, TEXAS THAT:

The following changes to the Declaration and Orders of the City of Burnet are effective on a city-wide basis, effective 12:01 a.m. on May 7, 2020:

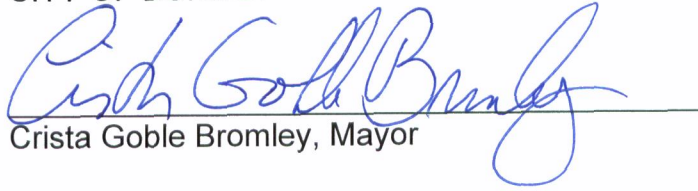
Order No. 1 All residents and businesses of the City of Burnet shall comply with all Executive Orders of the Governor of the State of Texas and such Executive Orders the Governor may issue in the future related to the COVID-19 pandemic. Any provision of the previous Declaration and Orders of the City of Burnet inconsistent with the Governor's Orders are hereby repealed.

This Proclamation supersedes any provisions of previous Declarations and Orders on this matter that are in conflict or inconsistent with the terms herein or with the terms of any Executive Order of the Governor of Texas issued in response to the COVID-19 pandemic.

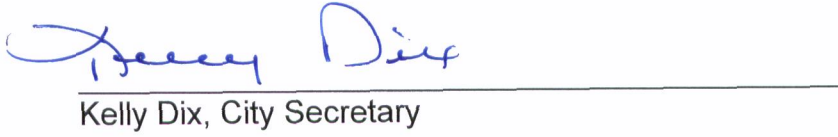
This Proclamation shall remain in effect and in full force through the date the Texas State Governor's Orders related to the COVID-19 are terminated.

Given under my hand this the 6th day of May 2020.

CITY OF BURNET


Crista Goble Bromley, Mayor

ATTEST:


Kelly Dix, City Secretary

