



**ORDER OF CITY OF MART – MAYOR LEONARD WILLIAMS**

**DATE ORDER ISSUED: March 19, 2020**

**WHEREAS**, in December 2019, a novel coronavirus, now designated Coronavirus disease 2019 (COVID-19), was detected in Wuhan City, Hubei Province, China; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency regarding COVID-19; and

**WHEREAS**, on March 13, 2020, Governor Greg Abbott declared a state of disaster due to COVID-19; and

**WHEREAS**, on March 13, 2020, the Waco-McLennan County Public Health District ("Health District") continued to urge persons to cancel, reschedule, and/or not attend gatherings attended by more than 250 people and made other recommendations regarding social distancing; and

**WHEREAS**, on March 15, 2020, the Centers for Disease Control ("CDC") lowered the recommended number of persons at mass gatherings to 50 persons; and

**WHEREAS**, large gatherings of individuals pose a risk of the spread of COVID-19. COVID-19 spreads between people who are in close proximity to each other through respiratory droplets produced when a person coughs or sneezes. The CDC recommends that persons maintain a distance of six feet from others when possible; and

**WHEREAS**, limiting large gatherings is essential and proactive to prevent and slow down community spread of COVID-19; and

**WHEREAS**, because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order prohibits community gatherings of 50 persons or more anywhere in the City of Mart as defined by Section 7 herein; and

**WHEREAS**, for all other gatherings, the Mayor of the City of Mart and the Waco-McLennan County Public Health District ("Health District") strongly recommends following the social distancing protocols attached to this Order, including canceling, rescheduling, or not attending non-essential events with more than 10 persons; and

**WHEREAS**, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared COVID-19 as a pandemic and urged that all countries take urgent and aggressive action; and undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation; and

**WHEREAS**, I, Leonard Williams, have determined that extraordinary and immediate measures must be taken to respond quickly to prevent and slow down community spread of COVID-19; and

**WHEREAS**, additionally, the Mayor of the City of Mart and the Health District strongly urge high-risk individuals, as defined by the Centers for Disease Control and Prevention (CDC), to cancel, reschedule, or not attend non-essential events of any size,

**NOW, THEREFORE, BE IT PROCLAIMED AND ORDERED BY LEONARD WILLIAMS, MAYOR OF THE CITY OF MART, TEXAS, UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108:**

1. That a local state of disaster and public health emergency is hereby declared for the City of Mart, Texas.
2. Pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City Council of the City of Mart.
3. Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the City's emergency management plan.
5. Public or private Community Gatherings (as defined in Section 7 below) are prohibited anywhere in the City of Mart. The uses in subsections (i), (ii), and (iii) of this section are not considered Community Gatherings, but are limited or prohibited as provided in subsections (i), (ii, and (iii):
  - (i) A restaurant with or without drive-through services; drive-through restaurant; microbrewery, micro-distillery, or winery may only provide take out, delivery, or drive through services as allowed by law;
  - (ii) A location with alcoholic beverage consumption for on-premise consumption, including a bar, lounge, or tavern, or private club shall close; and
  - (iii) Indoor recreational facilities, including a gym or health studio; indoor amusement facility, including a bowling alley or a pool hall; or theater (theatre) shall close.
6. In addition, the Mayor of the City of Mart and the Waco-Mclennan County Public Health District ("Health District") strongly recommend canceling, rescheduling, or not attending events with more than 10 persons. The Mayor of the City of Mart and the Health District strongly urge organizations that serve high-risk populations to cancel any gatherings. These recommendations are based on the social distancing practices attached to this Order as well as the



"implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission" issued by the United States Centers for Disease Control and Prevention ("CDC"). The Mayor of the City of Mart and the Health District urge people to not attend non-essential gatherings during the duration of this Order in order to help slow down the spread of the COVID-19 virus.

7. Definitions:

a. For purposes of this Order, a "Community Gathering" is any indoor or outdoor event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together fifty (50) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, stadium (indoor or outdoor), tent, arena or event center, music venue, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.

b. An outdoor "Community Gathering" under this Order is limited to events in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within six feet of one another for extended periods. c. For purposes of clarity, a "Community Gathering" does not include the following, or other similar uses, so long as persons attending the Community Gathering are generally not within six feet of one another for extended periods:

(i) spaces where fifty (50) or more persons may be in transit or waiting for transit such as airports, bus stations, or terminals;

(ii) office space, public and private schools, child-care facilities, residential buildings, or any type of temporary sheltering or housing (see also Subsection 7(a));

(iii) grocery stores, shopping centers or malls, or other retail establishments where large numbers of people are present, but it is unusual for them to be within six feet of one another for extended periods (see also subsections 5(i), (ii), and (iii) above); or

(iv) hospitals and medical facilities.

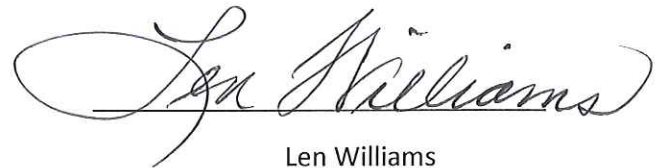
8. Sections 5 and 7 shall become effective at 11:59 pm on March 19,2020.

9. The City of Mart must promptly provide copies of this Order by posting it on the City of Mart website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.

10. That a violation of this order shall be a Class C misdemeanor and the penalty for violating this order shall be a fine of not less than one dollar (\$1.00; and no more than one thousand dollars (\$1,000.00), and each day a violation exists shall be a separate offense. That this declaration also hereby authorizes the use of any other lawfully available enforcement tools.

11. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

**ORDERED** this the 19th day of March, 2020

A handwritten signature in cursive script that reads "Len Williams". The signature is written in black ink and is positioned above a horizontal line.

Len Williams

Mayor

ATTEST:

A handwritten signature in cursive script that reads "Kevin Schaffer". The signature is written in black ink and is positioned above a horizontal line.

Kevin Schaffer

City Secretary