



**Mayoral Declaration of Disaster
and Executive Order #53
City of Ingleside**

WHEREAS, beginning in December 2019, a novel coronavirus, now designated COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and

WHEREAS, prudence dictates that extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout the City; and

WHEREAS, Governor Abbott and San Patricio County have declared a local disaster due to public health emergency; and

WHEREAS, the Mayor of Ingleside, Texas has Declared a Local State of Disaster and again does so hereby.

WHEREAS, the Governor's Executive Order GA-30 provides recommendations and controls for people in Texas; and

WHEREAS, the Governor's Executive Order GA-32 supersedes Executive order GA-30, but does not supersede Executive Orders GA-10, GA-13, GA-17, GA-24, GA-25, GA-20, or

GA-31; and

WHEREAS, apart from the threats to health and safety, COVID-19 has also wrought havoc on the many Texas businesses and workers affected by social-distancing restrictions that were necessary to protect human life.

NOW THEREFORE, UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, THE MAYOR OF THE CITY OF INGLESIDE, TEXAS DECLARES AND ORDERS:

SECTION 1. A local state of disaster due to public health emergency is hereby declared for the City of Ingleside, Texas, pursuant to Section 418.108(a) Texas Government Code.

SECTION 2. This Mayoral Declaration and Order supersedes and revises all prior Mayoral Declarations and Orders.

SECTION 3. Pursuant to Section 418.108(b) of the Texas Government Code, the state of disaster due to public health emergency shall continue for a period of not more than seven (7) days from the effective date of this declaration unless continued or renewed by the City Council. The Mayor may issue other declarations at any time, each of which shall continue for a period of seven (7) days or such lesser time as the Mayor may declare. Until this crisis passes, it is the intent of the Mayor to continue as necessary the pronouncement of Declarations such as this to

protect the people of Ingleside.

SECTION 4. Pursuant to section 418.108(c) of the Texas Government Code, this declaration of a local state of disaster due to public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

SECTION 5. Pursuant to section 418.108(d) of the Government Code, this declaration of a local state of disaster activates the City's Emergency Management Plan.

SECTION 6. This declaration authorizes the City to take any actions necessary to promote health and suppress the virus, and to ensure compliance for those who do not comply with the City's rules, in accordance with Section 122.006 Texas Health and Safety Code and Chapter 418 Texas Government Code.

SECTION 7. Strike Force to Open Texas. It is Ordered as follows:

- (a) In accordance with guidance from DSHS Commissioner Dr. Hellerstadt, and to achieve the goals established by the President, do hereby order the following on a statewide basis effective immediately:

SECTION 8. Covered Services.

1. For purposes of Order, Covered Services shall consist of everything listed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical

Infrastructure Workforce, Version 3.1 or any subsequent version.

2. Starting at 12:01 a.m. on Monday, September 21, 2020, Governor Abbott's Executive Order GA 30 -, is included in its entirety, by reference, in this Declaration.

1. For any outdoor gathering in excess of 10 people, other than those set forth above in paragraph numbers 1,2, or 4, or 5 the gathering is prohibited unless the mayor of city in which the gathering is held, or the county judge in the case of gathering in an unincorporated area, approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with this executive order;

Except as provided in above paragraph, this 50% occupancy limit does not apply to outdoor areas, events, or establishments, except that the outdoor areas or outdoor venues identified in Executive Order GA-28 shall operate at no more than the percentage of normal operating limits as was set forth in Executive Order GA-28.

2. Except as provided in this executive order or in the minimum standard health protocols recommended by DSHS, found at www.dshs.texas.gov/coronavirus, people shall not be in groups larger than 10 and shall maintain six feet of social distancing from those not in their group.

SECTION 9. It is furthered ordered as follows:

1. That no person shall sell any of the following goods or services for more than the price the person charged for the goods or serves on 12:01 a.m. on Monday, March 30, 2020 and continuing during the pendency of this Executive Order:

- a. Groceries, beverages, toilet articles, ice;
 - b. Restaurant, cafeteria, and boarding-house meals; and
 - c. Medicine, pharmaceutical and medical equipment and supplies.
2. That as of the date of this Executive Order and continuing for the remainder of the period set out in the joint third amended emergency order of the Supreme Court of Texas in Misc. Docket No. 20-9044 and the Court of Criminal Appeals of Texas in Misc. Docket No. 20- 008, all courts within the City of Ingleside will comply with the Emergency Orders issued, including conducting in-person proceedings according to the guidance issued by the Office of Court Administration regarding social distancing, maximum group size, and other restrictions and precautions.
3. That people who are sick should stay at home and not engage in any activity outside of their residence unless related to treatment or health care. If someone in a household has tested positive for COVID-19, then the other members of the household should consider themselves positive if they become symptomatic and follow the current policies and procedures in place for isolation and quarantine.
4. Pursuant to the WEATHER CLOSINGS AND EMERGENCIES provisions of The City of Ingleside Employee Manual, the following measures are also hereby Ordered continued as set forth herein:
 - a. All employees must report back to work by the date and time instructed by the Return to Work Order issued by Mayor Ronnie Parker.

5. All City of Ingleside Boards, Commissions, Committees, City staff or Council may participate in meetings remotely through audio or audio/video conferencing software or techniques as can be reasonably accommodated and in accordance with State Statutes.
6. Effective at 12:01 a.m., Monday, September 21, 2020, the following types of business establishments may operate up to 75 percent of the total listed occupancy of the establishment, except for those establishments in the in areas with high hospitalizations as defined below:
 - a. In-store, non-CISA retail establishments;
 - b. dine-in restaurants, as defined below in paragraph No. 7;
 - c. non-CISA office buildings;
 - d. non-CISA manufacturers;
 - e. museums and libraries; and
 - f. gyms and exercise facilities and classes.

“Areas with high hospitalizations” means any Trauma Service Area that has had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of all hospitalized patients exceeds 15 percent, until such time as the Trauma Service Area has seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of all hospitalized patients is 15 percent or less. A current list of areas with high hospitalizations will be maintained at www.dshs.texas.gov/ga3031.

7. For dine-in services by restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages, the occupancy limit shall be 75 percent effective at 12:01 a.m. on September 21, 2020.
8. Bars or similar establishments that hold a permit from the Texas Alcoholic Beverage Commission (TABC), and are not restaurants as defined in paragraph 7, may offer on-premises services only as described by this paragraph. A bar or similar establishment may offer on-premises services at up to 50 percent of the total listed occupancy of the establishment, effective October 14, 2020 at 12:01 a.m., if:

- a. the bar or similar establishment is not in an area with high hospitalizations as defined above, and the county judge of the county in which the bar or similar establishment is located files the requisite form with TABC; or
- b. the bar or similar establishment is in an area with high hospitalizations as defined above, but is located in a county that has filed with DSHS, and is in compliance with, the requisite attestation form promulgated by DSHS regarding minimal cases of COVID-19, and the county judge of the county in which the bar or similar establishment is located also files the requisite form with TABC.

Patrons at bars or similar establishments operating under this paragraph may eat or drink only while seated, except that in an establishment that holds a permit from TABC as a brewer, distiller/rectifier, or winery, customers may sample beverages while standing so long as they are in a group of six people or fewer and there is at least six feet of social distancing or engineering controls, such as partitions, between groups.

Where applicable, this 50 percent occupancy limit applies only indoors; the limit does not apply to outdoor areas, events, or establishments, although social distancing and other protocols must be followed.

People shall not visit bars or similar establishments that are located in counties not included in parts (a) or (b) above. A current list of all counties reopening under this paragraph will be maintained on TABC's website.

The use by bars or similar establishments of drive-thru, pickup, or delivery options for food and drinks remains allowed to the extent authorized by TABC.

- 9. All commercial entities providing goods or services directly to the public must develop and implement a health and safety policy ("**Health and Safety Policy**"). The Health and Safety Policy must require, at a minimum, that all employees or visitors to the commercial entity's business premises or other facilities wear face coverings when in an area or performing an activity which will necessarily involve close contact or proximity to co-workers or the public where six feet of separation is not feasible. The Health and Safety Policy required to be

developed and implemented by this Executive Order may also include the implementation of other mitigating measures designed to control and reduce the transmission of COVID-19, such as temperature checks or health screenings. Commercial entities must post the Health and Safety Policy required by this Executive Order in a conspicuous location sufficient to provide notice to employees and visitors of all health and safety requirements. Failure to develop and implement the Health and Safety Policy required by this Executive Order within five (5) calendar days following the Effective Date may result in a fine not to exceed \$1,000 for each violation.

10. Face Coverings – Every person in Texas shall wear a face covering over the nose and mouth when inside a commercial entity or other building or space open to the public, or when in an outdoor public space, wherever it is not feasible to maintain six feet of social distancing from another person not in the same household; provided, however, that this face covering requirement does not apply to the following:

Any person younger than 10 years of age;

Any person with a medical condition or disability that prevents wearing a face covering;

Any person while the person is consuming food or drink, or is seated at a restaurant to eat or drink;

Any person while the person is (a) exercising outdoors or engaging in physical activities outdoors, and (b) maintaining a safe distance from other people not in the same household;

Any person while the person is driving alone or with passengers who are part of the same household as the driver;

Any person obtaining a service that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a personal-care service involving the face, but only to the extent necessary for the temporary removal;

Any person while the person is in a swimming pool, lake, or similar body of water;

Any person who is voting, assisting a voter, serving as a poll watcher, or actively administering an election but wearing a face covering is strongly encouraged;

Any person who is actively providing or obtaining access to religious worship, but wearing a face covering is strongly encouraged;

Any person while the person is giving a speech for a broadcast or to an audience; or

Any person in a county (a) that meets the requisite criteria promulgated by the Texas Division of Emergency Management (TDEM) regarding minimal cases of COVID-19, and (b) who county judge has affirmatively opted-out of this face-covering requirement by filing with TDEM the required face-covering attestation form – provided, however, that wearing a face covering is highly recommended, and every county is strongly encouraged to follow these face-covering standards.

Not excepted from this face-covering requirement is any person attending a protest or demonstration involving more than 10 people and who is not practicing safe social distancing of six feet from other people not in the same household.

TDEM shall maintain on its website a list of counties that are not subject to this face-covering requirement. The list can be found at: www.tdem.texas.gov/ga29.

Following a verbal or written warning for a first-time violator of this face-covering requirement, a person's second violation shall be punishable by a fine not to exceed \$250. Each subsequent violation shall be punishable by a fine not to exceed \$250 per violation.

Face coverings are *not* a replacement for social distancing, frequent handwashing, and self-isolation when sick. All people should follow CDC recommendations for how to wear and take off a mask. Residents should keep up the following habits while in public:

washing hands before you leave home and when you return,

staying at least six feet away from others,

avoiding touching nose or face,

not using disposable masks more than three time, and

washing reusable cloth masks regularly to prevent the spread of the virus.

11. The residents of San Patricio County conduct essential San Patricio County business online or via regular mail to avoid visiting any San Patricio County facilities unless absolutely necessary.
12. The City of Ingleside's Parks shall remain open for day-use only, including the Splash Park, swing set, N. O. Simmons Basketball Pavilion, the Skate Bowl and any other recreational facilities at city parks. All visitors shall wear face coverings and maintain a six-foot (6') distance from individuals outside of their party or "group". Groups shall not be greater than ten (10).
13. The Ingleside Senior Center will be open from 7:30 a.m. to 9:30 a.m. Monday thru Friday.
14. There is no occupancy limit for the following establishments that operate with at least six feet of social distancing between work stations:
 - a. cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade;
 - b. massage establishments and other facilities where licensed massage therapists or other persons licensed or otherwise authorized to practice under Chapter 455 of the Texas Occupations Code practice their trade; and
 - c. other personal-care and beauty services such as tanning salons, tattoo studios, piercing studios, hair removal services, and hair loss treatment and growth services.

SECTION 10. ENFORCEMENT: (a) A violation of this Declaration and Order and of Declarations and Orders of the San Patricio County Judge, Governor of the State of Texas, or Federal authority, to the extent binding on the City and issued under the authority of Chapter 418 Texas Government Code or Federal law for the purpose of dealing with this disaster shall be enforced by the City. (b) A violation shall be punished in accordance with Sections 26-27 and 114 Ingleside Code of Ordinances by a fine not to exceed \$2,000 or shall be punished in accordance with Section 418.173 Texas Government Code for first offense by a fine not to

exceed \$1,000 and for a second offense by a fine not to exceed \$1,000.

SECTION 11. MISCELLANEOUS.

1. The sections, paragraphs, sentences, clauses and phrases of this Declaration and Order are severable and if any phrase, clause, sentence, paragraph or section of same is 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 of this Declaration and Order are severable.

SECTION 12. This Declaration and Order is effective at 5:01 P.M. on the 2nd day of March, 2021, and terminates at 5:00 P.M., seven (7) days thereafter on the 9th day of March, 2021, by operation of law in accordance with Section 418.108(b) Texas Government Code, unless the City Council agrees to an extension. It is the intent of the Mayor to issue successive Declarations and Orders of this nature until the danger which compelled the declaration of a disaster has passed and no longer poses a threat to our citizens.

SO DECLARED, SIGNED AND ORDERED this the 2nd day of March, 2021.

Mayor Ronnie Parker

ATTEST:

Sarah Wardinsky, City Secretary