

**CITY OF PRESIDIO, TEXAS  
MAYORAL DECLARATION OF LOCAL STATE OF DISASTER  
DUE TO PUBLIC HEALTH EMERGENCY  
Effective Date April 22, 2020**

**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 Presidio, 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.

**WHEREAS**, the **United States Center for Disease Control (CDC)** reports that older people and people of all ages with severe underlying health conditions seem to be at a higher risk of developing serious COVID-19 illness; and

**WHEREAS**, on January 30, 2020, ***the World Health Organization*** declared that the outbreak was a Public Health Emergency of International Concern; and

**WHEREAS**, as of March 7<sup>th</sup>, 2020, ***the World Health Organization*** reported that the global number of confirmed cases of COVID-19 ***surpassed 100,000***; and

**WHEREAS**, on March 7<sup>th</sup>, 2020, the **World Health Organization** urged every country to take all necessary measures to further slow the spread of COVID-19 and to ***protect health systems from becoming overwhelmed***; and

**WHEREAS**, the CDC states that "It is likely at some point, widespread transmission of COVID-19 in the United States will occur," which translates to a large number of people needing medical care at the same time; and

**WHEREAS**, on March 11<sup>th</sup>, 2020, the **World Health Organization** characterized COVID-19 as a pandemic; and

**WHEREAS**, on March 13<sup>th</sup>, 2020, ***the Governor of the State of Texas*** and ***the President of the United States*** declared a state of emergency in relation to COVID-19;

**WHEREAS**, the emergence and spread of COVID-19 within the City of Presidio poses an imminent threat of widespread illness resulting from an epidemic that requires emergency action; and

**WHEREAS**, *the Mayor for the City of Presidio* has determined that extraordinary measures must be taken to protect the health and welfare of City residents from the effects of COVID-19; and

**WHEREAS**, Texas Government Code Chapter 428, Section 418.108 authorizes the presiding officer of the governing body of a political subdivision to declare a local state of disaster; and

**WHEREAS**, a declaration of local disaster and public health emergency include the ability to take measures to reduce the possibility of exposure to disease, control the risk, prevent the spread of the disease and promote the health and safety of citizens of the City of Presidio;

**WHEREAS**, by this declaration, I declare all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident.

**NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF PRESIDIO, TEXAS:**

**SECTION 1.** That a local state of disaster for public health emergency is hereby declared for the City of Presidio, 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 seven (7) days from the date of this declaration, unless continued or renewed by the City Council of the City of Presidio, Texas.

**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 Presidio, Texas emergency management plan and authorizes the furnishing of aid and assistance under the declaration and that the City of Presidio Conference Room at City Hall, 507 W. O'Reilly St., Presidio, Texas has been activated by the Mayor and City Council on April 1, 2020 as the City Emergency Operation Center for the duration of the COVID 19 Crisis.

**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, examining and regulating hospitals, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, establishment of quarantine stations, emergency hospitals, and other 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 to not more than 10 people and mandates the cancellation of all such gatherings until further notice. A "gathering" refers generally to a scheduled event or common endeavor where 10 persons are present in a confined space, room, or area. **Furthermore, all public or private gatherings of any number**

of people occurring outside a single household are prohibited, except as otherwise provided herein. Nothing in this order prohibits the gathering of members of a household or living unit.

**SECTION 7.** Effective as of 11:59 p.m. on April 22nd, 2020 and continuing until 11:59 p.m. on April 29th, 2020, all individuals currently living within the City Limits of Presidio are ordered to stay at home or at their place of residence. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence.

*All persons may leave their residences only for Essential Activities*, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined below. All businesses operating within the City of Presidio, except Essential Businesses as defined below in Section 8, are required to cease all activities at facilities located within the City limits of Presidio. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home).

**To the MAXIMUM extent possible, all Essential Businesses shall** comply with the Social Distancing Guidelines, including maintaining six-foot social distancing for employees and the general public and **should** limit the number of people within the Essential Business at any time to one (1) customer per every thousand (1,000) square feet of business space.

**ALL BUSINESSES WILL BE REQUIRED** to ensure that their employees wear a mask as defined by this declaration when they are in contact with the public and working. A violation may result in a fine or jail time to the owner, employee or both, as outlined in Section 15 of this order.

**To the MAXIMUM extent possible, all Customers, Citizens, Visitors and Individuals** leaving their residences for an Essential Activity and to visit an Essential Business should limit the number of people conducting the activity to a minimum (i.e. children should remain home if at all possible).

**All Customers and Visitors entering these businesses WILL BE REQUIRED** to wear a Mask while in the establishment and conducting their Essential Activities. A violation may result in a fine or jail time as outlined in Section 15 of this order.

**A MASK** defined here is a protective covering for the face that covers both the mouth and the nose. Examples of masks are dust masks, scarfs, bandanas, or any other type of protective mask, that again covers the mouth and the nose.

**SECTION 8.** For purposes of this declaration, individuals may leave their residence only to perform any of the following "Essential Activities":

1. To engage in activities or perform tasks essential to their health and safety, or for the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies needed to work from home).
2. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supplies, and any other household consumer products, and products necessary to maintain safety, sanitization, and essential operation of residences).
3. To engage in outdoor recreational or fitness activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, or running).



4. To perform work providing essential products and services at an Essential Business or Essential Governmental Functions, or to otherwise carry out activities specifically permitted in this Order.
5. To care for a family member or pet in another household.
6. To perform or obtain services from an Essential Business, or from an Essential Government Function, as defined in this Order.
7. To return home from another jurisdiction.

**SECTION 9.** If someone in a household has tested positive for COVID-19, the entire household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function. Any person who displays symptoms of COVID-19, including fever, shortness of breath, or dry cough should refrain from leaving home and call Big Bend Regional Medical Center at 432-837-3447 or the Presidio County Health Services at (432) 229-3030

**SECTION 10.** This declaration hereby authorizes restaurants to only serve takeout orders. Dine in services will be closed to the public. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free meal services to students or members of the public on a pick-up and take-away basis only, and businesses that ship or deliver groceries, food, goods or services directly to residences.

**SECTION 11.** This declaration hereby orders bars/taverns to be closed inside city limits.

**SECTION 12.** On March 26<sup>th</sup>, 2020, by 12:00 p.m. this declaration hereby mandates hotels/motels and short-term rentals to close and vacate their guests through Wednesday, April 15<sup>th</sup>, 2020. The exception to this mandate is if guests are in a support role of this public health emergency as defined in Section 13.

**SECTION 13.** As a border community between the United States and Mexico with a port of entry and in furtherance of the mandate of travel restrictions and essential exceptions issued by the Department of Homeland Security for crossing the border the following will be allowed access to lodging;

- Individuals traveling for medical purposes (e.g., doctors, nurses, or seeking medical treatment in the United States);
- Individuals traveling to work in the United States (e.g., individuals working in the farming or agriculture industry who must travel between the United States and Mexico in furtherance of such work);
- Individuals traveling for emergency response and public health purposes (e.g., government officials or emergency responders entering the United States to support Federal, State, Local, tribal, or territorial government efforts to respond to COVID-19 or other emergencies);
- Individuals engaged in lawful cross-border trade (e.g., truck drivers supporting the movement of cargo, such as livestock, between the United States and Mexico);
- Individuals engaged in official government travel or diplomatic travel;
- Members of the U.S. Armed Forces, and the spouses and children of members of the U.S. Armed Forces, returned to the United States; and
- Individuals engaged in military-related travel or operations.

**SECTION 14. Curfew.** Unless conducting or traveling to or from an Essential Activity, work at an Essential Business, or work at an Essential Governmental Function, **members of the public shall remain at their residential properties between the hours of 10:00 p.m. to 5:00 a.m. each day.**


**SECTION 15.** 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 16.** That this declaration hereby authorizes the use of all lawfully available enforcement tools.


**SECTION 17.** For additional clarification and guidance to this Declaration of Local State of Disaster see the attached "Local Emergency Directives".

**SECTION 18.** That this declaration shall take effect immediately from and after its issuance.

**DECLARED** this 22nd day of April, 2020 and in effect until April 29th, 2020.

  
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**John Ferguson, Mayor  
City of Presidio, Texas**

**ATTEST**

  
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**Brenda Lee Acuña, City Secretary  
City of Presidio, Texas**