



City of Balcones Heights  
DATE RECEIVED:  
3-20-2020 *ds*

**CITY OF BALCONES HEIGHTS, 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 cause a severe illness, including coughing, fever, shortness of breath 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 19, 2020, the Governor of the State of Texas issued a revised 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 setting certain restriction on mass or community gatherings, restaurants and bars and other establishments; and

**WHEREAS**, on March 18, 2020, the County Judge of Bexar County issued a revised proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for Bexar County and setting certain restriction on "Mass Gatherings" and local restaurants and bars; and

**WHEREAS**, the City of Balcones Heights, Texas, is taking extraordinary measures to prevent the spread of COVID-19 and prevent the spread throughout the City of Balcones Heights, including the banning of community gatherings of over ten (10) people within the city limits and also adopting the same provisions adopted by the Governor on mass or community gatherings, restaurants and bars and other establishments; 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 BALCONES HEIGHTS, TEXAS:**

**SECTION 1.** That a local state of disaster for public health emergency is hereby declared for the City of Balcones Heights 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 by the City Council of the City of Balcones Heights.

CITY OF SAISONA HEIGHTS  
DATE RECEIVED:

**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 Balcones Heights, Texas, emergency management plan.

**SECTION 5.** That pursuant to Section 122.006 of the Texas Health and Safety Code, this declaration authorizes the City to take any action necessary to promote health and suppress disease, including quarantine, examining hospitals, regulating ingress and egress from the City and fining those who do not comply with the City's rules.

**SECTION 6.** Based on revised guidance by the Centers for Disease Control (CDC) issued on March 16, 2020, the public shall avoid social gatherings in groups of more than ten (10) people.

**SECTION 7.** 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 "Social Gathering" is any indoor or outdoor event or convening that brings together or is likely to bring together ten (10) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space. An outdoor "Social 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. For clarity, gatherings include, but are not limited to, weddings, religious services, funerals, and other gatherings.

**SECTION 8.** That this declaration hereby prohibits the issuance of any permits for activities that are known to attract more than the established 10 persons or more as defined in "social gathering."

**SECTION 9.** For purposes of clarity, "social gathering" does NOT include the following: (i) places of employment; (ii) office space, hotels or residential buildings; (iii) grocery stores, shopping malls, outdoor markets; (iv) hospitals, medical facilities and shelters; (v) jails and detention centers (vi) transit facilities; and (vii) government buildings providing essential services.

**SECTION 10.** That this declaration hereby directs restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries to only provide take out, delivery, or drive-through services as allowed by law.

**SECTION 11.** That this declaration hereby directs bars, lounges, taverns, private clubs, arcades, theatre and gyms to close.

**SECTION 12.** That this declaration hereby directs the public from visiting nursing homes or retirement centers unless they are providing critical assistance.

**SECTION 13.** 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 14.** Any provision in this Declaration that is not included but included in the Governor's revised proclamation of March 19, 2020, the Governor's proclamation shall control.

**SECTION 15.** Any provision in this Declaration that may be in conflict with the Governor's revised proclamation of March 19, 2020, the Governor's proclamation shall control.

**SECTION 16.** That this declaration shall take effect immediately from and after its issuance and be effective for seven days unless extended or modified by City Council.

DECLARED this 20<sup>th</sup> day of March, 2020.

  
Suzanne de Leon, Mayor