

**CITY OF CANTON, TEXAS**

**RESOLUTION NO. 2020-14**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANTON, TEXAS, RATIFYING, CONTINUING AND RENEWING THE MAYORAL DECLARATION OF A LOCAL STATE OF DISASTER DUE TO A PUBLIC HEALTH EMERGENCY IN RESPONSE TO THE COVID-19 VIRUS OUTBREAK, PURSUANT TO THE TEXAS DISASTER ACT OF 1975, CHAPTER 418 OF THE TEXAS GOVERNMENT CODE; AND PROVIDING AN EFFECTIVE DATE.**

**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**, symptoms of COVID-19 include fever, coughing and shortness of breath, and in some cases, the virus has been fatal; and

**WHEREAS**, the COVID-19 virus may be spread between people in close contact with one another through respiratory droplets produced by an infected person; and

**WHEREAS**, on January 31, 2020, the United States Secretary of Health and Human Services declared a public health emergency in response to COVID-19; and

**WHEREAS**, on March 13, 2020, the President of the United States declared the COVID-19 outbreak a national health emergency beginning on March 1, 2020; and

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas declared a state of disaster for all counties in Texas in response to the COVID-19 outbreak; and

**WHEREAS**, the Texas Disaster Act of 1975 (the "Disaster Act") authorizes the presiding officer of a political subdivision to declare a local state of disaster for up to seven (7) days; and

**WHEREAS**, on March 17, 2020, the Mayor of the City of Canton declared a local state of disaster for the City of Canton, Texas, commencing immediately (the "Mayoral Disaster Declaration"); and

**WHEREAS**, the Disaster Act authorizes the governing body of the City of Canton, Texas, to continue or renew a declared local state of emergency for a period of more than seven (7) days; and

**WHEREAS**, on March 19, 2020, the Governor of the State of Texas issued Executive Order GA-08 indicating the following:

- In accordance with the Guidelines from the President and CDC, every person in Texas

shall avoid social gatherings in groups of more than 10 people.

- In accordance with the Guidelines from the President and CDC, people shall avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors; provided, however, that the use of drive-thru, pickup, or delivery options is allowed and highly encouraged throughout the limited duration of this executive order.

- In accordance with the Guidelines from the President and CDC, people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance.

- In accordance with the Guidelines from the President and CDC, schools shall temporarily close.

**WHEREAS**, the Governor's Executive Order GA-08 indicated that it did not mandate sheltering in place, and that the Executive Order was in full force and effect until 11:59 p.m. on April 3, 2020, subject to being extended, modified, amended, rescinded or superseded by the Governor; and

**WHEREAS**, prudence dictates that extraordinary measures must continue to be taken to contain COVID-19 and prevent its spread throughout the City of Canton, Texas, including the quarantine of individuals, groups of individuals and occupied structures and, additionally, including compelling individuals, groups of individuals, or occupied structures to undergo additional health measures that prevent or control the spread of the virus; and

**WHEREAS**, the City Council of the City of Canton, Texas, finds that it is in the best interest of the City of Canton to ratify, continue and renew the Mayoral Disaster Declaration in response to the COVID-19 virus outbreak pursuant to the Disaster Act.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CANTON, TEXAS, THAT:**

**SECTION 1.** On March 17, 2020, the Mayor of the City of Canton, Texas, declared a local state of disaster due to a public health emergency in response to the COVID-19 outbreak for the City of Canton, Texas, effective immediately (the "Mayoral Disaster Declaration"), pursuant to section 418.108(a) of the Texas Government Code.

**SECTION 2.** Pursuant to section 418.108(a) of the Texas Government Code, the Mayoral Disaster Declaration was declared for a period not to exceed seven (7) days from the effective date of the declaration.

**SECTION 3.** Pursuant to section 418.108(c) of the Texas Government Code, the Mayoral Disaster Declaration was given prompt and general publicity and filed promptly with the City Secretary of the City of Canton, Texas.

**SECTION 4.** Pursuant to section 418.108(a) of the Texas Government Code, the Mayoral Disaster Declaration may be continued or renewed for a period of more than seven (7) days from the effective date by the City Council of the City of Canton, Texas.

**SECTION 5.** Pursuant to section 418.108(d) of the Texas Government Code, the Mayoral Disaster Declaration activated the City of Canton emergency management plan, and authorizes the furnishing of aid and assistance under the declaration.

**SECTION 6.** The City Council of the City of Canton, Texas, hereby continues and renews the Mayoral Disaster Declaration authorizing the City to take any actions necessary to promote health and suppress the virus, including, but not limited to, 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, and insuring compliance for those who do not comply with the City's rules, pursuant to section 122.006 of the Texas Health and Safety Code.

**SECTION 7.** The City Council of the City of Canton, Texas, hereby continues and renews the Mayoral Disaster Declaration and recommends limiting the size of all social gatherings to not more than ten (10) people and recommends the postponement or cancellation of all such gatherings until further notice. A "gathering" refers generally to a scheduled event or common endeavor where ten (10) persons or more are present in a confined space, room, or area.

**SECTION 8.** This Resolution hereby incorporates by reference the provisions of any Executive Order or similar directive issued by the President of the United States, the Governor of the State of Texas, or the County Judge of Van Zandt County.

**SECTION 9.** The City Council of the City of Canton, Texas, hereby continues and renews the Mayoral Disaster Declaration authorizing the use of all lawfully available enforcement tools to effectuate the purposes of the Mayoral Disaster Declaration.

**SECTION 10.** This declaration shall immediately take effect upon adoption and remain in effect until 11:59 p.m. on **April 15, 2020**, whereupon such date it shall be assessed and considered for further amendment, renewal, extension or repeal by the City Council.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CANTON, TEXAS, THIS 23<sup>rd</sup> DAY OF MARCH, 2020.**

  
Lou Ann Everett, Mayor

**ATTEST:**

  
Debra Johnson, City Secretary

