



## **DECLARATION OF LOCAL DISASTER AND PUBLIC HEALTH EMERGENCY**

### **CITY OF PORTLAND, TEXAS**

**WHEREAS**, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China, with symptoms including fever, cough, and shortness of breath and with outcomes ranging from mild to severe illness and in some cases, death;

**WHEREAS**, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease;

**WHEREAS**, on March 5, 2020, the World Health Organization Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic;

**WHEREAS**, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic;

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) is closely monitoring the growing number of cases that have spread into the United States and the identification of "community spread" cases of COVID-19 in the United States signals that transmission of the virus is occurring;

**WHEREAS**, COVID-19 spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes;

**WHEREAS**, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action;

**WHEREAS**, President Donald Trump declared a State of National Emergency for the United States of America on March 13, 2020;

**WHEREAS**, Governor Greg Abbott issued a State of Disaster for all Texas counties for COVID-19 on March 13, 2020;

**WHEREAS**, County Judge David Krebs issued a Declaration of Local State Disaster Due to Novel Coronavirus for San Patricio County on March 16, 2020;

**WHEREAS**, pursuant to the Texas Disaster Act of 1975, the mayor is designated as the emergency management director of the City of Portland, and may exercise the powers granted to the governor on an appropriate local scale;

**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, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the governor of state resources;

**WHEREAS**, by this Declaration of Local Disaster and Public Health Emergency, I declare all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident; and

**WHEREAS**, pursuant to the authority granted to the Mayor under the Texas Disaster Act of 1975, I authorize the use of all available resources of state government and political subdivisions to assist in the City's response to this situation; and

**WHEREAS**, I, Cathy Skurow, the Mayor of the City of Portland, Texas, have determined that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19;

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

1. That a Declaration of Local Disaster and Public Health Emergency is hereby declared for the City of Portland, pursuant to §418.108(a) of the Texas Government Code.
2. That the Declaration of Local Disaster and Public Health Emergency shall continue for a period of not more than seven days of the date hereof, unless the same is continued by the City Council of the City of Portland, Texas, pursuant to §418.108(b) of the Texas Government Code.

3. That this Declaration of Local Disaster and Public Health Emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary, pursuant to §418.108(c) of the Texas Government Code.
4. That the City's Emergency Operations Plan is activated and implemented, pursuant to § 418.108(d) of the Texas Government Code.
5. That this declaration authorizes the City to commandeer or use any private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelters for evacuees, subject to compensation requirements, pursuant to § 418.020(c) of the Texas Government Code.
6. That this declaration authorizes the City to take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals, regulating ingress and egress from the City, and fining those who do not comply with the City's rules, pursuant to §122.006 of the Health and Safety Code.
7. That this declaration, based on CDC guidance, hereby limits the size of Mass Gatherings within the City of Portland to no more than fifty (50) people and mandates the cancellation of all such gatherings until 11:59 p.m. on May 19, 2020.

For purposes of this declaration, a "Mass Gathering" is any event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together 50 or more persons at the same time in a single room or other single confined or enclosed space, such as, by way of example and without limitation, an auditorium, theatre, stadium (indoor or outdoor), event center, festival grounds, meeting hall, conference center, or any other confined indoor or confined outdoor space.

A "Mass Gathering" includes 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 arm's length of one another for extended periods.

For purposes of clarity, a "Mass Gathering" does not include the following:

- gatherings of people in multiple, separate enclosed spaces in a single building, so long as 50 people are not present in any single space at the same time;
- use of enclosed spaces where 50 or more people may be present at different times during the day, so long as 50 or more people are not present in the space

at the same time;

- public or private schools;
- places of worship;
- office space, hotels, or residential buildings;
- grocery stores, shopping malls, outdoor markets, restaurants, or other retail establishments where large numbers of people are present but it is unusual for them to be within arm's length of one another for extended periods; and
- hospitals, medical facilities and shelters.

8. That this declaration recommends that restaurants and other dining establishments shall not permit on-premises consumption of food or drink; provided that such establishments may continue to offer food for take-out and by delivery provided they follow the social distancing protocols set forth by the CDC.
9. That this declaration recommends that persons in high-risk populations should avoid gatherings in excess of 10 persons. Organizations that serve primarily high-risk persons should cancel gatherings in excess of 10 persons. Organizations that serve high-risk populations (defined below) should follow CDC guidance for social distancing. "High-Risk Populations" include people who are:
  - 60 years old and older;
  - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems;
  - People who are pregnant or were pregnant in the last two weeks.
10. That the City Manager is hereby authorized to suspend, postpone, or cancel City of Portland programs and events until 11:59 p.m. on May 19, 2020.
11. That the City Manager is hereby authorized to close or modify the use of certain City facilities, including the Community Center, Sports Complex, Municipal Park athletic fields and splash pad, Senior Center, and the Bell Whittington Public Library until 11:59 p.m. on May 19, 2020.
12. That the City Manager may update restrictions set out in this declaration as necessary to respond to the evolving circumstances of this outbreak during the duration of the Mayor's Declaration of Local Disaster and Public Health Emergency and any extension by the City Council.
13. That this declaration hereby authorizes the use of all lawfully available enforcement tools.

14. That a violation of this order is a violation of the emergency management plans of the City of Portland. A person who violates any provision of this order may be punishable by a fine of up to \$500 per violation and separate day of violation, imprisonment of up to 180 days per violation and separate day of violation, and additional amounts as authorized by law.
15. That this proclamation shall take effect at 12:01 a.m., March 18, 2020.

ORDERED THIS 17<sup>th</sup> day of March 2020.

S/Cathy Skurow

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**Cathy Skurow**  
**Mayor**

ATTEST:

s/Annette Hall

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**Annette Hall**  
**City Secretary**