

**CITY OF SEABROOK
ORDINANCE NO. 2020-12**

EXTENSION OF DISASTER DECLARATION

AN ORDINANCE PROVIDING FOR THE EXTENSION OF DISASTER DECLARATION AS PROVIDED FOR HEREIN, AND MAKING CERTAIN FINDINGS OF FACT AND OTHER CONCLUSIONS AS SET OUT HEREIN.

WHEREAS, on the 13th day of March, 2020, the Mayor issued a proclamation declaring a State of Disaster for the City of Seabrook, Texas resulting from;

COVID-19

WHEREAS, the conditions necessitating declaration of a local state of disaster continue to exist; and

WHEREAS, §418.108(b) of the Texas Government Code provides that a local state of disaster may not be continued for a period in excess of seven days without the consent of the governing body of the political subdivision;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SEABROOK, TEXAS:

1. That the local state of disaster proclaimed by the City of Seabrook by the Mayor on the 13th day of March, 2020, shall continue until terminated by executive order of the Mayor or by ordinance of the City Council.
2. That the City of Seabrook acknowledges the Order of the County Judge of Harris County, Texas, issued on March 16, 2020 to become effective as of March 17, 2020 at 8:00 a.m. and continuing until 11:59 p.m. on March 31, 2020 unless terminated or modified by an earlier Order, a copy of which is attached hereto, and incorporated it by reference;
3. Pursuant to Section 418.0108(d) of the Texas Government Code, this declaration of a local state of disaster activates the City of Seabrook emergency management plan and grants the Mayor and/or the City Manager or designee the powers set forth in Section 26-27 of the Seabrook Code of Ordinances, including the power to issue emergency regulations, order and actions, including the power to temporarily close City buildings, facilities, and certain uses thereof; to temporarily postpone all non-essential municipal court proceedings; to temporarily suspend all City utility shut-offs to residential customers affected by COVID-19; all as may be specifically authorized by the Mayor/City Manager. In case of conflict, this Ordinance shall control.

- The necessity to immediately reduce to writing the fact that a state of disaster and emergency exists in the City as a result of the disaster referenced herein and to ratify and affirm the emergency regulations, orders and actions heretofore issued by the Mayor and/or the City Manager or designee creates a public emergency and an imperative public necessity requiring the suspension of the general Charter rule that no ordinance shall be passed finally on the date of its introduction except on the affirmative vote of five (5) council members but that such ordinance shall be read at two meetings of the City Council except in the case of emergency, as provided under Section 2.11(b) of the charter, and the Mayor, having declared that such emergency and necessity exists, having requested that such general Charter rule be suspended and that this ordinance be passed finally on the date of its introduction in accordance with law and take effect and be in full force and effect from and after its passages; ACCORDINGLY this ordinance is passed as an emergency measure and pursuant to local authority for emergency measures and shall become effective upon approved execution on this 17th day of March, 2020.

PASSED AND APPROVED by a vote of 7 “ayes” in favor and 0 “no’s” against on this first and final reading in full compliance with the provisions of the Charter of the City of Seabrook on this, the 17th of March, 2020.

Approved:

DocuSigned by:
Thomas G. Kolupski
94F424767CFF419...

Thomas G. Kolupski
Mayor

Attest:

DocuSigned by:
Robin Lenio
0B230E8A4B274CD...

Robin Lenio, TRMC
City Secretary

DocuSigned by:

0B230E8A4B274CD...

Approved as to form:

DocuSigned by:
Steven L. Weathered
5DDB3FB14EF2418...

Steven L. Weathered
City Attorney



County Judge Lina Hidalgo

DIRECTOR

ORDER BY THE COUNTY JUDGE OF HARRIS COUNTY

Whereas, On March 11, 2020, a Declaration of Local Disaster for Public Health Emergency was issued to allow Harris County to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Harris County residents; and

Whereas, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Abbott to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

Whereas, the COVID-19 virus is contagious and spreads through person-to-person contact, especially in group settings; and

Whereas, the Centers for Disease Control and Prevention (“CDC”) recommends an “All of Community” approach focused on slowing the transmission of COVID-19 through social distancing to reduce illness and death, while minimizing social and economic impacts; and

Whereas, due to the substantial risks to the public, the following extraordinary measures must be taken to protect the public.

NOW THEREFORE, I, COUNTY JUDGE FOR HARRIS COUNTY, TEXAS, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:

SECTION 1. That the findings and recitations set out in the preamble to this ORDER are found to be true and correct and they are hereby adopted by the County Judge and made a part hereof for all purposes.

SECTION 2. Effective as of 8:00 a.m. on March 17, 2020, and continuing until 11:59 p.m. on March 31, 2020, unless terminated or modified by an earlier order, the County Judge of

the County of Harris, Texas, deems it in the public interest to order that:

(a) Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law,

(b) Bars, nightclubs, lounges, taverns, or arcades and private clubs shall close.

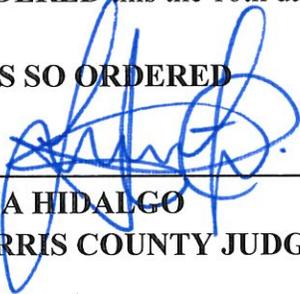
SECTION 3: That the Harris County Sheriff's Office, the Harris County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this order.

SECTION 4: Harris County will post this Order on its website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of this order.

SECTION 5: This Order applies to all unincorporated and incorporated areas within the boundaries of Harris County.

ORDERED this the 16th day of March, 2020, in the County of Harris, Texas.

IT IS SO ORDERED



LINA HIDALGO
HARRIS COUNTY JUDGE