ORDINANCE OF THE CITY OF GOLIAD, TEXAS CONTINUING
DECLARATION DISASTER AND SUBSEQUENT ORDERS
FOR THE CITY OF GOLIAD, TEXAS

WHEREAS, the Mayor of the City of Goliad, Texas declared a state of local
disaster on March 18, 2020 due to imminent threat from COVID-19; and

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

WHEREAS, large gatherings of unidentifiable individuals without necessary
mitigation for the spread of infection may pose a risk for the spread of infectious disease; and

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

WHEREAS, Governor Abbott has issued Executive Orders GA-09, GA-10, GA-
11, GA-12, GA-13, GA-14 and GA-15 and on Friday, April 17, issued another three
Executive Orders GA-16, GA-17 and GA-18; and

WHEREAS, Governor Abbott’s Executive Order GA-16 supersedes GA-14; all
other Executive Orders remain in place and remain in effect until 11:59 p.m. April 30,
2020, unless modified, amended, rescinded, or superseded; and

WHEREAS, Governor Abbott’s Executive Order GA-16 establishes a temporary
Retail-To-Go model that will allow retail outlets in Texas to reopen beginning Friday,
April 24, 2020 and under such model, the reopened establishments are required to deliver
items to customer’s cars, homes, or other locations to minimize contact, while schools —
including public, private, and higher education institutions — will remain closed for the
2019-2020 school year; and

WHEREAS, Governor Abbott’s Executive Order GA-16 prohibits people from
visiting nursing homes, state supported living centers, assisted living facilities, or long-
term care facilities unless to provide critical assistance as determined through guidance
from the Texas Health and Human Services Commission (HHSC); and

WHEREAS, GA-16, in accordance with guidelines from the President and the
CDC, still requires that people shall avoid eating or drinking at bars, restaurants, and food
courts, or visiting gyms, massage establishments, tattoo studios, piercing studios, or
cosmetology salons; provided, however, that the use of drive-thru, pickup, or delivery
options for food and drinks is allowed and highly encouraged throughout the limited duration of his Executive Order; and

WHEREAS, Governor Abbott and Attorney General Paxton have issued additional guidance related to houses of worship, noting that “[a]ll emergency orders must comply with the First Amendment of the United States Constitution, Article I of the Texas Constitution, and the Texas Religious Freedom Restoration Act, which protect the rights of Texans to freely exercise their religion. Consistent with those protections, Executive Order GA-16 defines essential services to include ‘religious services conducted in churches, congregations, and houses of worship.’ Orders given by state or local governments, therefore, may not prohibit people from providing or obtaining those religious services. And importantly, under GA-16, local government may not close houses of worship”; and

WHEREAS, Governor Abbott’s Executive Order GA-16, in allowing for “re-opened services” has also provided guidance be issued which is intended for employers, employees, and customers of retail businesses reopening under the Governor’s Executive Order. This guidance is based on recommendations from the Centers for Disease Control and Prevention (CDC) and is located through the Texas Department of State Health Services, and is attached hereto as Exhibit “A.”

WHEREAS, the City Council of the City of Goliad, Texas, pursuant to Texas Government Code Section 418.108(b), desires to modify or rescind the Mayor’s past Orders to the extent inconsistent with the Governor’s GA-16 and any subsequent guidance documents while continuing the declaration of local state of disaster for the City of Goliad, Texas and any Orders issued thereunder that are consistent with the Executive Order GA-16.

NOW THEREFORE, BE IT DECLARED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF GOLIAD, TEXAS, THAT:

1.) The City Council hereby finds and determines that an emergency continues to exist, such emergency being the imminent threat to life, health, property, and public peace posed by the outbreak of COVID-19 and its effects. This Ordinance is in effect immediately and the Mayor is hereby authorized and directed to cause the publication of the caption of this Ordinance in accordance with state law. This ordinance shall be automatically repealed within sixty (60) days unless reenacted by the City Council.

2.) The declaration of state of local disaster for the City of Goliad, Texas resulting from threats posed by COVID-19 is hereby continued.

3.) This Ordinance continues to activate the City’s Emergency Management Plan.

4.) This Ordinance continuing a local state of disaster shall be effective for sixty (60) days on and from its date of issuance, provided however that this
declaration may be terminated before the expiration of 60 days by subsequent order of the Mayor or order of the Governor, and may be continued or renewed beyond said period from its date of issuance only with the consent of the City Council of the City of Goliad, Texas.

5.) The Mayor is authorized to issue orders or proclamations consistent with recommendations and actions issued by the Governor of the State of Texas.

6.) In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates this Ordinance, or a declaration, order or proclamation issued by the Mayor to the extent it is consistent with orders or guidance issued or directed by the Governor under Chapter 418, Government Code, or the emergency management plan, 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.

7.) The sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance that can be given effect without the invalid provision, and to this end the provisions of this Ordinance are severable.

8.) This Ordinance shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

9.) This Ordinance shall take effect immediately from and after its issuance.

This Ordinance is hereby PASSED AND APRROVED, this 22nd day of April, 2020.

[Signature]
Trudia Preston, Mayor
City of Goliad, Texas

ATTEST:
[Signature]
Kandi Hubert, City Secretary