

CITY OF BOERNE
SECOND AMENDMENT TO
THIRD DECLARATION OF LOCAL DISASTER
PUBLIC HEALTH EMERGENCY

WHEREAS, beginning in December 2019, a novel coronavirus, which causes the disease COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and

WHEREAS, on March 16, 2020, March 20, 2020, and March 23, 2020, pursuant to powers granted under Texas Government Code Sections 418.108 and 418.1015, Chapter 81 of the Texas Health and Safety Code, and other relevant statutes, I, Tim Handren, Mayor of the City of Boerne, Texas, issued Declarations of Public Health Emergency and Disaster for the City due to the imminent threat of disaster posed by this pandemic; and

WHEREAS, on March 24, 2020, the City Council of the City of Boerne extended these Declarations of Public Health Emergency Disaster to be effective through 11:59 p.m. on April 23, 2020, subject to certain amendments, and on March 25, 2020, I amended the City of Boerne's Third Declaration of Public Health Emergency Disaster to reflect these City Council amendments and

WHEREAS, on March 24, 2020, the City Council of the City of Boerne gave me authority to review, ratify, and adopt any subsequent City of Boerne emergency orders relating to the COVID-19 pandemic; and

WHEREAS, since that date the imminent health and disaster threat to citizens of Boerne from this pandemic has increased due to the growing number of cases in the surrounding areas; and

WHEREAS, on March 23, 2020, the President of the United States, in order to avoid scenarios which could lead to the deaths of hundreds of thousands of Americans, acting on the advice of Dr. Anthony Fauci and Dr. Deborah Birx, extended restrictive social distancing requirements through April 30, 2020, in order to contain COVID-19; and

WHEREAS, on March 28, 2020, the U. S. Department of Homeland Security issued its Guidance on the Essential Critical Infrastructure Workforce, version 2.0; and

WHEREAS, on March 31, 2020, in accordance with guidance from DSHS Commissioner, Dr. Hellerstedt, the Governor of the State of Texas issued Executive Order GA-14 relating to the maintenance of essential services during the COVID-19 pandemic; and

WHEREAS, I have determined that additional measures must be taken to amend the City of Boerne's previous orders to maintain consistency with the Governor's Executive Order GA-14 and the orders of Kendall County and to alleviate the suffering of people and to protect the health, safety and welfare of Boerne's citizens;

NOW THEREFORE, I, Tim Handren, the Mayor of the City of Boerne, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, and by Resolution of the City Council of the City of Boerne, do hereby order the following on a city-wide basis, effective 11:59 p.m. on April 1, 2020;

Order No. 1 In accordance with Executive Order GA-14 of the Governor of the State of Texas and related advice from health authorities, and to achieve the goals established by the President to reduce the spread of COVID-19, every person in the City of Boerne shall, except where necessary to provide or obtain essential services, minimize social gatherings and minimize in-person contact with persons who are not in the same household.

Order No. 2 In accordance with Executive Order GA-14 of the Governor of the State of Texas, “Essential services” shall consist of everything listed by the U. S. Department of Homeland Security in its Essential Critical Infrastructure Workforce, Version 2.0, attached hereto, and as it may be amended on the website of the Texas Department of Emergency Management (TDEM); and found at www.tdem.texas.gov/essentialservices, plus religious services conducted in churches, congregations and houses of worship.

Order No. 3 In addition to the quarantine requirements ordered by the Governor of Texas for persons entering the State from certain cities and states, any City of Boerne resident who returns to Boerne from travel to an area known for having had an incidence of community spread of the Coronavirus, and therefore, a high-risk of COVID-19 infection, is strongly urged to self-quarantine in their home or place of lodging for a period of no less than fourteen (14) days, maintaining isolation from other persons to the maximum extent possible.

Order No. 4 In accordance with Executive Order GA-14 of the Governor of the State of Texas, in providing or obtaining essential services people and businesses should follow the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness and sanitation, implementing social distancing, and working from home if possible. In particular, all services should be provided through remote telework from home unless they are essential services that cannot be provided through remote telework.

Order No. 5 In accordance with Executive Order GA-14 of the Governor of the State of Texas and the Guidelines from the President and the CDC, people shall avoid eating or drinking at bars, restaurants, and food courts, and visiting gyms, massage establishments, tattoo studios, piercing studios, or cosmetology salons; provided, however, that the use of drive through, pickup, and delivery options for food and drinks is allowed and highly encouraged throughout the limited duration of this order.

Order No. 6 In accordance with Executive Order GA-14 of the Governor of the State of Texas, this order does not prevent people from accessing essential services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential services, visiting parks in the City, hunting and fishing, or engaging in physical activity like jogging or bicycling, so long as the necessary precautions are maintained in order to reduce the transmission of COVID-19 and to minimize the in-person contact with persons who are not in the same household.

Order No. 7 In accordance with Executive Order GA-14 of the Governor of the State of Texas and the Guidelines from the President and the CDC, people shall not visit nursing homes, state supported living facilities, assisted living facilities, or long-term care facilities, unless to provide critical assistance as determined through the Texas Health and Human Services Commission.

Order No. 8 Penalties from Government Code Sec 418.173 are invoked for violation of these provisions, which include \$1.00 to \$1000 fines or up to 180 days in jail. Persons observing violations of these provisions shall report same to the City at 830-249-8645.

I hereby continue the suspension of disconnection of utility services for non-payment for the duration of this order.

This Second Amended Third Declaration supersedes any provisions of previous declarations and orders on this matter that are in conflict or inconsistent with the terms herein or with the terms of Executive Order Number GA-14 of the Governor of Texas.

Pursuant to City Council action on March 24, 2020, this declaration shall remain in effect and in full force until 11:59 on April 23, 2020, subject to being extended, modified, amended, rescinded, or superseded.

Given under my hand this the 1st day of April 2020.



MAYOR TIM HANDREN
City of Boerne, Texas

ATTEST:



Lori Carroll, City Secretary

