

ORDINANCE NO. 20-05-07-15

**CITY COUNCIL OF THE CITY OF CORINTH, TEXAS
DECLARATION OF LOCAL DISASTER
FOR PUBLIC HEALTH EMERGENCY AND ORDER FOR PREPAREDNESS
AND MITIGATION OF CORONAVIRUS (COVID-19);
AND PROVIDING A PENALTY FOR VIOLATIONS HEREOF**

WHEREAS, beginning in December 2019, Coronavirus Disease (COVID-19), has spread throughout 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 caused death; and

WHEREAS, the known cases of COVID-19 diagnosed in the State of Texas are currently increasing daily and the disease is easily transmitted through person to person contact, especially in group settings, thus, it is essential that the spread of the virus be slowed to protect members of the public, to protect the ability of public and private health care providers to handle the influx of new patients and to safeguard public health and safety; and

WHEREAS, community spread COVID-19 cases have been positively confirmed in neighboring cities and counties; and

WHEREAS, pursuant to Section 37.08, "Organization", of Chapter 37, "Emergency Management", of Title III, "Administration", of the City of Corinth's Code of Ordinances, the Mayor serves as the Emergency Management Director of the City's Office of Emergency Management, and in his absence, the Mayor Pro Tempore shall serve in that capacity; and for purposes of this disaster, the city manager or his designee is hereby appointed as the emergency management coordinator; and

WHEREAS, the Mayor found it necessary to declare a local state of disaster due to public health emergency, and rather than exercising his authority to issue a declaration of local disaster for a seven-day period and seek extension or continuation by City Council, the Mayor determined it necessary to present Ordinance No. 20-04-02-08 to the City Council to take effect at 10:59 p.m. on April 2, 2020 and to remain in effect until the Mayor declares the emergency terminated; and

WHEREAS, pursuant to Section 37.07, "Mayor's Powers During Disaster or Emergency", of the City's Code of Ordinances, upon declaration of a crisis, the Mayor is vested with the full power and authority to issue orders reasonably necessary to protect the health, security, safety, peace, life and property of the City and its inhabitants during the time of such crisis, as more particularly described in subsections (A)-(GG) of Section 37.07; and

WHEREAS, Section 37.09, "Duties and Responsibilities of the Emergency Management Director", of the City's Code of Ordinances further provides that the Mayor shall be authorized to declare the emergency terminated; and

WHEREAS, the City Council now finds it necessary to adopt the City of Corinth Readiness Response Plan to guide the opening of City facilities pursuant to Section 122.006 of the Texas Health and Safety Code; and

WHEREAS, because it is imperative that the City take action to slow the spread of COVID-19, the Council has reviewed current City functions, including the use of City facilities, City services and operations and public gatherings and has determined it necessary and appropriate to adopt this Ordinance for the preservation of public health, safety and welfare.

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

Section 1. Incorporation of Premises. The premises set forth above are the stated findings of the City Council of the City of Corinth, serve as the basis for and are incorporated into this Ordinance as if written word for word.

Section 2. Local Public Disaster Continued. Ordinance No. 20-04-02-08 of the City Council declaring a local state of disaster due to public health emergency remains in effect until discontinued, as amended by this Ordinance, or repealed or amended by action of the Mayor or as otherwise provided by law.

Section 3. Readiness Response Plan Adopted. Pursuant to Health and Safety Code Section 122.006, the City may adopt rules to protect the health of persons in the City and provide for the establishment of quarantine stations, emergency hospitals, and other hospitals. Additionally, the City Council is authorized to adopt rules related to the use and operation of City facilities and the provision of City services. Pursuant to Section 122.006, the City Council of the City of Corinth hereby adopts the City of Corinth Readiness Response Plan regarding City facilities, attached to hereto as Exhibit A, and incorporated as if set forth fully herein, which provides color-coded "levels" to reflect when and how City facilities will open to the public. The plan is a guide designed to inform the citizens of Corinth.

Section 4. Publication and Filing of Ordinance. Pursuant to Section 37.09, "Duties and Responsibilities of the Emergency Management Director", of the City's Code of Ordinances, this ordinance declaring a local state of disaster for public health emergency and adopting the City of Corinth Readiness Response Plan shall be given in the official newspaper of the City or by local radio or television. The City of Corinth will promptly provide copies of this Ordinance by posting on the City of Corinth website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Ordinance is strongly encouraged to post a copy of this Ordinance onsite and to provide a copy to any member of the public asking for a copy.

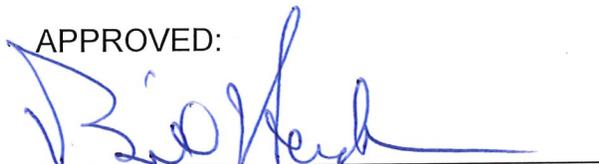
Section 5. Penalty. Failure to comply with any of the Orders in this Ordinance is an offense and shall be punishable by a fine of up to \$500.00 and each day any violation of the Orders in this Ordinance shall continue shall constitute a separate offense.

Section 6. Severability. If any subsection, sentence, clause, phrase, or word of this Ordinance 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 the remaining portions or applications of this Ordinance. This Ordinance approves and ratifies all actions taken in response to COVID-19 prior to its adoption.

Section 7. Continuation, Publication and Effective Date. The emergency powers herein provided shall be exercised only to the extent made necessary by the nature of the emergency and during the continuation of the state of emergency. This ordinance shall be published in accordance with the City's Code of Ordinances; however, it shall become effective immediately upon passage and approval by the City Council and shall remain in effect until repealed by the City Council.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH
THIS 7 DAY OF MAY 2020.**

APPROVED:



Bill Heidemann, Mayor

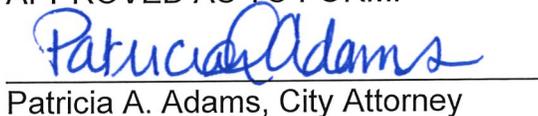
ATTEST:



Kimberly Pence, City Secretary



APPROVED AS TO FORM:



Patricia A. Adams, City Attorney

Exhibit A

CORINTH READINESS RESPONSE PLAN

