

**CITY OF DEVINE, TEXAS**  
**DECLARATION OF PUBLIC HEALTH EMERGENCY**

**WHEREAS**, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and

**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; and

**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; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared that the COVID-19 outbreak should be characterized as pandemic; and

**WHEREAS**, the Center for Disease Control and Prevention is closely monitoring the growing number of COVID-19 cases that have spread into the United States; and

**WHEREAS**, over 378,280 cases of COVID-19 have been reported in the United States and its territories, including 11,830 deaths. Bexar County has reported 456 cases of COVID-19 and Medina County, Texas has reported 6 cases of COVID-19; and

**WHEREAS**, President Trump declared a national emergency on March 13, 2020; and

**WHEREAS**, Governor Greg Abbott declared a public health disaster on March 13, 2020; and

**WHEREAS**, reports received as of April 7, 2020, report more than 8,262 cases in Texas, and more than 378,280 confirmed cases from government agencies and the CDC; and

**WHEREAS**, Coronavirus as compared to the seasonal flu shows results of a huge fatality rate difference of 1% and 0.1%; and

**WHEREAS**, Coronavirus as compared to H1N1, Swine Flu, had a fatality rate of only 0.02 percent; and

**WHEREAS**, COVID-19 is more contagious than seasonal influenza once symptoms appear; it may be possible to control by testing widely and quickly isolating those who have the disease; and

**WHEREAS**, the Texas Department of State Health Services (DSHS), the Texas Division of Emergency Management, and other state agencies continue their ongoing preparations so that all of state government is working together to limit the spread of the virus and protect Texans; and

**WHEREAS**, the estimated difference between a 0.1 percent and a 1.0 percent fatality rate could result in 360,000 dead Americans; and

**WHEREAS**, the responsibility of local, state and national government is dependent on how we respond when the difference in fatality rates demands extreme measures be taken to combat the coronavirus as compared to the seasonal flu; and

**WHEREAS**, the United States Center for Disease Control recommends that citizens stop handshaking, clean hands at the door, schedule regular hand washing, avoid touching faces and cover coughs and sneezes, disinfect surfaces like doorknobs, tables, desks, and handrails regularly, and increase ventilation by opening windows or adjusting air conditioning; and

**WHEREAS**, the Center for Disease Control recommends the use of videoconferencing for meetings when possible, adjusting or postponing meetings or gatherings of more than ten (10) people, and to limit travel to essential travel; and

**WHEREAS**, the Center for Disease Control recommends citizens stay home if they are feeling sick or when they have a sick family member in their home; and

**WHEREAS**, households with vulnerable seniors and those with underlying health conditions should conduct themselves as if they were a significant risk to the person with underlying conditions; and

**WHEREAS**, the identification of “community spread” cases of COVID-19 in the United States has signaled that transmission of the virus is no longer limited to those who traveled to China, or had contact with travelers who have visited China; and

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

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

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

**WHEREAS**, a declaration of local disaster includes the ability to take measures to reduce the possibility of exposure to disease, control the risk, and promote the health and safety of Devine residents; and

**WHEREAS**, the City of Devine will work collaboratively with Medina County to ensure that all appropriate and necessary measures are taken to limit the development, contraction and spread of COVID-19; and

**WHEREAS**, by this Declaration of 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, Cory Thompson, the Mayor of the City of Devine, 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 CITY OF DEVINE:**

1. That a local state of disaster and public health emergency is hereby declared for the City of Devine pursuant to §418.108(a) of the Texas Government Code.
2. Pursuant to §418.108(b) of the Government Code, the state of disaster and public health emergency shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the Devine City Council.
3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates the City of Devine emergency management plan.
5. Pursuant to §418.020(c) of the Government Code, 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.
6. Pursuant to §122.005 of the Texas Health and Safety Code pertaining to Type A General Law cities, 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.
7. The City Secretary is directed to give prompt and general publicity of the issuance of this DECLARATION.
8. This proclamation shall take effect immediately from and after its issuance.

9. The Public Health Emergency Rules and Regulations contained in Exhibit A attached to this Proclamation, such Rules and Regulations being incorporated into this Proclamation at this point as if copied herein verbatim, shall be effective immediately and shall continue in full force and effect for the duration of this declared public health emergency and/or as continued or renewed by the Devine City Council.
10. The City Secretary may update the Public Health Emergency Rules and Regulations as set out in Exhibit A and such other Public Health Emergency Rules and Regulations as may be enacted by the Devine City Council as necessary to respond to the evolving circumstances of this outbreak during the duration of this Declaration and any extension by the City Council without the issuance of a new Declaration.
11. As Mayor, I further reserve all other authority and powers conferred by state law to respond as necessary to this situation.

ORDERED this 7<sup>th</sup> day of April, 2020.

  
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MAYOR CORY THOMPSON  
City of Devine, Texas



  
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CITY SECRETARY DORA V. RODRIGUEZ

**EXHIBIT A**  
**Public Health Emergency Rules and Regulations**

1. City Hall – the lobby of City Hall is closed to the public until further notice. City employees will continue to report for work as usual or work from home as needed. City employees will clean and disinfect City Hall as required. City business will continue to be transacted through the drive-thru window, online and by call-in.
2. Utility Cut Offs and Late Fees – utility cut-offs and late penalties will be suspended for the duration.
3. Community Center – all activities at this location are hereby cancelled until further notice.
4. City Parks –
  - A. The Briscoe City Park is closed until further notice. All playground equipment, picnic tables, pavilion and benches shall not be used. Restrooms shall be locked and unavailable for use. The walking track will remain open; however, social distancing of 6 feet between persons shall remain in effect. Everyone shall follow the guidelines previously established of no more than 10 people in a gathering at any time and personal hygiene guidelines.
  - B. Curcio City Park will be closed until further notice. No playground equipment, picnic tables or benches shall be used.
5. Municipal Court – due to the fact that municipal court is conducted in City Hall, remaining court dockets for March and April 2020 shall be rescheduled to May, June and July 2020.
6. City Gatherings – all city gatherings with the potential of involving more than 10 people are hereby cancelled until further notice. Everyone shall not participate in gatherings involving ten or more people and the social distance of six feet between persons shall be maintained.
7. City Council Meetings – City Council meetings may be cancelled as required. The necessity of conducting City Council meetings will be continually evaluated. If meetings are necessary, only essential items will be placed on the agenda.
8. Library – the interior of the Library will be closed to the public until further notice. Books or other reading material may be ordered online or by telephone and will be delivered curbside to Library patrons by Library employees. Library employees will print emails on request and will deliver curbside at the Library. All emailing printing fees will be waived for the duration. Fax services will not be available. The Library WIFI services may be used from the Library Parking lot. Library Employees will report for work as usual or work from home as needed. Library Employees may be reassigned to other City facilities to perform City tasks. Library Employees will clean and disinfect the Library as required. Library Hours for curbside books and other reading material and printing are from 10 am to 5 pm Monday – Friday.
9. Animal Shelter – the interior of the Animal Shelter shall be closed to the public until further notice. Employees will continue to report for work as usual or work from home as needed. Contact with the public in the field shall be limited. Animal Control will not be picking up or transporting animals unless exigent circumstances are present. No traps will be deployed,

except in the event of an emergency. We strongly encourage citizens who own traps not to set them out during the duration.

10. Public Works – Public Works shall continue all operations as usual. Public Works employees shall continue to report to work as usual or work from home as needed. The on-call workers will continue being on-call. We encourage citizens to contact after hours with a true emergency for Water, Sewer and Streets. The City Water supply and Wastewater Plant meet all State Health requirements and will continue to do so.
11. Police Department - the Police Department will continue normal operations. The Police Secretary and Police Dispatcher shall continue to report to work as usual or work from home as needed. In case of an emergency, please contact 911. Police Officers will be handling dispatched calls by phone, and we encourage the citizens calling instead of coming to the Police Department, when possible. Officers will be practicing social distancing (6-foot distancing) for your safety and theirs.
12. Municipal Airport – the Municipal Airport will continue normal operations at this time.
13. Travel – all City Employees and Officers shall limit personal travel to essential travel. Personal travel of the City Employees and Officers may be restricted as required by the existing facts and circumstances.
14. Code Compliance – the Code Compliance Employees shall continue to report to work as usual or work from home as needed. The citizens can call, email, or use the drive-thru for Code Compliance business. If Plats that cannot be emailed and have to be dropped off, please call to make arrangements so that someone can meet with you.
15. Businesses – all businesses located in Devine shall clean and disinfect their premises as required by the existing facts and circumstances. All businesses shall display State Health Agency promulgated COVID-19 precaution posters. All businesses shall use best industry standards to limit the number of patrons allowed on their premises in order to maintain social distances. Citizens are encouraged to patronize local businesses while maintaining social distances. In the event that social distances cannot be maintained, more restrictive measures may be enforced.
16. Signs of Illness – if any person or any members of a person’s family should exhibit signs of COVID-19 infection, they should remain at home and seek medical help from their doctor. Signs of COVID-19 infection include:
  - Fever
  - Cough
  - Shortness of breath
  - Difficulty breathing
  - Have been in close contact with a person known to have COVID-19 or if you live in or have recently been in an area with ongoing spread of COVID-19.

17. Curfew –

- A. As a result of school closures, no one under seventeen (17) years of age shall be allowed to stand, drive, or ride about, in or upon any public place in the City of Devine during school days without the supervision of a parent, guardian or adult 18 or over approved by the parent or guardian during the hours of 8:30 AM to 3:30 PM, Monday through Friday, unless engaged in lawful employment or volunteer work at a recognized charity institution or other organization or is going to or coming directly from such activity without detour or stop or unless any other defense recognized in Section 66-12(c) of the City of Devine Code of Ordinances shall apply.
- B. As a result of the pandemic, no one under seventeen (17) years of age shall be allowed to stand, drive, or ride about, in or upon any public place in the City of Devine during any day of the week without the supervision of a parent, guardian or adult 18 or over approved by the parent or guardian during the hours of 10:00 PM to 6:00 AM, unless engaged in lawful employment or volunteer work at a recognized charity institution or other organization or is going to or coming directly from such activity without detour or stop or unless any other defense recognized in Section 66-12(c) of the City of Devine Code of Ordinances shall apply.

18. Golf Course – It is recommended that the Devine Golf Course take the following actions:

- A. Close the clubhouse and pro shop.
- B. Do not allow face to face interaction between the staff and customers.
- C. Only take payments online or over the phone.
- D. Allow only one person per cart. Players will always have the option to walk.
- E. Wipe down carts immediately after being used.
- F. Do not allow any socializing on the golf course premises before tee time or after the conclusion of play.
- G. Space tee times at least 10 minutes apart with a maximum of 4 people occupying each hole.
- H. Remove all objects on the course that could be touched, including but not limited to ball washers, rakes, water coolers and benches.
- I. Remove flag sticks.
- J. Raise cups to keep balls from going into the hole and touching inside cup or liner.
- K. Enforce social distancing and personal hygiene.

19. City Advisory Boards and Committees – All meetings of City advisory boards or committees are canceled until further notice.

20. Devine Food Pantry – It is recommended that the Devine Food Pantry take the following actions:

- A. Go to curbside delivery for all patrons.
- B. Have all patrons remain in their vehicles.
- C. Require that all patrons make room in the trunk of their vehicle for food items; if trunk space is not available, require sufficient room in the back seat or bed of the vehicle for food items.
- D. Provide food items on a first-come, first-serve basis.
- E. Provide a telephone number for patrons who do not have transportation so that delivery of food items may be arranged.

21. Operating Businesses – It is recommended that all essential businesses adhere to the following guidelines and it is required that all non-essential businesses shall adhere to the following guidelines:
- A. All businesses that are in operation shall provide their employees with personal protective equipment (PPE). All businesses shall allow their employees to wear masks and gloves while at work. If a business cannot provide PPE to its employees, the employees shall be allowed to use their own masks and gloves while at work.
  - B. All businesses shall clean and sanitize all areas subject to being touched by the general public; for example, shopping cart handles, countertops, keypads, ATM machines, gas pumps and nozzles, door handles and check out line conveyor belts. Cleaning and sanitizing shall take place as often as needed.

General:

All citizens working (including city employees), please make sure to follow policies related to sick time; isolate and stay home and out of the public except for securing medical care.

Violation shall be considered a Class C Misdemeanor with a penalty not to exceed \$2,000.00.

No part of this Declaration applies to Devine Independent School District or a place of worship.

We will continue to update our Website to keep the citizens of Devine updated. You can go to [cityofdevine.com](http://cityofdevine.com) for up-to-date information.