

ORDINANCE NO. 3-21E

AN ORDINANCE ESTABLISHING AN EXTENSION OF DISASTER AND PUBLIC HEALTH EMERGENCY DECLARATION; REPEALING CONFLICTING ORDINANCES; AND, PROVIDING FOR A SEVERABILITY CLAUSE.

WHEREAS: The City of Devine, Texas is a duly incorporated Type A general law municipality existing under the laws of the State of Texas; and,

WHEREAS: On March 25, 2020, the Mayor of the City of Devine, Texas, issued a proclamation declaring a local disaster and public health emergency for the City of Devine, Texas, resulting from COVID-19 (novel coronavirus);

WHEREAS: The conditions necessitating declaration of a local disaster and public health emergency continue to exist; and,

WHEREAS: The Devine City Council approved, modified, extended and/or renewed the proclamation on March 27, April 2, April 7, April 23, May 5, June 16, September 15, September 22, October 20, November 17, 2020, January 26 and March 16, 2021; and,

WHEREAS: Section 418.108(b) of the Texas Government Code provides that a local state of disaster and/or public health emergency 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 THE CITY OF DEVINE, TEXAS:

Section 1. MODIFICATION, EXTENSION AND RENEWAL OF DISASTER AND PUBLIC HEALTH EMERGENCY DECLARATION.

- A. That the local disaster and public health emergency proclaimed for the City of Devine, Texas, by the Mayor on March 25 and April 7, 2020, and as approved, modified, extended and/or renewed by the Devine City Council on March 27, April 2, April 7, April 23, May 5, June 16, September 15, September 22, October 20, November 17, 2020 and January 26, and March 16, 2021, shall continue until April 21, 2021 and shall be subject to further modification, extension and/or renewal by the Devine City Council.
- B. The original Public Health Emergency Rules and Regulations contained in the Mayor's proclamation of March 25 and April 7, 2020 are hereby modified as set forth in Exhibit A attached hereto, and said Exhibit A is hereby incorporated in this Ordinance at this point as if copied herein verbatim.
- C. All actions previously taken pursuant to the proclamations and ordinances set forth above are hereby ratified and confirmed.

Section 2. REPEAL. Any provision contained in the City of Devine’s Code of Ordinances that is in conflict with the terms of this Ordinance is hereby repealed.

Section 3. CODE OF ORDINANCES. It is the intention of the City Council of the City of Devine that this ordinance shall become a part of the Code of Ordinances of the City of Devine and may be renumbered and codified therein accordingly.

Section 4. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage.

Section 5. SEVERABILITY. If any section, provision, subdivision, clause, or part of this ordinance shall be adjudged or held unconstitutional or invalid, it shall not affect the validity of this ordinance as a whole or any other part of provision contained herein.

PASSED AND ADOPTED, this 16th day of March, 2021.


CORY THOMPSON, MAYOR

ATTEST:


DORA V. RODRIGUEZ, City Secretary



EXHIBIT A
Public Health Emergency Rules and Regulations

1. City Hall – City Hall, with its current Personal Protective Equipment and protective material in place shall be open to the public to 100% on April 1, 2021. City employees shall continue to clean and disinfect City Hall as required. City business may also be transacted through the drive-thru window, online and by call-in. Patrons and employees shall practice social distancing and wear masks.
2. Utility Cut Offs and Late Fees – utility cut-offs and late penalties will be suspended for the current billing cycle and the next billing cycle.
3. Community Center – except as herein provided, all activities at this location are hereby cancelled until further notice.
4. Municipal Court – will be allowed to operate pursuant to its approved operating plan at the Community Center.
5. City Gatherings – people attending city gatherings shall practice social distancing and wear masks.
6. City Council Meetings – City Council meetings will continue to be held at the Community Center. People attending the meetings shall practice social distancing and wear masks.
7. Library – the Library, with its current Personal Protective Equipment and protective material in place shall continue to be opened to the public at the discretion of the City Secretary. Library personnel shall continue to clean and disinfect the Library as required. Employees and patrons shall practice social distancing and wear masks.
8. Animal Shelter – the Animal Shelter, with its current Personal Protective Equipment and protective material in place shall be open to the public 100% on April 1, 2021. Animal Shelter personnel shall continue to clean and disinfect the Animal Shelter as required. Employees and patrons shall practice social distancing and wear masks.
9. Public Works – Public Works shall continue all operations as usual. Employees, when interacting with the public, shall practice social distancing and wear masks.
10. Police Department - the Police Department, with its current Personal Protective Equipment and protective material in place shall continue as is until further notice. Police Department personnel shall continue to clean and disinfect the Police Department as required. When interacting with the public, officers shall practice social distancing and wear masks.
11. Municipal Airport – the Municipal Airport will continue normal operations at this time. Employees and patrons shall practice social distancing and wear masks.
12. Code Compliance – Code Compliance will resume City Hall transactions. When interacting with the public, employees shall practice social distancing and wear masks.

13. 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
- Chills
- Muscle pain
- Sore throat
- New loss of taste or smell
- Shortness of breath or difficulty breathing
- Nausea
- Vomiting
- Diarrhea

Seek medical care immediately if someone has emergency warning signs of COVID-19:

- Trouble breathing
- Persistent pain or pressure in the chest
- New confusion
- Inability to wake or stay awake
- Bluish lips or face

Citizens, including city employees, should follow all State and CDC guidelines.

14. City Advisory Boards and Committees – All City advisory boards and committees shall be allowed to meet as long as all participants practice social distancing and wear masks.

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.

All citizens shall continue to comply with the Governor’s guidelines.

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 for up-to-date information.