

ORDINANCE NO. 2020-21

**AN ORDINANCE OF THE CITY COUNCIL OF WIMBERLEY, TEXAS
EXTENDING ORDINANCE 2020-16 RENEWING A DECLARATION OF
LOCAL DISASTER AND PUBLIC HEALTH EMERGENCY; PROVIDING
A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE;
PROVIDING AN EFFECTIVE DATE**

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, on March 16, 2020, Mayor Susan Jagers made a Declaration of Public Health Emergency, and

WHEREAS, on March 19, 2020, the City Council extended the Mayor's Declaration of Public Health Emergency through May 14, 2020 which was later extended through June 18, 2020; and

WHEREAS, on June 29, 2020, the City Council renewed the Declaration of Local Disaster and Public Health Emergency through August 6, 2020; and

WHEREAS, the transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the Wimberley Community and rates of infection are increasing at an alarming exponential rate despite efforts by local authorities to control the spread; and

WHEREAS, the responsibility of local, state and national government is dependent on how we respond when serious illness and fatality rates demand extreme measures be taken to combat COVID-19.

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

SECTION 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 2. That the local state of disaster and public health emergency is hereby extended pursuant to §418.108(b) of the Texas Government Code and hereby continued and extended to remain in effect through the COVID-19 disaster declaration of Texas Governor Greg Abbott, unless repealed or extended by action of this City Council.

SECTION 3. Pursuant to §418.108(c) of the Government Code, this extension of 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.

SECTION 4. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part of provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Ordinances as a whole.

SECTION 6. All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or in conflict with the terms and provisions contained in this Ordinance are hereby repealed, but only to the extent of any such conflict.

SECTION 7. This Ordinance shall take effect immediately from and after its passage and the publication as provided by law.

SECTION 8. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED, APPROVED and ADOPTED on this 6th day of August, 2020.

By: *Gina V. Fulkerson*
Gina V. Fulkerson, Mayor

ATTEST:

Laura J. Calcote
Laura J. Calcote, City Secretary



APPROVED AS TO FORM:

Sarah M. Shipley
City Attorney