

**TOWN OF BARTONVILLE, TEXAS
ORDINANCE NO. 688-20**

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, DECLARING A LOCAL STATE OF DISASTER DUE TO A PUBLIC HEALTH EMERGENCY AND INCORPORATING BY REFERENCE THE APPLICABLE REGULATIONS CONTAINED IN GOVERNOR ABBOTT'S EXECUTIVE ORDER(S) AND DENTON COUNTY'S ORDER(S); MAKING FINDINGS RELATED THERETO; REPEALING ORDINANCE NO. 687-20; PROVIDING AN EFFECTIVE DATE; PROVIDING AN EXPIRATION DATE; PROVIDING FOR A PENALTY; AND PROVIDING FOR PUBLICATION.

WHEREAS, beginning on or about December 2019, a novel coronavirus, now designated COVID-19, has spread through 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 Town of Bartonville is taking extraordinary measures to prevent the spread of this potentially devastating disease in our community; and

WHEREAS, the Town of Bartonville has established emergency protective measures, mitigation procedures, and emergency response plans for this type of health emergency; and

WHEREAS, on or about March 13, 2020, Texas Governor Greg Abbott declared a state of disaster in all Texas counties, and thereafter Denton County Judge Andy Eads has declared a local state of disaster due to a public health emergency; and

WHEREAS, on or about Tuesday, March 17, 2020, Mayor Bill Scherer issued a Disaster Declaration due to the COVID-19 public health emergency; and

WHEREAS, on or about Thursday, March 19, 2020, Texas Governor Greg Abbott issued Executive Order GA 08 providing further guidance in addressing COVID-19 preparedness and mitigation; and

WHEREAS, on or about Tuesday, March 24, 2020, the Town Council of the Town of Bartonville adopted Ordinance No. 685-20 declaring a local state of disaster through April 30, 2020, and on April 29, 2020, the Town Council of the Town of Bartonville adopted Ordinance No. 686-20 extending the previous disaster declaration through May 31, 2020, and on May 19, 2020, the Town Council of the Town of Bartonville adopted Ordinance No. 687-20 extending the previous disaster declaration through June 30, 2020, and it now is the desire of the Town Council to repeal Ordinance No. 687-20 effective as of the effective date of this Ordinance and extend the local state of disaster referenced therein as set forth in this Ordinance; and

WHEREAS, on or about Tuesday, March 31, 2020, Texas Governor Greg Abbott issued Executive order GA-14, repealing Executive Order GA-08, and addressing and providing further for the continuity of essential services and activities during the COVID-19 disaster; and

WHEREAS, on or about Monday, April 27, 2020, and Monday, May 18, 2020, and Wednesday, June 3, 2020, Texas Governor Greg Abbott issued additional Executive Orders addressing and providing, among others, for the continuity of essential services and activities during the COVID-19 disaster as well as permitting the limited reopening of certain non-essential businesses; and

WHEREAS, the Town Council seeks to adopt an ordinance that will extend the local state of disaster, incorporate by reference the various rules and regulations contained in Governor Abbott's applicable Executive Order(s) and in Denton County's applicable disaster declaration(s) and order(s), and be coterminous with said Executive Order(s) and Denton County order(s).

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:

SECTION 1

All of the above findings are hereby found to be true and correct and are hereby incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2

Ordinance No. 687-20, approved by the Town Council on Tuesday, May 19, 2020, is hereby repealed in its entirety, simultaneous with the effective time and date of this Ordinance.

SECTION 3

A local state of disaster due to public health emergency is hereby declared and extended for the Town of Bartonville, Texas, pursuant to Section 418.108(a) of the Texas Government Code.

SECTION 4

Pursuant to Section 418.108(b) of the Texas Government Code, this state of disaster due to public health emergency shall continue from the time of adoption of this Ordinance, and thereafter shall expire on the date in which Texas Governor Greg Abbott repeals or otherwise concludes the state of disaster for the State of Texas, as same may relate to Denton County.

SECTION 5

Pursuant to Section 418.108(c) of the Texas Government Code, this Ordinance declaring a local state of disaster due to public health emergency shall be given prompt and general publicity and shall be filed promptly with the Town Secretary's Office.

SECTION 6

Pursuant to Section 418.108(d) of the Texas Government Code, this Ordinance declaring a local state of disaster has resulted in the following:

- this declaration of a local state of disaster continues the activation of the Town of Bartonville, Texas, emergency management plan and authorizes the furnishing of aid and

assistance under the declaration, as was declared in Ordinance Nos. 685-20, 686-20, and 687-20.

- All Town-sponsored programs, activities and classes are suspended through June 30, 2020.
- Bartonville Municipal Court is delaying all Court proceedings through July 31, 2020, and will begin conducting Court proceedings in August 2020, pursuant to the Bartonville Municipal Court COVID-19 Operating Plan.
- All closures and cancellations will be reassessed and modified as conditions change.
- Town Council and Board/Commission meetings may meet as regularly scheduled, and may include videoconference meetings and/or in-person meetings.
- All development applications shall be accepted per regular processes.
- Town offices will remain closed to citizen traffic during normal operating hours through June 30, 2020, and will open for citizen traffic during normal operating hours on July 1, 2020. For inquiries, please contact either the Town Administrator or the Town Secretary.

SECTION 7

Closures and cancellations referenced in this Ordinance may be extended, modified or revoked until the threat posed by COVID-19 has passed, as determined by the Mayor.

SECTION 8

The Mayor is granted the authority to direct non-emergency Town personnel to work from home or to otherwise telecommute, as may be required, to mitigate community spread of COVID-19.

SECTION 9

This Ordinance hereby authorizes the Town to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures, regulating ingress and egress from the Town, regulating ingress and egress to occupied structures, and insuring compliance for those who do not comply with the Town's rules, pursuant to Section 122.005 of the Texas Health and Safety Code.

SECTION 10

The Town hereby incorporates by reference, in its entirety, all applicable provisions of Governor Abbott's Executive Order(s) to date, and Denton County's disaster declaration(s) and order(s) to date, including the rules and regulations contained therein, with said rules and regulations terminating at the expiration of said Executive Order(s) and Denton County order(s), as determined by the Governor and Denton County Judge, as same may relate to Denton County.

SECTION 11

This Ordinance hereby authorizes the use of all lawfully available enforcement tools. A violation of this Ordinance may be punishable through criminal or civil enforcement. A violation of this Ordinance is a Class C misdemeanor punishable by a fine not to exceed Five Hundred Dollars (\$500.00). Violators of this Ordinance will be issued a citation. The citation will contain written notice of the time and place the person must appear before a magistrate of this state, the name and address of the person charged, and the offense charged.

SECTION 12

This Ordinance shall become effective from and after its passage and publication.

DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, ON THIS 16TH DAY OF JUNE, 2020.



A handwritten signature in black ink, appearing to read "Bill Scherer", written over a horizontal line.

Bill Scherer, Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Tammy Dixon", written over a horizontal line.
Tammy Dixon, Town Secretary