

**CITY OF KERMIT, TEXAS  
MAYORAL DECLARATION OF LOCAL STATE OF DISASTER  
DUE TO PUBLIC HEALTH EMERGENCY**

**WHEREAS**, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and

**WHEREAS**, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

**WHEREAS**, COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and

**WHEREAS**, on March 31, 2020, the Governor of the State of Texas, issued Executive Order GA-14 ordering the following on a statewide basis effective 12:01 a.m. on April 2, 2020, and continuing through April 30, 2020, subject to extension based on the status of Covid-19 in Texas and the recommendations of the CDC and the Whitehouse Coronavirus Task Force:

*In accordance with guidance from DSHS Commissioner Dr. Hellerstedt, and to achieve the goals established by the President to reduce the spread of COVID-19, every person in Texas shall, except where necessary to provide or obtain essential services, minimize social gatherings and minimize in-person contact with people who are not in the same household.*

*"Essential services" shall consist of everything listed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, plus religious services conducted in churches, congregations, and houses of worship. Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM). TDEM shall maintain an online list of essential services, as specified in this executive order and in any approved additions. Requests for additions should be directed to TDEM at [EssentialServices@tdem.texas.gov](mailto:EssentialServices@tdem.texas.gov) or by visiting [www.tdem.texas.gov/essential-services](http://www.tdem.texas.gov/essential-services).*

*In providing or obtaining essential services, people and businesses should follow the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, and sanitation, implementing social distancing, and working from home if possible. In particular, all services should be provided through remote telework from home unless they are essential services that cannot be provided through remote telework. If religious services cannot be conducted from home or through remote services, they should be conducted consistent with the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, and sanitation, and by implementing social distancing to prevent the spread of COVID-19.*

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*In accordance with the Guidelines from the President and the CDC, people shall avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms, massage establishments, tattoo studios, piercing studios, or cosmetology salons; provided, however, that the use of drive-thru, pickup, or delivery options for food and drinks is allowed and highly encouraged throughout the limited duration of this executive order.*

*This executive order does not prohibit people from accessing essential services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential services, visiting parks, hunting or fishing, or engaging in physical activity like jogging or bicycling, so long as the necessary precautions are maintained to reduce the transmission of COVID- 19 and to minimize in person contact with people who are not in the same household.*

*In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission.*

*In accordance with the Guidelines from the President and the CDC, schools shall remain temporarily closed to in-person classroom attendance and shall not recommence before May 4, 2020.*

*This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts essential services allowed by this executive order or allows gatherings prohibited by this executive order. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.*

**WHEREAS**, as of April 6, 2020, there are no confirmed cases of COVID-19 in Kermit; however, there is an ongoing risk and likelihood of Covid-19 positive patients being identified in the City of Kermit; and

**WHEREAS**, the probable emergence and spread of COVID-19 within the City of Kermit poses an imminent threat of widespread illness resulting from an epidemic that requires emergency action, and;

**WHEREAS**, the City of Kermit, is taking extraordinary measures to prevent the spread of this potentially devastating disease in our community; and

**WHEREAS**, said state of disaster requires that certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, pursuant to Chapter 418 of the Texas Government Code.

**NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF KERMIT, TEXAS:**

**SECTION 1.** That a local state of disaster for public health emergency is hereby declared for the City of Kermit, pursuant to Section 418.108(a) of the Texas Government Code.

**SECTION 2.** That pursuant to Section 418.108(b) of the Texas Government Code the state of disaster for public health emergency shall continue for a period of not more than seven (7) days from the date of this declaration, unless approved by the City Council of the City of Kermit.

**SECTION 3.** That pursuant to Section 418.108(c) of the Texas Government Code this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

**SECTION 4.** That pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the City of Kermit emergency management plan, and authorizes the furnishing of aid and assistance under the declaration.

**SECTION 5.** That this declaration authorizes the City to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures, examining and regulating hospitals, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, establishment of quarantine stations, emergency hospitals, and other hospitals, and insuring compliance for those who do not comply with the City's rules and directives.

**SECTION 6.** That this declaration hereby limits the size of gatherings to not more than 10 people and mandates the cancellation of all such gatherings of more than 10 people until further notice, except as necessary to provide or obtain "essential services" as defined in Executive Order GA-14 or as may be defined by future executive order or guidance of the Governor of the State of Texas. A "gathering" refers generally to a scheduled event or common endeavor where 10 persons are present in a confined space, room, or area.

**SECTION 7.** That this declaration hereby incorporates and expressly adopts, in its entirety, Governor Greg Abbott's Executive Order GA-14 as stated hereinabove.

**SECTION 8.** That this declaration amends City Water Department policy as follows:

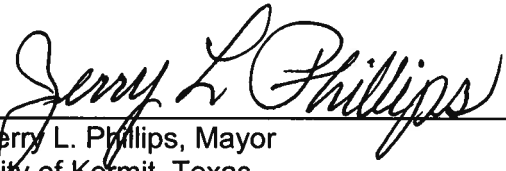
- a. Payment arrangements for a period of 3 to 6 months will be allowed for customers experiencing financial hardship;
- b. Disconnection of water service will be delayed for customers making satisfactory payment arrangements with the water department;
- c. Reconnection of water service will be allowed prior to full payment of the past due balance for customers making satisfactory payment arrangements.
- d. Compliance with payment arrangements will be required for continuance of water service.

**SECTION 9.** In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates this declaration commits an offense, punishable by a fine up to \$1,000.00 or confinement in jail for a term that does not exceed 180 days.

**SECTION 10.** That this declaration hereby authorizes the use of all lawfully available enforcement tools.

**SECTION 11.** That this declaration shall take effect immediately from and after its issuance and, upon approval by the City Council, shall continue in effect until terminated by the Mayor. Pursuant to this declaration, additional directives may be issued by the Mayor at any time as deemed necessary.

**DECLARED this 6th day of April, 2020.**

  
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Jerry L. Phillips, Mayor  
City of Kermit, Texas