

CITY OF BUDA, TEXAS

ORDER NO. 1 OF THE MAYOR

REGARDING THE LOCAL STATE OF DISASTER

WHEREAS, the novel coronavirus (COVID-19) is contagious and spreads through person-to-person contact, especially in group settings; and

WHEREAS, the Centers on Disease Control and Prevention ("CDC") recommends an "All of Community" approach focused on slowing the transmission of COVID-19 through social distancing to reduce illness and death, while minimizing social and economic impacts; and

WHEREAS, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Abbott to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

WHEREAS, President Donald Trump declared a State of National Emergency for the United States of America on March 13, 2020 in response to the spread of COVID-19; and

WHEREAS, on March 13, 2020, I, as Mayor, proclaimed and declared a local state of disaster within the City of Buda, Texas, to continue in effect through March 20, 2020, in response to the spread of COVID-19, unless continued by the City Council of the City of Buda; and,

WHEREAS, on March 15, 2020, a Declaration of Local Disaster was issued by the Hays County Judge to allow Hays County to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Hays County residents utilizing state and federal resources made available with the declaration; and

WHEREAS, due to the substantial risks to the public, on March 17, 2020, the Hays County Judge issued an order prohibiting certain Community Gatherings, as defined in his Order, of ten (10) persons or more, anywhere within Hays County beginning at 2 a.m. on March 18, 2020, and continuing until 5 p.m. on May 14, 2020, unless terminated or modified by a subsequent order; and

WHEREAS, on March 20, 2020, the City Council ratified and consented to my Proclamation Declaring a Local State of Disaster, continuing the state of disaster indefinitely; and

WHEREAS, on March 20, 2020, I issued an Amended Proclamation Declaring a Local State of Disaster, which put in place community gathering restrictions and

occupancy restrictions for certain premises, including regulations on day care facilities, restaurants, and other businesses; and

WHEREAS, on March 24, 2020, the Hays County Judge issued a “Stay at Home, Work Safe” order for Hays County, beginning at 11 p.m. on March 26, 2020, and continuing until 4 a.m. on April 10, 2020; and

WHEREAS, pursuant to Chapter 418 of the Texas Government Code, I, as Mayor, am designated the Emergency Management Director for the City and am authorized to issue orders to manage the disaster at hand; and

WHEREAS, *to the extent of any conflict between the orders of the county judge and of the mayor, the orders of the county judge prevail, and, to the extent of any conflict between orders of the mayor or county judge and the Texas Governor, the Executive Orders of the Texas Governor prevail, pursuant to Section 418 of the Texas Government Code; and*

WHEREAS, in light of reasonable regulations set by the Hays County Judge in his March 24, 2020, “Stay at Home, Stay Safe” order, I elect to cancel portions of my March 20, 2020, Amended Proclamation Declaring a Local State of Disaster related to community gatherings and occupancy of premises restrictions, including regulations on day care facilities, restaurants, and other businesses; and

WHEREAS, I find that additional precautionary measures are necessary to ensure the health and safety of the public in retail businesses; and

WHEREAS, the closure of certain public and private parks and recreation facilities within the City, including similar parks facilities owned by Homeowners Associations, or otherwise, is necessary to minimize the spread of COVID-19; and

WHEREAS, the people of the City of Buda shall obey all orders relating to the declared state of disaster of the county and the city pursuant to the authority of both the mayor and the county judge provided by Section 418.108 of the Texas Government Code.

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

1. That a local state of disaster is continued indefinitely, as determined by the City Council of the City of Buda, Texas.
2. That the City’s Emergency Management Plan has been implemented.
3. That the findings and recitations set out in the preamble to this proclamation are found to be true and correct and they are hereby adopted by the City of Buda and made a part hereof for all purposes.

4. That Sections 5 and 6 of the March 20, 2020, Amended Proclamation Declaring a Local State of Disaster, which relate to community gatherings and occupancy of premises restrictions, including regulations on day care facilities, restaurants, and other businesses, are cancelled in light of reasonable regulations ordered by the Hays County Judge in his March 24, 2020, "Stay at Home, Work Safe" order.
5. Effective March 31, 2020 at 6:00 a.m., all retail businesses open to the public implement the following social distancing procedures to ensure the health and safety of the public:
 - a. Businesses shall ensure that store aisles are limited to one-way foot traffic.
 - b. Businesses shall mark the floor at six-foot (6') intervals at registers or other areas where lines are formed to ensure that customers maintain safe distances from one another.
 - c. Businesses shall post notice of a "stand-off" rule, which requires customers to maintain a distance of six feet (6') from one another as much as is practicable.
 - d. Businesses shall ensure that all doors into and out of the business used for the general public shall be situated such that no customer has to touch the door to enter or exit the business.
 - e. If a business is found to be in violation of this Order, the business shall be given notice of necessary corrective action and shall have seventy-two (72) hours to remedy the violation. If the violation has not been remedied after seventy-two (72) hours, a citation shall issue.
6. All sports fields, bathrooms, playscapes, basketball courts, skateparks, water fountains, and other facilities are closed to the public until further notice. Any existing reservations of these facilities are cancelled. For HOA-managed and private parks facilities, staff may enter facilities for maintenance purposes and must observe the social distancing guidelines attached to this Order.
7. Members of the public shall cancel or postpone any events at public or private parks or HOA-managed parks which would result in a gathering of family members.
8. Trails and green spaces in City parks, HOA-managed parks and any private parks are open for public use and are not closed pursuant to this order, unless otherwise directed by federal, state, or local authorities. Residents shall


observe the attached social distancing guidelines while using park trails, green spaces, and tables.

9. The opening of the Green Meadows Splash Pad shall be postponed until further notice.
10. By this Order, I declare all rules and regulations that may inhibit or prevent prompt response to this threat be suspended for the duration of this declaration of disaster and any extension thereof.
11. For any period not covered by an order of the Hays County Judge or Texas Governor, all our community's critical infrastructure, which includes administration, communications, emergency services, energy, transportation systems, refuse and recycling systems and services, and water and wastewater systems, and any other service as designated by the City Manager are ORDERED to continue operations and encouraged to implement screening precautions to protect employees.
12. The Buda Police Department, the Buda Fire Marshal, and other peace officers within the city pursuant to the mutual aid provision provided in Texas Government Code Chapter 418 are authorized to enforce this Order.
13. Failure to obey the direction provided by this Order pursuant to the City's Emergency Management Plan is a criminal offense punishable by a fine not to exceed \$500.00; however, if the offense constitutes an unlawful act relating to fire safety, zoning or public health or sanitation the fine may be up to \$1,000 for each violation.

ORDERED this the 27th day of March 2020.


GEORGE HAEHN, MAYOR
City of Buda, Texas

ATTEST:


Alicia Ramirez
City Clerk

