

RESOLUTION NO. 11-2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLUTE RATIFYING, AFFIRMING AND EXTENDING THE CITY OF CLUTE'S DECLARATION OF DISASTER AND PUBLIC HEALTH EMERGENCY PREVIOUSLY ISSUED BY THE MAYOR ON APRIL 6, 2020

WHEREAS, the City of Clute, Texas under Proclamation of the Mayor issued a Declaration of Disaster and Public Health Emergency in recognition of the imminent threat posed by CoVid 19 on the 17th day of March 2020; and

WHEREAS, on March 19, 2020 the City Council passed Resolution 08-2020 ratifying and extended that initial Declaration of Disaster to be extended until April 9, 2020; and

WHEREAS, subsequently the Governor of the State of Texas and the County Judge for Brazoria County, Texas have issued further public orders related to COVID-19; and

WHEREAS, the City Council recognizes the duty to enforce all disaster orders, whether state, county, or local, inside the jurisdiction of the City of Clute, falls upon the emergency management organization and law enforcement officers of the City of Clute; and

WHEREAS, the City Council recognizes that the rapidly changing course of events, requires flexibility for the Mayor to enter new emergency orders on short notice; and

WHEREAS, the novel coronavirus (COVID-19) has been recognized globally as a contagious respiratory virus and declared as a global pandemic by the World Health Organization (WHO); and

WHEREAS, Texas Government Code Section 418.108 requires the local Governing Body to renew or continue the Declaration; and

WHEREAS, the conditions necessitating the declaration of a state of disaster for a public health emergency will continue to exist for an unforeseeable time; and

WHEREAS, it is critical to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Clute residents.

NOW, THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF CLUTE, TEXAS

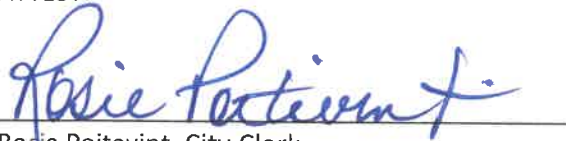
That the Declarations of Disaster and Public Health Emergency Proclaimed for the City of Clute, Texas, by the Mayor on March 19 and April 6, 2020, shall continue until terminated by Resolution of the City Council.

This resolution duly passed this 9th day of April, 2020.



Calvin Shiflet, Mayor
City of Clute, Texas

ATTEST:



Rosie Poitevint, City Clerk
City of Clute, Texas

STATE OF TEXAS
COUNTY OF BRAZORIA
CITY OF CLUTE

DECLARATION OF DISASTER and PUBLIC HEALTH EMERGENCY

WHEREAS, a novel coronavirus, now designated COVID-19, has been declared a global pandemic; and
WHEREAS, there is currently at least 118 cases of COVID-19 confirmed in Brazoria County, Texas; and
WHEREAS, on March 19, 2020 Mayor Shiflet, signed a Declaration of Disaster and Public Health governing the City of Clute, Texas which was ratified by the City Council; and
WHEREAS, on March 25, 2020 Matt Sebesta, Brazoria County Judge, issued a county-wide disaster order entitled the "Brazoria County Stay Safe at Home Order" restricting activities for all persons in Brazoria County; and
WHEREAS, Gregg Abbott, Governor of the State of Texas Declared a State of Disaster for the State of Texas on March 13, 2020 due to COVID-19; and
WHEREAS, on March 19, 2020, Dr. John Hellerstedt, Commissioner of the Department of State Health Services signed a Public Health Disaster Declaration for the State of Texas; and
WHEREAS, Gregg Abbott, Governor of the State of Texas, issued Executive Orders related to COVID-19 on March 19, March 24 and March 26, 2020; and
WHEREAS, COVID-19 is extremely contagious and extraordinary measures must be taken to contain the virus and prevent its spread throughout the City of Clute, Brazoria County and the region, including the quarantine of individuals, groups and property, and additionally, includes compelling individuals, groups or property to undergo additional health measures that prevent or control the spread of disease; and
WHEREAS, it is critical to take extraordinary steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health of the residents of Clute Texas; and
WHEREAS, it is the primary responsibility of the emergency management organization of the City of Clute, including but not limited to the Clute Police Department, to enforce and ensure compliance with all COVID-19 related orders governing the jurisdiction of the City of Clute, whether issued by the state, county, or the Mayor of Clute;

BE IT THEREFORE PROCLAIMED BY MAYOR OF THE CITY OF CLUTE TEXAS:

1. That a local state of disaster is hereby declared for the City of Clute Texas pursuant to §418.108(a) of the Texas Government Code
2. Pursuant to §418.108(b) of the Texas Government Code, this state of disaster has been consented to by the City Council of the City of Clute, Texas. This ORDER and the ORDER ratified by City Council on March 19, 2020, shall continue until it is cancelled by the City Council of the City of Clute, Texas.
3. Pursuant to the authority granted under the laws of the State of Texas, this proclamation also authorizes the Mayor and the City of Clute to take any and all further lawful actions and sign necessary Orders to contain, control and prevent the spread of COVID-19 in the City of Clute.
4. Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster continues the County Emergency Management Plan adopted by the City of Clute.
5. All persons that violate of any disaster order applicable to the jurisdiction of the City of Clute may be charged and prosecuted pursuant to Clute City Ordinance Section 36.08, Texas Government Code Section 418.173, and/or Texas Health and Safety Code Section 81.087.
6. Persons may park and inhabit a recreational vehicle/travel trailer in a R-1 or R-2 zone, as identified in the Clute comprehensive zoning ordinance for the purpose of social distancing and or quarantine of family members. This order, however, does not affect applicable deed restrictions or Home-Owner Association restrictions. Further, only ONE (1) recreational vehicle/travel trailer may be parked/inhabited per lot or parcel outside of the Right of Way. This order shall not create the right of any landowner to charge rent for use of their property to park/inhabit a recreational vehicle/travel trailer, nor the right to charge rent to inhabit a recreational vehicle/travel trailer to another. The ability to use a recreational vehicle/travel as set forth in this order shall continue for 90 days from the date of signing and ratification by the Clute City Council.
7. That this proclamation shall take effect immediately from and after its issuance.

ORDERED this the ~~14~~ day of April, 2020.


Calvin Shiflet, Mayor
City of Clute Texas