

**ORDER BY THE  
MAYOR OF  
THE CITY OF ALVIN, TEXAS**

**WHEREAS**, a Declaration of Local Disaster is hereby issued on this 17<sup>th</sup> day of March 2020, to allow the City of Alvin, Texas, to take measures to reduce the possibility of exposure to COVID-19 and to promote the health and safety of Alvin residents; and

**WHEREAS**, on March 13, 2020, a Declaration of State of Disaster was issued by Texas Governor Greg 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**, the COVID-19 virus 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**, due to the substantial risks to the public, reducing Community Gatherings to fifty (50) persons or less anywhere in the City of Alvin may slow the transmission of COVID-19 and reduce illness and death; and

**WHEREAS**, following the social distancing protocols advanced by the CDC, including canceling, postponing, or not attending events or community gatherings with more than fifty (50) people, and urging individuals who are at the highest risk from COVID-19, as determined and defined by the CDC, to not attend and to avoid community gatherings or events is in the best interests of the health and safety of City of Alvin residents and will help reduce the possibility of exposure to and transmission of COVID-19;

**NOW THEREFORE, I, MAYOR OF THE CITY OF ALVIN, TEXAS, PURSUANT TO THE AUTHORITY VESTED IN ME BY CHAPTER 418 OF THE TEXAS GOVERNMENT CODE, HEREBY FIND AND ORDER:**

**Section 1.** That the findings and recitations set out in the preamble to this ORDER are found to be true and correct and are hereby adopted by the Mayor and made a part hereof for all purposes.

**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 effective date of this declaration, unless continued or renewed by the City Council of the City of Alvin, Texas. This order is effective as of 12:00 a.m. on Wednesday, March 18, 2020.

**Section 3.** The Mayor of the City of Alvin, Texas, deems it in the public interest to PROHIBIT any public or private Community Gathering (as defined in Section 4 below) anywhere in the City of Alvin, Texas.

In addition, the Mayor of the City of Alvin, Texas, deems it in the public interest to urge

all individuals who are at the highest risk from COVID-19, as determined and defined by the CDC, to refrain from attending any Community Gatherings or events that will have or likely have more than ten (10) people.

#### **Section 4. Definitions.**

a. For purposes of this Order, a “Community Gathering” means any indoor or outdoor event or activity, subject to the exceptions and clarifications below, that brings together or is likely to bring together fifty (50) or more persons at the same time.

b. Restaurants, bars, theaters, fitness centers, skating rinks, bowling alleys, and similar event centers shall have no more than 50% of capacity at any given time. Establishment shall be responsible for ensuring compliance with this provision. Capacity is defined as the maximum occupant limit as prescribed by the City of Alvin Fire Marshal.

c. This order does not regulate the gathering of public schools.

d. For purposes of clarity, a “Community Gathering” does not include the following spaces where fifty (50) or more persons may congregate, so long as visitors are generally not within arm’s length of one another for extended periods:

- (i) office space or residential buildings;
- (ii) grocery stores, shopping malls, or other retail establishments where large numbers of people may be present, but it is unusual for them to be within arm’s length of one another for extended periods; and
- (iii) hospitals and medical offices and facilities.

In every setting as described above, the Mayor of the City of Alvin recommends following the attached Social Distancing Recommendations, as promulgated by the CDC, personal hygiene measures, including providing hand sanitizer and facial tissues, and increasing the cleaning of commonly and frequently touched surfaces.

e. “Other person responsible” includes, but is not limited to, homeowners, event organizers, managers, managers on-duty, or any other person who is responsible for the location or who has gathered, whether intentionally or unintentionally, more than fifty (50) persons and is not covered under an exception herein.

**Section 5. Penalty.** Peace officers, City of Alvin Code Department inspectors, and the Office of the Alvin Fire Marshal, are hereby authorized to enforce this Order. It is the responsibility of any business owner, organizer, or any other person responsible for any indoor or outdoor event or activity, or any restaurant owner, bar owner, movie theater owner, or owner/operator of any other location restricted to less than fifty (50) people or fifty (50) percent capacity, to ensure compliance with this Order. It shall be unlawful for any business owner, organizer, or any other person responsible for any indoor or outdoor event or activity business owner, lessee of premises in the city to allow a Community Gathering as described herein, and any person so described shall be guilty of a misdemeanor, punishable by a fine not to exceed two thousand dollars (\$2,000.00).

The peace officer, Code Enforcement officer or Fire Marshal who observes the violation

shall require immediate compliance with the Order and is hereby authorized to issue the appropriate citation(s).

**Section 6. Publication.** The City of Alvin will post this Order on its website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post and copy of this Order onsite and to provide a copy to any member of the public asking for a copy.

**Section 7. Severability.** If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of other provisions or applications of this Order which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

ORDERED this the 17<sup>th</sup> day of March 2020, in the City of Alvin, Brazoria County, Texas.

**CITY OF ALVIN, TEXAS:**

By:

  
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Paul A. Horn, Mayor

**ATTEST:**

By:

  
\_\_\_\_\_  
Dixie Roberts, City Secretary

## CITY OF ALVIN SOCIAL DISTANCING PROTOCOLS

### 1. Vulnerable Populations: Limit Outings

- Vulnerable populations include people who are:
  - 60 years old and older; or
  - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease, or weakened immune systems.
- For vulnerable populations, avoid any gatherings, unless it is essential. Telecommute when possible. Avoid people who are sick.

### 2. Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Minimize the number of employees working within arm's length of one another, including minimizing or canceling large in-person meetings and conferences.
- Urge employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Permit sick employees to stay home without providing a doctor's note.
- Consider use of telecommuting options.
- For employees who provide essential services of great benefit to the community, take steps in the workplace to minimize risk, including providing hand sanitizers and tissues, and increase cleaning of commonly and frequently touched surfaces.

### 3. Large Gatherings: Cancel Non-Essential Events

- Recommend canceling or postponing large gatherings, such as concerts, sporting events, conventions or large community events.
- Do not attend any events or gatherings if sick.
- For events that are not or cannot be canceled:
  - Provide hand-washing capabilities, hand sanitizers, and tissues
  - Frequently clean high-touch surface areas like countertops, doorknobs, and handrails; and
  - Find ways to create physical space to minimize close contact as much as possible.