

**SECOND LOCAL DECLARATION OF DISASTER RULES AND REGULATIONS BY
SUZANNE SCHAUMAN, MAYOR OF THE CITY OF BANDERA TEXAS PURSUANT TO THE
AUTHORITY VESTED IN HER UNDER SECTION 418.108 OF THE TEXAS GOVERNMENT
CODE PERTAINING TO GATHERINGS EXCEEDING TEN PERSONS**

WHEREAS, Governor Greg Abbott of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID- 19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, Governor Abbott has renewed the disaster declaration for all Texas counties; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 continues to represent a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, Governor Abbott has issued executive orders and suspensions of Texas laws in response to COVID- 19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, Governor Abbott issued Executive Order GA-08 on March 19, 2020, mandating certain social-distancing restrictions for Texans in accordance with guidelines promulgated by President Donald J. Trump and the Centers for Disease Control and Prevention (CDC); and

WHEREAS, Governor Abbott issued Executive Order GA-14 on March 31, 2020, expanding the social distancing restrictions for Texans based on guidance from health experts and the President; and

WHEREAS, Governor Abbott subsequently issued Executive Orders GA-16 - GA-29 from April through early July 2020, aiming to achieve the least restrictive means of combatting the threat to public health by continuing certain social-distancing restrictions, while implementing a safe, strategic plan to Open Texas; and

WHEREAS, as Texas reopens in the midst of COVID-19, increased spread is to be expected, and the key to controlling the spread and keeping Texas residents safe is for all Texans to consistently follow good hygiene and social-distancing practices, especially those set forth in the minimum standard health protocols from DSHS; and

WHEREAS, due to recent substantial increases in COVID-19 positive cases, and increases in the COVID-19 positivity rate and hospitalizations resulting from COVID 19, Governor Abbott has mandated targeted and temporary adjustments to the reopening plan to achieve the least restrictive means for reducing the growing spread of COVID-19 and the resulting imminent threat to public health, and to avoid a need for more extreme measures; and

WHEREAS, among the provisions in Governor Abbott's order was a requirement that any outdoor gathering in excess of 10 people, other than those set forth specifically in GA-28, is prohibited unless the mayor of the city in which the gathering is held approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with Governor Abbott's executive order; and,

WHEREAS, under Section 418.108, the Mayor as the presiding officer of the governing body of a political subdivision may declare a local state of disaster and prescribe certain rules and regulations during such time of disaster; and,

WHEREAS, the City of Bandera has previously authorized limitations to gatherings in Bandera Park, and now seeks to further establish rules, regulations and guidelines applicable to gatherings within the city, generally, and for The National Day of the American Cowboy specifically, that are not inconsistent with the orders of the Governor, and that protect the health, safety and welfare of the citizens of Bandera and any visitors.

NOW, THEREFORE, I, Suzanne Schauman, Mayor of Bandera, Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, and as specifically authorized by Governor Abbott's Executive Order GA-28, as amended, do hereby order the following in the City of Bandera with regards to any gathering of people in excess of 10, effective at 11:59 P.M on July 16, 2020:

SECTION 1. That pursuant to Section 418.108(b) of the Texas Government Code these rules and regulation governing certain conduct during a 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 extended by the City Council of Bandera.

SECTION 2. 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 3. That pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the Bandera, Texas, emergency management plan, and authorizes the furnishing of aid and assistance under the declaration.

SECTION 4. That this declaration authorizes the City to take any actions necessary to promote health and safety of the residents in conformance with the orders of the Governor and as set forth herein.

SECTION 5. That due to the ongoing COVID- 19 pandemic, city public safety resources are limited and would be strained if there were a significant increase in local COVID-19 cases; therefore the City if establishing additional rules and regulations for gathering in excess of ten persons, in addition to those rules and regulation previously set for the establishing a maximum occupancy for the Bandera City Park, as modified herein, and consistent with the regulations set forth in the attached Exhibit A.

SECTION 6. A person who knowingly or intentionally violates this declaration commits an offense, punishable as set forth in GA-28, as amended.

SECTION 7. 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 16th day of July, 2020.

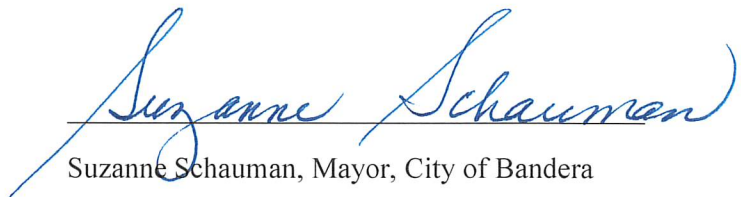

Suzanne Schauman, Mayor, City of Bandera

EXHIBIT A

BANDERA CITY PARK OCCUPANCY

1. The total occupancy allowed for Bandera City Park shall be a maximum of SEVEN HUNDRED FIFTY (750) persons at any given time.
2. No single group of persons larger than TEN (10) is permitted without specific written permission for the gathering issued by Mayor Schauman pursuant to the rules and guidelines established below.
3. Guests, while in the park, should follow the health protocols from DSHS as stated by the Governor in GA-28.

NATIONAL DAY OF THE AMERICAN COWBOY EVENT

1. The National Day of the American Cowboy event, scheduled to take place on Saturday July 25, 2020 is hereby authorized, provided that the Texas Department of State Health Services Checklist for Outdoor Events, attached, is followed. This approval is conditioned upon the following factors and the Mayor specifically reserves the right to withdraw approval should these factors change prior to the date of the event. Furthermore, the Mayor reserves the right to close the event at any point in time that the event organizer fails to adhere to and enforce the state guidelines for outdoor events.
 - a. That the number of estimated *active* COVID-19 cases in Bandera County not exceed 100 as reported on the Texas Department of State Health Services official Texas Case Counts webpage.
 - b. That the event organizer submit a detailed safety protocol plan demonstrating adherence to the Texas Department of state Health Services Checklist for Outdoor Events and how the event organizer will assure compliance and enforcement of the protocol. The safety protocol must be submitted no less than five (5) days before the schedule event.
 - c. That the protocol must specifically: provide the number of projected attendees and establish an attendance capacity to assure that social distancing will be maintained; discourage attendance by those over the age of 65; provide a site plan that establishes social distancing to the greatest degree possible; provide a specific face covering protocol.

OUTDOOR GATHERINGS EXCEEDING TEN PERSONS, GENERALLY

Outdoor gatherings exceeding ten persons must be specifically authorized by the Mayor to be held within the city of Bandera. (Events planned to be held in the County should be submitted to the County Judge for authorization.) When requesting written authorization from the Mayor, the

designated event organizer must provide a detailed safety protocol plan demonstrating adherence to the Texas Department of State Health Services Checklist for Outdoor Events and how the event organizer will assure compliance and enforcement of the protocol. The safety protocol must be submitted no less than five (5) days before the scheduled event and must specifically: provide the number of projected attendees and establish an attendance capacity to assure that social distancing will be maintained; discourage attendance by those over the age of 65; provide a site plan that establishes social distancing to the greatest degree possible; provide a specific face covering protocol.

Authorization or denial for individual events will be provided by the Mayor, in writing, within three (3) days of receiving a complete application containing each of the items set forth above. For purposes of written authorization, an email from the Mayor's City of Bandera email account shall suffice. The City Marshal, City Administrator, and City Secretary shall be copied on any approval or denial.