

**RESOLUTION NO. R-2020-15**

**A RESOLUTION RATIFYING AND APPROVING THE EXTENSION OF THE DECLARATION OF DISASTER/EMERGENCY CONDITIONS DECLARED BY MAYOR MARTIN HEINES ON MARCH 20, 2020, AS A RESULT OF COVID-19; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, it is the intent of the Mayor and City Council to protect the public health, safety and welfare; and

**WHEREAS**, Texas Government Code Section 418.108 authorizes the presiding officer of a political subdivision to declare a state of disaster or emergency; and

**WHEREAS**, on March 20, 2020, Mayor Martin Heines, acting in accordance with the authority granted under Texas Government Code Section 418.108(a), issued a Proclamation declaring a local disaster due to the public health emergency posed by COVID-19, and

**WHEREAS**, pursuant to section 418.108(b) of the Government Code, this state of disaster/emergency conditions could continue for a period of not more than seven (7) days unless it was continued by consent of the City Council; and

**WHEREAS**, the conditions necessitating the disaster declaration will continue to exist for a period of more than seven days; and

**WHEREAS**, the Mayor and the City Council continue to support cooperative efforts between the City of Tyler, Texas and Federal, State and Local authorities to combat the COVID-19 virus; and

**WHEREAS**, the City Council supports the disaster declaration signed by Mayor Heines on March 20, 2020 and consents to its continuation for a period of more than seven days;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:**

**PART 1.** That the COVID-19 Proclamation and Disaster Declaration for the City of Tyler, Texas signed by Mayor Martin Heines on March 20, 2020, attached hereto as Exhibit "A" and incorporated herein, is hereby ratified.

**PART 2.** That the extension/continuation of the March 20, 2020, Proclamation and Declaration of Disaster/Emergency Conditions initiated by Mayor Heines, is hereby approved and ratified by the City Council for a period of more than seven days.

**PART 3.** The citizens of Tyler are urged and encouraged to follow all lawful and appropriate recommendations and directives from Federal and State authorities.

**PART 4.** City Staff is directed to continue cooperative efforts with all Federal, State and Local authorities, including Smith County and the Northeast Texas Public Health District, to address the COVID-19 emergency.

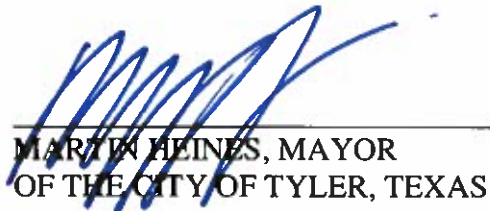
**PART 5.** City departments and staff are authorized to provide such mutual assistance to local government entities affected by COVID-19 upon the request of the local government entity, in accordance with Texas Government Code Section 418.109.

**PART 6.** The Mayor of the City of Tyler, Texas has authority to take any and all necessary and extraordinary measures to mitigate the effects of this public health emergency and to facilitate the efficient, rapid and cooperative response to the COVID-19 emergency throughout the City of Tyler.

**PART 7.** That this Resolution shall become effective upon its passage and approval.

**PART 8.** Such Disaster Declaration is continued until such time as it is terminated by the Mayor of the City of Tyler, Texas or the City Council of the City of Tyler, Texas.

**PASSED AND APPROVED** this the 25th day of March, A.D., 2020.

  
MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS


ATTEST:

APPROVED:

  
CASSANDRA BRAGER, CITY CLERK



The seal is circular with a double-line border. The outer ring contains the text "CITY OF TYLER" at the top and "TEXAS" at the bottom. The center of the seal features the word "SEAL" in a stylized font, with three horizontal lines above and below it.

  
DEBORAH G. PULLUM,  
CITY ATTORNEY

**City of Tyler  
by The Honorable  
Martin Heines, Mayor**

**A Proclamation  
LOCAL STATE OF DISASTER/EMERGENCY CONDITIONS  
MARCH 20, 2020**

***Whereas, beginning in December 2019, 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 novel coronavirus (COVID-19) has been recognized as a contagious respiratory virus; and***

***Whereas, the disease COVID-19 currently poses a significant health risk to the residents of the City of Tyler, Texas, and has been declared a World, National and State Health Emergency; and***

***Whereas, costs incurred to prepare for and respond to COVID-19 are mounting at state and local levels; and***

***Whereas, it is critical for the City of Tyler to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of the public; and***

***Whereas, the COVID-19 disease has been confirmed to exist in the City of Tyler, Texas as of March, 2020; and***

***Whereas, it is necessary to preserve and protect the public health of the residents of the City of Tyler, Texas, with the disease already present in the City of Tyler; and***

***Whereas, the City of Tyler is taking extraordinary measures to prevent the spread of this potentially devastating disease in the Tyler community; 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, the Governor of the State of Texas has issued an Executive Order related to COVID-19;***

*Whereas, on the date of this Declaration, the Smith County Judge previously issued a Declaration of Disaster related to COVID-19; and*

*Whereas, Title 37, Part 1, Chapter 7 of the Texas Administrative Code (TAC) relates to Emergency Management requirements; and*

*Whereas, Title 37, Rule 7.21 provides that the presiding officer of a political subdivision may declare a local State of Disaster if a disaster has occurred or is imminent; and*

*Whereas, Section 418.108 of the Texas Government Code authorizes the presiding officer of a political subdivision to declare a state of disaster or emergency; and*

*Whereas, Section 7.d of the City of Tyler Charter states that the Mayor is the presiding officer of the City Council, is the official representative of the City, and is authorized to issue Proclamations on behalf of the City;*

**Now, Therefore, Be It Proclaimed And Declared By The Mayor Of The City Of Tyler, Texas:**

**Section 1. That a local state of disaster for public health emergency is hereby declared for the City of Tyler, Texas, pursuant to Section 418.108(a) of the Texas Government Code and consistent with 37 TAC Rule 7.21; and**

**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 continued or renewed by the City Council of the City of Tyler, Texas.**

**Section 3. That pursuant to Section 418.108(c) of the Texas Government Code, this Declaration of local state of disaster activates the City of Tyler, Texas Emergency Management Plan, and authorizes the furnishing of aid and assistance under the Declaration.**

**Section 4. That pursuant to Section 418.108(d) of the Texas Government Code, and consistent with 37 TAC Rule 7.22, this Declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and be filed promptly with the City Clerk.**

**Section 5. That this Declaration authorizes the City of Tyler to take any actions necessary to promote health and suppress the virus, and insuring compliance with the City's rules, pursuant to Section 122.005 of the Texas Health and Safety Code.**

**Section 6. The citizens of Tyler are urged and encouraged to follow all lawful and appropriate recommendations and/or directives from federal and state authorities.**

**Section 7. That City Staff is directed to continue cooperative efforts with all Federal, State and Local authorities, including Smith County and the Northeast Texas Public Health District.**

**Section 8. In accordance with Section 418.173 of the Texas Government Code, a person who knowingly or intentionally violates this Declaration commits an offense punishable by a fine of up to \$1,000.00 or confinement in jail for a term that does not exceed 180 days.**

**Section 9. That this Declaration hereby authorizes the use of all lawfully available enforcement tools.**

**Section 10. That this Proclamation and Declaration shall take effect immediately from and after its issuance.**

**Ordered this the 20<sup>th</sup> day of March, 2020.**

  
\_\_\_\_\_  
Martin Hines  
Mayor of Tyler, Texas

**Attest:**

  
\_\_\_\_\_  
Cassandra Brager, City Clerk

  
\_\_\_\_\_  
Deborah Pullum, City Attorney

