

**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 20th day of March, 2020.



Martin Hanes
Mayor of Tyler, Texas

Attest:



Cassandra Brager, City Clerk



Deborah Pullum, City Attorney

