

ORDER BY THE MAYOR OF THE CITY OF MERKEL

WHEREAS, on the 19th day of March 2020, a Declaration of Local Disaster was issued to allow the City of Merkel to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Merkel residents; and

WHEREAS, the COVID-19 virus is contagious and spreads through person-to-person contact, especially in group settings; and

WHEREAS, the Centers for 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, COVID-19 continues to spread and to pose an increasing and imminent risk to the public, and in accordance with Executive Order GA 08 by the Governor of the State of Texas, this Order PROHIBITS Community Gatherings of 10 persons or more anywhere in the City of Merkel beginning at 12:01 a.m. on March 21, 2020, and continuing for so long as the Declaration of Local Disaster is in effect, or unless terminated, modified or extended by other Order.

NOW THEREFORE, I, MAYOR OF THE CITY OF MERKEL, PURSUANT TO THAT AUTHORITY VESTED BY THE TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:

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

Section 2. That the findings and recitations set out in the Declaration of Local Disaster are found to be true and correct and they are hereby adopted by the Mayor and made a part hereof for all purposes.

Section 3. Effective as of 12:01 a.m. on Saturday, March 21, 2020, and continuing for so long as the Declaration of Local Disaster is in effect, or unless terminated, modified or extended by other Order the Mayor of the City of Merkel, deem it in the public interest to PROHIBIT any public or private Community Gatherings (as defined in Section 3, below) anywhere in the City of Merkel.

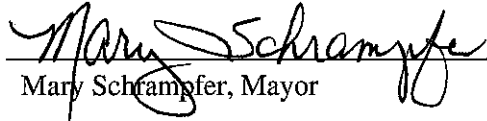
Section 4. Definitions:

- a. For purposes of this Order, a "Community Gathering" is any indoor or outdoor event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together ten (10) or more persons at the same time in a single room or other single confined space or enclosed space, such as an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, restaurant, or nightclub/bar, or any other confined indoor or confined outdoor space. For clarity, this includes, but is not limited to, weddings, religious gatherings, parties, funerals, sporting events, social events, conferences, music and art festivals, livestock events, agricultural events, rodeos, and other large gatherings.
- b. An outdoor "Community Gathering" under this Order is limited to events in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within arm's length of one another for extended periods.
- c. This Order also does not prohibit gatherings of people in multiple, separate enclosed spaces (including separate cubicles) in a single building such as a multiplex movie theater, school classrooms, or different floors of a multi-level building, so long as 10 people are not present in any single space at the same time. This Order also does not prohibit the use of enclosed spaces where 10 or more people may be present at different times during the day, so long as 10 or more people are not present in the space at the same time.
- d. For purposes of clarity, a "Community Gathering" does not include spaces where 10 or more persons may be in transit on buses, trains or airplanes; or waiting for transit, such as airports, bus stops or terminals. In addition, "Community Gatherings" does not include the following spaces where 10 or more persons may congregate, so long as visitors are generally not within arm's length or one another for extended periods:
 - (i) Office space or residential buildings; and
 - (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.

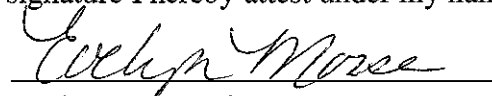
Section 5. That peace officers of the State or of Taylor County or of the City of Merkel are hereby authorized to enforce this Order. Violation of this Order shall constitute a misdemeanor punishable by a fine not to exceed \$500.

Section 6. The City of Merkel will post this Order on its website. 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 shall not affect the validity of the remaining portions of this Order.

ORDERED this the 20th day of March 2020, in the City of Merkel, Taylor County, Texas, in witness whereof I subscribe my name and cause to be affixed the seal of the City of Merkel.


Mary Schramper, Mayor

FILED with me, the City Secretary of the City of Merkel, this the 20th day of March 2020, by Mayor Mary Schramper, whose signature I hereby attest under my hand and the seal of the City of Merkel.


Evelyn Morse, City Secretary