ORDINANCE NO. 445

AN ORDINANCE ESTABLISHING AN EXTENSION OF DISASTER AND PUBLIC HEALTH EMERGENCY DECLARATION; REPEALING CONFLICTING ORDINANCES; AND, PROVIDING FOR A SEVERABILITY CLAUSE.

WHEREAS: The City of Lytle, Texas is a duly incorporated Type A general law municipality existing under the laws of the State of Texas; and,

WHEREAS: On March 18, 2020, the Mayor of the City of Lytle, Texas, issued a proclamation declaring a local disaster and public health emergency for the City of Lytle, Texas, resulting from COVID-19 (novel coronavirus); and,

WHEREAS: On December 14, 2020, the City Council of the City of Lytle, Texas, modified and extended the Mayor’s proclamation of March 18, 2020 until March 31, 2021; and,

WHEREAS: The Center for Disease Control and Prevention is closely monitoring the growing number of COVID-19 cases that have spread into the United States; and,

WHEREAS: As of December 13, 2020, over 1,337,000 cases of COVID-19 have been reported in Texas; and,

WHEREAS: President Trump declared a national emergency on March 13, 2020; and,

WHEREAS: Governor Greg Abbott declared a public health disaster on March 13, 2020; and,

WHEREAS: Reports received as of March 1, 2021, report 42,995 fatalities in Texas; and,

WHEREAS: Coronavirus as compared to the seasonal flu shows results of a huge fatality rate difference of 1% and 0.1%; and,

WHEREAS: Coronavirus as compared to H1N1, Swine Flu, had a fatality rate of only 0.02 percent; and,

WHEREAS: COVID-19 is more contagious than seasonal influenza once symptoms appear; it may be possible to control by testing widely and quickly isolating those who have the disease; and,

WHEREAS: The Texas Department of State Health Services (DSHS), the Texas Division of Emergency Management, and other state agencies continue their ongoing preparations so that all of state government is working together to limit the spread of the virus and protect Texans; and,

WHEREAS: The estimated difference between a 0.1 percent and a 1.0 percent fatality rate could result in 360,000 dead Americans; and,

WHEREAS: The responsibility of local, state and national government is dependent on how we respond when the difference in fatality rates demands extreme measures be taken to combat the
coronavirus as compared to the seasonal flu; and,

WHEREAS: The United States Center for Disease Control recommends that citizens stop handshaking, clean hands at the door, schedule regular hand washing, avoid touching faces and cover coughs and sneezes, disinfect surfaces like doorknobs, tables, desks, and handrails regularly, and increase ventilation by opening windows or adjusting air conditioning; and,

WHEREAS: The Center for Disease Control recommends the use of videoconferencing for meetings when possible, adjusting or postponing meetings or gatherings of more than ten (10) people, and to limit travel to essential travel; and,

WHEREAS: The Center for Disease Control recommends citizens stay home if they are feeling sick or when they have a sick family member in their home; and,

WHEREAS: Households with vulnerable seniors and those with underlying health conditions should conduct themselves as if they were a significant risk to the person with underlying conditions; and,

WHEREAS: A large gathering of unidentifiable individuals without necessary mitigation for the spread of infection may pose a risk of the spread of infectious disease; and,

WHEREAS: A declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons mislaid or evacuated and request assistance from the Governor of state resources; and,

WHEREAS: The COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets; and,

WHEREAS: The continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and,

WHEREAS: A declaration of local disaster includes the ability to take measures to reduce the possibility of exposure to disease, control the risk, and promote the health and safety of Lytle residents; and,

WHEREAS: The City of Lytle will work collaboratively with Atascosa, Medina and Bexar Counties to ensure that all appropriate and necessary measures are taken to limit the development, contraction and spread of COVID-19; and,

WHEREAS: The conditions necessitating declaration of a local disaster and public health emergency continue to exist; and,
WHEREAS: Section 418.108(b) of the Texas Government Code provides that a local state of disaster and/or public health emergency may not be continued for a period in excess of seven days without the consent of the governing body of the political subdivision;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LYTHE, TEXAS:

Section 1. RENEWAL AND EXTENSION OF DISASTER AND PUBLIC HEALTH EMERGENCY DECLARATION.

A. That the local disaster and public health emergency proclaimed for the City of Lytle, Texas, by the Mayor on March 18, 2020, and as herein modified, is hereby renewed and shall continue until 11:59 p.m. on June 1, 2021 and shall be subject to further modification, renewal and extension by the Lytle City Council.

B. The original Public Health Emergency Rules and Regulations contained in the Mayor’s proclamation of March 18, 2020 are hereby modified as set forth in Exhibit A attached hereto, and said Exhibit A is hereby incorporated in this Ordinance at this point as if copied herein verbatim.

C. Any part of the City of Lytle’s operations that is affected by the terms contained in Exhibit A and is subject to the governance of the Lytle City Council outside of Tex. Gov’t Code Chapter 418 et seq. shall continue as set forth in Exhibit A until such operations are changed by future legislative action by the Lytle City Council.

Section 2. REPEAL. Any provision contained in the City of Lytle’s Code of Ordinances that is in conflict with the terms of this Ordinance is hereby repealed.

Section 3. CODE OF ORDINANCES. It is the intention of the City Council of the City of Lytle that this ordinance shall become a part of the Code of Ordinances of the City of Lytle and may be renumbered and codified therein accordingly.

Section 4. EFFECTIVE DATE. This ordinance shall take effect immediately upon its passage.

Section 5. SEVERABILITY. If any section, provision, subdivision, clause, or part of this ordinance shall be adjudged or held unconstitutional or invalid, it shall not affect the validity of this ordinance as a whole or any other part of provision contained herein.

PASSED AND ADOPTED, this 8th day of March, 2021.

[Signature]

RUBEN GONZALEZ, MAYOR
ATTEST:

Josie Campa

JOSIE CAMPA, City Secretary
EXHIBIT A
City of Lytle, Texas
Public Health Emergency Rules and Regulations

Subject to any substantial increases in the number of COVID cases in Lytle and the surrounding area, the following Rules and Regulations shall be in effect as indicated:

1. City Hall—the lobby of City Hall shall open to the public on April 1, 2021. Only two customers shall be allowed in the lobby at any one time. If members of the public are allowed to enter the lobby they shall practice social distancing and shall wear face masks. If a member of the public refuses to wear a face mask for any reason, they will be instructed to conduct their business with the City through the drive thru window, on-line or by telephone. All City employees shall wear face masks when dealing with customers in the lobby.

2. Utility cut offs and late fees—utility cut offs and late fees for utility services billed in March 2020 through March 2021 are waived. Utility cut offs and late fees shall resume for utilities billed in April 2021. The City Secretary is authorized to enter into a payment plan for no longer than six (6) months for utilities billed in March 2020 to March 2021.

3. Community Center, Annex, Park Pavilion and Park Gazebo—all activities at the Community Center and Annex shall resume June 1, 2021, unless an activity is specifically approved earlier by the City Council.

4. Municipal Court—has resumed court dates. The Court shall continue to comply with the operation plan prepared by the Municipal Judge, reviewed by the Mayor and the local Public Health Authority and approved by the Presiding Regional Judge. In person proceedings shall resume at the discretion of the Municipal Judge and shall comply with the operation plan.

5. Public Gatherings—participants at all public gatherings shall practice social distancing and shall comply with the Governor’s orders.

6. City Council Meetings—Council meetings shall be conducted at the Lytle Community Center and by Zoom or some other video or audio meeting application until further notice.

7. Library—the interior of the Library shall open to the public May 1, 2021. The number of patrons allowed into the library at any one time shall be limited to comply with social distancing. Temperature of patrons shall be taken by Library staff prior to the patron entering the Library. Patrons shall make appointments to use the library computers. Curbside services shall continue. When coming into contact with each other, Library staff and patrons shall wear face masks and practice social distancing. Library staff shall use gloves when handling books. Signs shall be posted in Library bathrooms warning that the bathrooms are not cleaned after every use.

8. Animal Shelter—the interior of the Animal Shelter shall open to the public on April 1, 2021. Only one customer at a time shall be allowed. All access by customers shall be by appointment. The Director of Animal Control shall post notice on the Animal Control website that Animal Control services are available to the public. The notice shall contain a telephone number where Animal Control may be contacted. The adoption of animals
shall be at the discretion of the Director of Animal Control. Animal Control staff when dealing with customers and customers shall wear face masks and practice social distancing.

9. Public Works—Public Works shall continue all operations as usual. The City water supply meets State Health requirements and will continue to do so. Public Works employees shall wear face masks and practice social distancing when dealing with the public.

10. Police Department—the Police Department shall continue normal operations.

11. City Parks—City Parks are open to the public. Signs as appropriate will remain to warn people that the playground equipment and restrooms are not sanitized on a regular basis and users should take appropriate precautions.

12. Businesses—all businesses located in Lytle are strongly encouraged to require all employees, customers and visitors to wear face coverings. Upon request of the businesses, the Lytle Police Department shall enforce criminal trespass laws.

13. Signs of Illness—if any person or any member of a person’s family should exhibit signs of COVID-19 infection, they should remain at home and seek medical help from their family doctor. Signs of COVID-19 infection include:
   - Runny nose
   - Sore throat
   - Cough
   - Fever
   - Difficulty breathing (severe cases)
   - Nausea or vomiting
   - Diarrhea

14. Personal hygiene—
   A. Wash your hands often with soap and water for at least 20 seconds. If soap and water are not available, use an alcohol-based hand sanitizer.
   B. Avoid touching your eyes, nose and mouth with unwashed hands.
   C. Cover your cough or sneeze with a tissue, then throw the tissue in the trash.
   D. Clean and disinfect frequently touched objects and surfaces.

15. Social distancing—everyone needs to practice social distancing; and/or

16. Face coverings—all people in city limits are strongly encouraged to wear face coverings when they cannot maintain social distancing.

General:

All employers are recommended to enforce CDC recommended employee policies directing sick employees to isolate and stay home and out of the public except for securing medical care.
All violations of this ordinance shall be considered a Class C misdemeanor with a penalty not to exceed $2,000.00.

No part of this Declaration applies to Lytle Independent School District or a place of worship.