

E-2020-0001

**AN ORDINANCE OF THE CITY OF LA MARQUE DECLARING A PUBLIC HEALTH EMERGENCY; DECLARING AN EMERGENCY PURSUANT TO SECTION 2.23 OF THE CITY CHARTER; PROVIDING FOR A FINE IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH OFFENSE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.**

**WHEREAS**, in December 2019, a novel respiratory disease named "SARS-CoV-2" that causes a disease named "coronavirus disease 2019" ("COVID-19") was detected in Wuhan City, Hubei Province, China; and

**WHEREAS**, symptoms of COVID-19 include fever, cough, and shortness of breath that may result in mild to severe illness, and in some cases death; and

**WHEREAS**, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern and advised countries to prepare for the containment, including active surveillance, early detection, isolation and case management, contact tracing, and prevention of onward spread of the disease; and

**WHEREAS**, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

**WHEREAS**, the identification of "community spread" cases of COVID-19 in the United States could potentially signal that transmission of the virus may no longer be limited to travel to outbreak areas or contact with travelers who have visited outbreak areas; and

**WHEREAS**, according to the Center for Disease Control ("CDC"), it is likely that at some point, widespread transmission of COVID-19 in the United States will occur; and

**WHEREAS**, the CDC warns that widespread transmission of COVID-19 would translate into large numbers of people needing medical care at the same time; and

**WHEREAS**, the CDC also warns that schools, childcare centers, workplaces, and other places for mass gatherings may experience more absenteeism; public health and healthcare systems may become overloaded with elevated rates of hospitalizations and deaths; other critical infrastructure, such as law enforcement, emergency medical services, and transportation industry may also be affected; and health care providers and hospitals may be overwhelmed; and

**WHEREAS**, to date, approximately 2 persons in the City of Houston as of 3/12/20 and 14 persons in the region as of 3/12/20 have tested positive for the virus and it is anticipated that the number of persons diagnosed with the virus is likely to increase, as testing for the virus continues; and

**WHEREAS**, the City of Houston, a major population center in close proximity to the City of La Marque, declared a local disaster due to this same public health emergency on March 11, 2020; and

**WHEREAS**, given, among other things, including the CDC's guidance, there is an

ongoing risk and likelihood of COVID-19-positive patients being identified in the City of La Marque; and

**WHEREAS**, the City, local health agencies, and political subdivisions within the region have been working diligently to implement CDC guidelines, but now require additional tools and resources to protect the public health given the current state of the epidemic and the need for a sustained response; and

**WHEREAS**, it is necessary to the public health of the residents of the City of La Marque and surrounding areas that those persons under investigation, persons under management, and quarantined persons remain within the confines of their homes or in safe, secure facilities during the quarantine period following their exposure to the virus; now therefore,

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF LA MARQUE, TEXAS:**

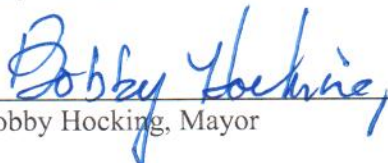
**Section 1.** That pursuant to §122.006 of the Texas Health and Safety Code, the City is authorized take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals. The City of La Marque hereby declares that those persons under investigation, persons under management, and quarantined persons remain within the confines of their homes or in safe, secure facilities during the quarantine period following their exposure to the virus.

**Section 2.** In the event any clause phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

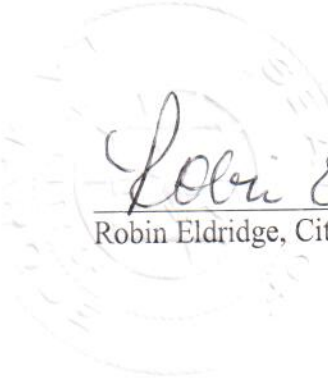
**Section 3.** Any person who shall violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

**Section 4.** This Ordinance is declared to meet emergency conditions, as provided in Section 2.23 of the La Marque City Charter and, as such, is hereby passed by the City Council on first and only reading. Also in accordance with Section 2.23 of the La Marque City Charter, this Ordinance so passed shall be final and shall take effect immediately after passage and shall remain in force for a period not exceeding six months.

**APPROVED AND ADOPTED** this 13<sup>th</sup> day of March, 2020.

  
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Bobby Hocking, Mayor

ATTEST:



*Robin Eldridge*

Robin Eldridge, City Clerk