



City of
Kemp Texas

**CITY OF KEMP MAYORAL SUPPLEMENTAL DECLARATION OF LOCAL STATE
OF DISASTER DUE TO PUBLIC HEALTH EMERGENCY**

WHEREAS, beginning in or about December 2019, a novel (new) coronavirus, now designated COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and

WHEREAS, symptoms of COVID-19 include fever, coughing, and shortness of breath and, in some cases, the virus has caused death; and

WHEREAS, the City of Kemp has taken and is taking extraordinary measures to prevent the spread of this potentially devastating disease in our community; and

WHEREAS, the City of Kemp has established emergency protective measures, mitigation procedures, and emergency response plans for this type of health emergency; and

WHEREAS, Texas Governor Greg Abbott has declared a disaster in all 254 Texas counties due to a public health emergency, and has issued numerous Executive Orders related thereto; and

WHEREAS, this Supplemental Declaration of Local State of Disaster due to Public Health Emergency is issued in response to the ongoing, pernicious effects of COVID-19 and the recent rapid increase in the numbers of hospitalizations and deaths in the State of Texas.

NOW, THEREFORE, BE IT DECLARED BY THE MAYOR OF THE CITY OF KEMP, TEXAS, THAT:

SECTION 1

A local state of disaster due to public health emergency is hereby declared for the City of Kemp, Texas, pursuant to Section 418.108(a) of the Texas Government Code.

SECTION 2

Pursuant to Section 418.108(b) of the Texas Government Code, the state of disaster due to public health emergency shall continue for a period of not more than seven (7) days from the effective date of this declaration unless continued or renewed by the City Council of the City of Kemp, Texas.

SECTION 3

Pursuant to Section 418.108(c) of the Texas Government Code, this declaration of a local state of disaster due to public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary's Office.

SECTION 4

Pursuant to Section 418.108(d) of the Government Code, this declaration of a local state of disaster has resulted in an activation of the City of Kemp's Emergency Operations Command.

SECTION 5

Effective as of 12:01 a.m. on Friday, June 26, 2020, all commercial entities in the City of Kemp providing goods or services directly to the public must develop and implement a health and safety policy ("Health and Safety Policy"). The Health and Safety Policy must require, at a minimum, that all employees or visitors to the commercial entity's business premises or other facilities wear face coverings in an area or while performing an activity which will necessarily involve close contact or proximity to co-workers or the public where six feet (6') of separation is not feasible. The Health and Safety Policy required to be developed and implemented by this Supplemental Declaration may also include the implementation of other mitigating measures designed to control or reduce the transmission of COVID-19 such as temperature checks or health screenings. Commercial entities must post the Health and Safety Policy required by this Supplemental Declaration in a conspicuous location sufficient to provide notice to employees and visitors of all health and safety requirements.

Further, all people 10 years or older shall wear a face covering over their nose and mouth when in a public place where it is difficult to keep six feet (6') away from other people or working in areas that involve close proximity with other coworkers. The CDC advises face coverings for people 2 years or older. Face coverings may include homemade masks, scarfs, bandanas, or a handkerchief. City of Kemp residents should continue to maintain social distancing of at least six feet (6') while outside their home.

Face coverings do not need to be worn in the following circumstances: (1) when exercising outside or engaging in physical activity outside; (2) while driving alone or with passengers who are part of the same household as the driver; (3) when doing so poses a greater mental or physical health, safety, or security risk; (4) while pumping gas or operating outdoor equipment; (5) while in a building or activity that requires security surveillance or screening, for example, banks; and (6) when consuming food or drink.

City of Kemp residents should note that face coverings are a secondary strategy to other mitigation efforts. Face coverings are not a replacement for social distancing, frequent handwashing, and self-isolation when sick. All people should follow CDC recommendations for how to wear and take off a mask. Residents should keep up the following habits while in public: (1) washing hand before you leave home and when you return; (2) staying at least six feet (6') away from others; (3) avoiding touching nose or face; (4) not using disposable masks more than three times; and (5) washing reusable cloth masks regularly to prevent the spread of the virus.

The owner, manager, or operator of any facility that is likely to be impacted by this Supplemental Declaration is strongly encouraged to post a copy of this Supplemental Declaration onsite and to provide a copy to any member of the public asking for a copy.

Consistent with Executive Order GA-26 issued by Governor Greg Abbott, as may be amended, no civil or criminal penalty will be imposed on individuals for failure to wear a face covering. Except as otherwise provided in this Supplemental Declaration, a violation of this Supplemental Declaration may be punishable through criminal or civil enforcement. A violation of this Supplemental Declaration is a misdemeanor punishable by a fine not to exceed \$1,000.

SECTION 6

If any subsection, sentence, clause, phrase, or word of this Supplemental Declaration 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 will not affect the validity of the remaining portions or applications of this Supplemental Declaration.

SECTION 7

Any City of Kemp peace officer is hereby authorized to enforce this Supplemental Declaration.

SECTION 8

This Declaration shall take effect as of the Effective Date referenced in Section 5 hereof.

SO DECLARED AND ORDERED on this 25th day of June, 2020.

Laura Hanna Peace, Mayor