



TENTH SUPPLEMENTAL TO ORDER 2020-04 REGARDING EXTENSION OF DECLARATION OF DISASTER

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action for the protection of the citizens of San Benito; and

WHEREAS, the implementation of mitigation strategies can slow the transmission of the disease; and

WHEREAS, both the Governor of the State of Texas and the Cameron County Judge have declared a local disaster due to a public health emergency; and

WHEREAS, the City of San Benito, on March 17, 2020 issued a Declaration of Disaster for the City to mitigate the effects of this public health emergency and to facilitate the efficient, rapid, and cooperative response to the emergency; and

WHEREAS, the City of San Benito extended the Declaration of Disaster on March 24, 2020 in order to extend the activation of the City of San Benito's Emergency Management Plan and the City of San Benito; and

WHEREAS, on March 23, 2020, Cameron County Texas issued its' Third Supplemental Emergency Management Order with Mandatory Shelter in Place; and

WHEREAS, on March 31, 2020, Texas Governor Greg Abbott issued Executive Order GA-14 relating to statewide continuity of essential services and activities during the COVID-19 disaster through April 30, 2020; and

WHEREAS, on April 27, 2020, Texas Governor Greg Abbott issued Executive Order GA-18 relating to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and

WHEREAS, on May 5, 2020, Texas Governor Greg Abbott issued Executive Order GA-21 relating to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and

WHEREAS, on May 18, 2020, Texas Governor Greg Abbott issued Executive Order GA-23 relating to the expanded opening of Texas in response to the COVID-19 disaster; and

WHEREAS, on July 2, 2020, Texas Governor Greg Abbott issued Executive Order GA-29 relating to the use of face coverings during the COVID-19 disaster; and

WHEREAS, on July 24, 2020, Cameron County Texas issued its' Second Extension of Second Amended Emergency Management Order including mandatory facial coverings, curfew, limitations on gatherings, shelter-in-place, and beach access closures with clarifications; and

WHEREAS, on October 7, 2020, Texas Governor Greg Abbott issued Executive Order GA-32 relating to the continued response to the COVID-19 disaster; and

WHEREAS, on October 16, 2020, Cameron County Texas issued its' Sixth Amended Emergency Management Order including limited bar re-openings and Halloween restrictions; and

WHEREAS, on December 31, 2020, Cameron County Texas issued its' Tenth Amended Emergency Management Order including curfew and limitations on gatherings; and

WHEREAS, on January 5, 2021, Cameron County Texas issued its' Eleventh Amended Emergency Management Order; and

WHEREAS, on January 8, 2021, Cameron County Texas issued its' Twelfth Amended Emergency Management Order; and

WHEREAS, on February 5, 2021, Cameron County Texas issued its' Order Extending Twelfth Amended Emergency Management Order; and

WHEREAS, on February 22, 2021, Cameron County Texas issued its' Thirteen Emergency Management Order including bar re-openings and limitations on gatherings; and

WHEREAS, on March 2, 2021, Texas Governor Greg Abbott issued Executive Order GA-34 relating to the opening of Texas in response to the COVID-19 disaster; and

WHEREAS, on March 9, 2021, Cameron County Texas issued its' Fourteenth Emergency Management Order; and

WHEREAS, on April 5, 2021, Texas Governor Greg Abbott issued Executive Order GA-35 relating to COVID-19 vaccines and the protection of Texans' private health information; and

WHEREAS, on May 7, 2021, Cameron County Texas issued its' Extension of Fourteenth Emergency Management Order; and

WHEREAS, on May 18, 2021, Texas Governor Greg Abbott issued Executive Order GA-36 prohibiting government entities and officials from mandating face coverings or restricting activities; and

WHEREAS, on July 28, 2021, Texas Governor Greg Abbott issued Executive Order GA-37 relating to the transportation of migrants during the COVID-19 disaster; and

WHEREAS, on July 29, 2021, Texas Governor Greg Abbott issued Executive Order GA-38 relating to the continued response to the COVID-19 disaster; and

WHEREAS, on August 16, 2021, Cameron County Texas issued Local Health Authority Order for all public systems related to facial covers; and

WHEREAS, on August 25, 2021, Texas Governor Greg Abbott issued Executive Order GA-39 relating to prohibiting vaccine mandates and vaccine passports subject to legislative action; and

WHEREAS, on October 11, 2021, Texas Governor Greg Abbott issued Executive Order GA-40 relating to prohibiting vaccine mandates, subject to legislative action.

NOW, THEREFORE, BE IT DECLARED BY THE CITY COMMISSION OF THE CITY OF SAN BENITO, TEXAS:

FAILURE TO COMPLY WITH ANY PROVISION OF THIS ORDER CONSTITUTES AN IMMINENT THREAT TO PUBLIC HEALTH

Section I.

That a local state of disaster due to public health emergency continues to be extended for the City of San Benito, Texas, pursuant to Section 418.108(b) of the Texas Government Code.

Section II.

Pursuant to Section 418.108(c) of the Texas Government Code, this Extension of 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.

Section III.

Pursuant to Section 418.108(d) of the Texas Government Code, this Extension of Declaration of a local state of disaster activates the City of San Benito's Emergency Management Plan.

Section IV.

That this Declaration recognizes all orders issued by Cameron County Judge Eddie Trevino, Jr., Texas Governor Greg Abbott, and by the President of the United States, Joseph R. Biden.

Section V.

That this Declaration hereby authorizes the use of all lawfully available tools to enforce this Declaration, including but not limited to, the penalties set forth in Section 418.173 of the Texas Government Code.

Section VI.

That this Declaration hereby supersedes the City of San Benito Ninth Supplemental to Order 2020-04.

Section VII.

It is hereby ORDERED that all public parks within the City of San Benito are open to the public until further notice.

Section VIII.

A “public park” shall mean a public playground, public recreation center or area, and other public areas, created, established, designated, maintained, provided or set aside by the City, for the purposes of public rest, play, recreation, enjoyment or assembly.

Section IX.

It is hereby recommended that all members of the public doing business in City buildings and facilities wear face coverings or masks, unless Texas Governor Greg Abbott issues an Executive Order that modifies, amends, rescinds, or supersedes this recommendation.

ENFORCEMENT

Violation of this Order constitutes an imminent threat to public health. The Sheriff, Constable, and the San Benito Chief of Police are hereby requested to assist to ensure compliance with this Order.

PENALTIES

A person that fails to comply with this Order may be assessed a fine not to exceed \$500.00 per violation. This does not limit or curtail additional civil or criminal penalties under the Texas Health and Safety Code or the Texas Penal Code.

This Order shall become effective at 12:00 a.m. on the 1st day of January, 2023. This Order shall remain in effect and in full force until 11:59 p.m. on 30st day of June, 2023, unless Texas Governor Greg Abbott issues an Executive Order that modifies, amends, rescinds, or supersedes GA-40.

ORDERED this the 6th day of December, 2022.

CITY OF SAN BENITO



Honorable Ricardo Guerra
Mayor

Attest by:



Ruth A. McGinnis
City Secretary

