

**ORDER**  
**BY**  
**THE MAYOR OF SAN MARCOS**

**WHEREAS**, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Abbott to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

**WHEREAS**, On March 15, 2020, a Declaration of Local Disaster was issued to allow the City of San Marcos to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of San Marcos residents utilizing state and federal resources made available with this declaration; and

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

**WHEREAS**, the Centers on 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**, On March 15, 2020 the CDC recommended that organizers (whether groups or individuals) cancel or postpone in-person events that consist of 50 people or more throughout the United States;

**WHEREAS**, On March 16, 2020 President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people’s interactions, including that Americans should avoid groups of more than 10 people; and

**WHEREAS**, due to the substantial risks to the public, this Order *prohibits* Community Gatherings of 10 persons or more anywhere in the City of San Marcos beginning at 5:00 p.m. on March 17, 2020, and continuing until April 1, 2020, unless terminated or modified by an earlier order; and

**WHEREAS**, the Hays County Health Department *recommends* following the social distancing protocols attached to this Order, including cancelling, postponing, or not attending events or community gatherings with 10 people or more. In addition, the Hays County Health Department urges individuals who are at the highest risk from COVID-19, as determined and defined by the CDC, to not attend and to avoid community gatherings or events that will have or will likely have 10 or more people.

**NOW THEREFORE, I, MAYOR FOR THE CITY OF SAN MARCOS, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:**

**SECTION 1.** That the findings and recitations set out in the preamble to 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.** Effective as of 5:00 p.m. on Tuesday, March 17, 2020, and continuing until April 1, 2020, unless terminated or modified by an earlier order, the Mayor of the City of San Marcos, Texas, deems it in the public interest to **PROHIBIT any public or private Community Gatherings (as defined in Section 3, below) anywhere in the City of San Marcos.**

**SECTION 3.** 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 people at the same time in a single space. For clarity, this includes, but is not limited to, weddings, religious gatherings, parties, funerals, sporting events, social events, conferences, and other 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 or more 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. For any gathering covered by this subsection c., the Mayor for the City of San Marcos and the Hays County Health Department strongly encourages compliance with the attached Social Distancing Recommendations and increasing cleaning of commonly and frequently touched surfaces.
- d. This Order does not apply to the following critical facilities:
  - (i) critical infrastructure, including airport facilities and operations, transit, and transit facilities;
  - (ii) government buildings providing essential services;
  - (iii) schools or institutions of higher learning;
  - (iv) grocery stores and pharmacies; and
  - (v) hospitals and medical offices and facilities.

For purposes of this Order, “grocery stores” includes warehouse stores, big-box stores, bodegas, gas stations, and farmers’ markets that sell food products and household staples.

In all such settings, the Mayor for the City of San Marcos and the Hays County Health Department recommends following personal hygiene measures including providing hand sanitizer and facial tissues and the attached Social Distancing Recommendations.

SECTION 4: Our community's critical infrastructure, which includes communications, emergency services, energy, transportation systems and water and wastewater systems, are ORDERED to continue operating and encouraged to implement screening precautions to protect employees.

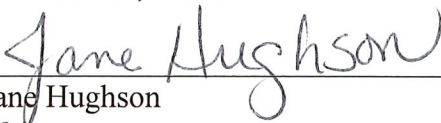
SECTION 5: Food establishments are ORDERED to take measures to reduce occupancy levels to ensure that no more than 10 people occupy the same space or dining room at the same time until April 1, 2020 and are encouraged to provide take-away or no-contact delivery food service designed to limit exposure between individuals.

SECTION 6: The holder of a mixed beverage permit for on-premise consumption (collectively "bars") is ORDERED to close common bar spaces open to the public and PROHIBITED from allowing consumption on the bar premises until April 1, 2020.

SECTION 7: The San Marcos Police Department, the San Marcos Fire Marshal's Office, and other peace officers of the City, are hereby authorized to enforce this order. A violation of this order is considered a violation of city ordinance.

SECTION 8: San Marcos will post this Order on its website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. 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 will not affect the validity of the remainder of the Order.

ORDERED this the 17th day of March, 2020, in the City of San Marcos, Texas.

  
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Jane Hughson  
Mayor

Attest:

  
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Tammy K. Cook  
City Clerk

City of San Marcos/Hays County Health Department  
Social Distancing Recommendations

**1) Vulnerable Populations: Limit Outings**

- Vulnerable populations include people who are:
  - 60 years old and older;
  - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease, and weakened immune systems.
- For vulnerable populations, don't go to gatherings (of 10 people or more) unless it is essential. If you can telecommute, you should. Avoid people who are sick.

**2) Workplace and Businesses: Minimize Exposure**

- Suspend nonessential employee travel.
- Minimize the number of employees working within arm's length of one another, including minimizing or canceling large in-person meetings and conferences.
- Urge employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Permit sick employees to stay home without providing a doctor's note.
- Consider use of telecommuting options.
- Some people need to be at work to provide essential services of great benefit to the community. They can take steps in their workplace to minimize risk.

**3) Large Gatherings: Cancel Non-essential Events**

- Recommend cancelling or postponing large gatherings, such as concerts, sporting events, conventions or large community events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
  - Having hand washing capabilities, hand sanitizers, and tissues available;
  - Frequently cleaning high-touch surface areas like countertops, doorknobs, and handrails; and
  - Finding ways to create physical space to minimize close contact as much as possible.

**4) Schools: Safety First**

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Frequent re-education of students and staff regarding personal hygiene measures (handwashing, etc.) and ensuring that appropriate signs are posted.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling medium to large events that are not essential, even if the events would otherwise comply with the Order.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures and families should prepare.