

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, DECLARING A LOCAL STATE OF DISASTER DUE TO A PUBLIC HEALTH EMERGENCY; MAKING FINDINGS RELATED THERETO; PROVIDING AN EFFECTIVE DATE; PROVIDING AN EXPIRATION DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.**

**WHEREAS**, beginning in or about December 2019, a novel 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 Town of Prosper is taking extraordinary measures to prevent the spread of this potentially devastating disease in our community; and

**WHEREAS**, the Town of Prosper has established emergency protective measures, mitigation procedures, and emergency response plans for this type of health emergency; and

**WHEREAS**, on or about March 13, 2020, Texas Governor Greg Abbott declared a state of disaster in all Texas counties, and thereafter both Collin County Judge Chris Hill and Denton County Judge Andy Eads have declared a local state of disaster due to a public health emergency; and

**WHEREAS**, on or about Monday, March 16, 2020, Mayor Ray Smith issued a Declaration of Local State of Disaster Due to Public Health Emergency; and

**WHEREAS**, on or about Thursday, March 19, 2020, Texas Governor Greg Abbott issued Executive Order GA 08 providing further guidance in addressing COVID-19 preparedness and mitigation; and

**WHEREAS**, on or about Monday, March 23, 2020, Mayor Ray Smith extended and continued the March 16 Declaration for another seven (7) day period; however, such Extension of Declaration provided that "in the event the Town Council of the Town of Prosper shall declare a local state of disaster, this Extension of Declaration shall expire on its own terms upon the effective date of any Declaration of the Town Council of the Town of Prosper"; and

**WHEREAS**, upon approval of this Ordinance, the Declaration and Extension of Declaration expire on their own terms.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THAT:**

**SECTION 1**

All of the above findings are hereby found to be true and correct and are hereby incorporated into the body of this Ordinance as if fully set forth herein.

## **SECTION 2**

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

## **SECTION 3**

Pursuant to Section 418.108(b) of the Texas Government Code, the state of disaster due to public health emergency shall continue from the date of adoption of this Ordinance to 11:59 p.m. on Wednesday, May 27, 2020, unless action is taken by the Town Council of the Town of Prosper, Texas, to repeal, extend or otherwise amend this Ordinance.

## **SECTION 4**

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

## **SECTION 5**

Pursuant to Section 418.108(d) of the Government Code, this Ordinance declaring a local state of disaster has resulted in the following:

- The Town's Emergency Operations Center has been partially activated, and conditions are being constantly monitored by emergency personnel.
- All Town-sponsored programs, activities and classes are suspended through March 27, 2020.
- The Prosper Public Library and the 407 Rec Center are closed through March 27, 2020.
- Prosper Municipal Court is delaying all Court proceedings until April 4, 2020.
- All closures and cancellations will be reassessed and modified as conditions change.
- Town Council and Board/Commission meetings are cancelled until further notice.
- All other Town offices will remain open during normal operating hours.

## **SECTION 6**

Closures and cancellations referenced in this Ordinance may be extended, modified or revoked until the threat posed by COVID-19 has passed, as determined by the Town Manager in consultation with the Mayor.

**SECTION 7**

The Town Manager is granted the authority to direct non-emergency Town personnel to work from home or to otherwise telecommute, as may be required, to mitigate community spread of COVID-19.

**SECTION 8**

This Ordinance hereby authorizes the Town to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures, examining and regulating hospitals, regulating ingress and egress from the Town, regulating ingress and egress to occupied structures, and insuring compliance for those who do not comply with the Town's rules, pursuant to Section 122.006 of the Texas Health and Safety Code.

**SECTION 9**

This Ordinance hereby incorporates by reference the provisions of any Executive Order or similar directive issued by the President of the United States, the Governor of the State of Texas, or the County Judge(s) of Collin County or Denton County.

**SECTION 10**

This Ordinance hereby authorizes the use of all lawfully available enforcement tools.

**SECTION 11**

Pursuant to Section 418.108(b) of the Texas Government Code, the state of disaster due to public health emergency shall continue from the date of adoption of this Ordinance to 11:59 p.m. on Wednesday, May 27, 2020, at which time it shall expire without further action by the Town Council, unless action is taken by the Town Council of the Town of Prosper, Texas, prior to the expiration date to repeal, extend or otherwise amend this Ordinance.

**SECTION 12**

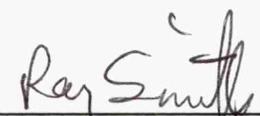
This Ordinance shall become effective from and after its passage and publication.

**DULY PASSED, APPROVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS 24TH DAY OF MARCH, 2020.**



ATTEST:

  
\_\_\_\_\_  
Melissa Lee, Town Secretary

  
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Ray Smith, Mayor

APPROVED AS TO FORM AND LEGALITY:

  
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Terrence S. Welch, Town Attorney