

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, on May 18, 2020 there were more than 1.4 million reported COVID-19 cases in the United States including more than 89,000 fatalities; and

WHEREAS, on March 17, 2020 the San Marcos City Council adopted a resolution indefinitely extending the declaration of local disaster caused by the COVID-19 pandemic; 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, the community spread of COVID-19 is continuing within Hays County and San Marcos with daily increases in the number of laboratory-confirmed cases; and

WHEREAS, certain parks and facilities of the City of San Marcos have remained closed to the public since March 23, 2020 in order to prevent the spread of the virus; and

WHEREAS, on April 21, 2020 the following parks and facilities were ordered closed to the public by Order of the Mayor until further notice:

San Marcos River Parks: Rio Vista Park, City Park, Plaza Park, Veramendi Park, Bicentennial Park, Children's Park, Crook Park, Veteran's Memorial Park, Dog Beach, Capes Park, Thompson's Island, Stokes Park, Ramon Lucio Park, and Wildlife Annex/Wilderness Park

Other Park Facility Closures: Children's Park Playscape, City Park Playscape, all neighborhood park playscapes, neighborhood park basketball courts, Dog Park, and Skate Park. All public restroom facilities and water fountains in all city parks and natural areas; and

WHEREAS, there is a need to continue some limited park closures in San Marcos in a continuing effort to prevent infection and illness from COVID-19 while opening certain park areas to the public;

NOW THEREFORE, I, JANE HUGHSON, MAYOR OF THE CITY OF SAN MARCOS, PURSUANT TO THE AUTHORITY VESTED IN ME BY TEXAS GOVERNMENT CODE CHAPTER 418, DO 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 me as Mayor and made a part hereof for all purposes.

SECTION 2. Effective as of 8:00 a.m. on May 22, 2020, this order shall supersede the previous Order that was effective on April 21, 2020 related to the closure of certain parks within San Marcos.

The parks and facilities previously subject to closure may be re-opened administratively at the direction of the City Manager under such limitations and guidelines as he deems necessary to protect public health and safety.

SECTION 3. Natural areas in the City remain open at this time, but visitors to these areas shall practice social distancing of at least 6 feet between individuals and are prohibited from gathering in groups of more than five people. The following natural areas remain open:

Blanco Shoals Natural Area; Prospect Park Natural Area; Purgatory Creek Natural Area; Ring Tail Ridge Natural Area; Schulle Canyon Natural Area; Sessom Creek Natural Area; and Spring Lake Natural Area

SECTION 4. Violation of this ORDER shall be considered a violation of a city ordinance and shall be subject to a fine of up to \$1,000. In addition, a violation of this order may result in arrest for criminal trespass if a person refuses to leave after being warned to do so by a peace officer.

SECTION 5. This ORDER shall remain in effect indefinitely until it is rescinded, superseded, or amended by subsequent order or until the current local state of disaster in San Marcos, due to COVID-19, is terminated by resolution of the San Marcos City Council.

SECTION 6. A copy of this ORDER shall be posted on the City of San Marcos Official Website.

SECTION 7. 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 this ORDER.

ORDERED this the 22 day of May, 2020, in the City of San Marcos, Texas.


Jane Hughson
Mayor

Attest:


Tammy K. Cook
Interim City Clerk