

**CITY OF LUCAS DECLARATION OF LOCAL DISASTER  
FOR PUBLIC HEALTH EMERGENCY**

**WHEREAS**, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease 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. In some cases, the virus has caused death; and,

**WHEREAS**, extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout the City of Lucas, Texas, including the quarantine of individuals, groups of individuals, and property as well as compelling individuals, groups of individuals, or property to undergo additional health measures that prevent or control the spread of disease; and,

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas has declared a state of disaster for the State of Texas.

**NOW, THEREFORE, PURSUANT TO THE AUTHORITY VESTED IN THE MAYOR OF THE CITY OF LUCAS, COLLIN COUNTY, TEXAS BY THE CITY CHARTER AS THE PRESIDING OFFICER OF THE GOVERNING BODY OF THE CITY OF LUCAS, AND UNDER TEXAS GOVERNMENT CODE SECTION 418.108, I, JIM OLK, MAYOR OF THE CITY OF LUCAS, TEXAS, DO HEREBY DECLARE THAT:**

**SECTION 1.** A local state of disaster for public health emergency is hereby declared for the City of Lucas, Texas, pursuant to Section 418.108(a) of the Texas Government Code.

**SECTION 2.** That the City Council, in accordance with the authority vested in the governing body of the City of Lucas, Texas, by Texas Government Code, Section 418.108, hereby renews and continues the Declaration of Local Disaster, which Declaration shall continue until terminated by action of the City Council.

**SECTION 3.** Pursuant to section 418.108(c) of the Government Code, this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

**SECTION 4.** Pursuant to Section 418.108(d) of the Government Code, this declaration of a local state of disaster activates the City of Lucas emergency management plan.

**SECTION 5. PROHIBITED GATHERINGS.** Public or private Community Gatherings (as defined in Section 6 below) are prohibited anywhere in Lucas, Texas.

**SECTION 6. DEFINITIONS.**

- a. For purposes of these regulations, 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 ten (10) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, theater, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.

- b. An outdoor "Community Gathering" under these regulations 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 are within arm's length of one another for extended periods.
- c. These regulations do not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as a multiplex movie theater, school or office tower, so long as ten (10) people are not present in any single space at the same time. These regulations also do not prohibit the use of enclosed spaces where ten (10) or more people may be present at different times during the day, so long as ten (10) or more people are not present in the space at the same time.
- d. For purposes of clarity, a "Community Gathering" does not include the following so long as visitors are generally not within arm's length of one another for extended periods:
  - (i) office spaces or residential buildings;
  - (ii) grocery stores, shopping malls, or other retail establishments where large numbers of people are present, but it is unusual for them to be within arm's length of one another for extended periods; and,
  - (iii) hospitals and medical facilities.

**SECTION 7.** All parks and ball fields are closed.

**SECTION 8.** The Lucas Community Center shall be closed.

**SECTION 9.** This declaration hereby orders that a restaurant with or without drive-in or drive through services; drive-in restaurant; or drive-through restaurant may only provide take out or drive-in or drive-through services as allowed by law.

**SECTION 10.** All City Board and Commission meetings, with the exception of Lucas City Council, Planning and Zoning and any other meeting required by law, will be postponed for the duration of this disaster declaration.

**SECTION 11.** The City of Lucas encourages all its citizens and others within Lucas to abide by the rules as expressed in the Amended Order(s) of Collin County Judge Chris Hill and the proclamations and executive orders of Texas Governor Greg Abbott issued with respect to the COVID-19 emergency.

**SECTION 12. POSTING OF THESE REGULATIONS.** The owner, manager, or operator of any facility that is likely to be impacted by these regulations shall post a copy of these regulations onsite and visible to users of the facility and provide a copy to any user of the facility asking for a copy.

**SECTION 13. SEVERABILITY.** If any subsection, sentence, clause, phrase, or word of these regulations or any application of them to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of these regulations.

**SECTION 14. EFFECTIVE IMMEDIATELY.** These regulations shall be effective immediately and continue until they are either rescinded, superseded, or amended or until they expire pursuant to applicable law.

**SECTION 15. SUSPENSION AND MODIFICATION OF ORDINANCES.**

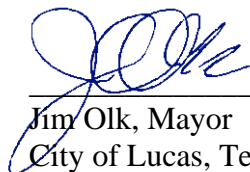
- a. Any ordinances or regulations that would prevent temporary sheltering and housing by the City, State of Texas, or the Federal Government in response to the declared disaster are suspended or modified as necessary to make these regulations effective.
- b. Any ordinances or regulations that conflict with these regulations are suspended or modified as necessary to make these regulations effective.
- c. Suspension or modification of the ordinances and regulations shall remain in effect until these regulations are terminated or until the public health emergency is terminated, whichever is sooner.

**SECTION 16. PENALTIES.**

- a. These regulations shall have the effect of ordinances when duly filed with the City Secretary.
- b. A person who violates any provision of these regulations, upon conviction, is punishable by a fine of not less than Fifty Dollars (\$50) and not more than Two Thousand Dollars (\$2,000) for each offense.

**SECTION 17.** That this proclamation shall take effect immediately from and after its issuance.

**DECLARED** this 26<sup>th</sup> day of March 2020.

  
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Jim Olk, Mayor  
City of Lucas, Texas