

**ORDER CLOSING BED AND BREAKFAST FACILITIES AND
HOTELS OPERATING IN THE CITY OF GALVESTON
ISSUED BY
THE MAYOR OF THE CITY OF GALVESTON**

WHEREAS, the City of Galveston, Texas, has declared a state of emergency in accordance with Tex. Gov't Code Ch. 418 related to the Corona/Covid 19 virus; and

WHEREAS, information issued by the federal Center for Disease Control and the Texas Department of Health Services related to the Corona/Covid 19 virus have stressed undertaking steps to control of the virus; and

WHEREAS, those entities have urged that the failure to take steps to diminish the spread of the virus will result in the overwhelming of the health care system in this area with a concomitant increase of mortality; and

WHEREAS, the Galveston County Health District has confirmed the presence of Corona virus in Galveston County caused by community spread and the number of active cases in the County continues to grow; and

WHEREAS, the present emphasis is the control of community spread of the virus by limiting the number of citizens who are interacting within a given area; and

WHEREAS, the presence of a high concentration of citizens in restaurants and bars open to the public presented an opportunity for community spread of the virus and the City has previously issued orders closing them except for take-out and delivery operations; and

WHEREAS, the City has taken further steps to discourage people from visiting the City by closing amenities at beaches and parks and prohibiting the lease of Short-Term Rentals in the City; and

WHEREAS, the purpose of these control measures has been to diminish the numbers of visitors to the City and thereby curtail the concentration of individuals in areas to reduce the chance of community spread of the virus from person to person; and

WHEREAS, since the time of the closure of restaurants and bars in the City there has been a steady increase in the number of active Corona/Covid 19 infections in the County and such increase warrants further control measures be undertaken to control the spread of the virus; and

WHEREAS, it appears that despite the efforts of the City to diminish the number of visitors to the City those efforts have been frustrated by local hotels booking and accepting guests that are not essential employees of essential businesses operating in or from Galveston in direct conflict with the public health measures undertaken by the City to reduce the opportunities for the spread of the virus and therefore more robust control measures are required.

NOW THEREFORE, I, MAYOR OF THE CITY OF GALVESTON, HEREBY FIND AND ORDER, THAT:

SECTION 1. 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. For purposes of this Order, the term "hotel" shall refer to hotels, motels, tourist courts, and bed and breakfast facilities.

SECTION 3. It shall be unlawful for the operator of a hotel to lease a hotel room to a guest. Each such rental shall constitute a separate offense. Each day of occupancy shall constitute a separate offense. This prohibition goes into effect immediately upon entry of this Order.

SECTION 4. It shall be unlawful for an individual to lease a hotel room from the operator of a hotel. Each such rental shall constitute a separate offense. Each day of occupancy shall constitute a separate offense. This prohibition goes into effect immediately upon entry of this Order.

SECTION 5. The prohibition contained in this Order shall not extend to the rental of rooms to those individuals identified as essential employees by entities identified as essential businesses which are identified on the attached Exhibit A.

SECTION 6. Guests registered in a hotel as of the effective time of this Order shall vacate the premises not later than 10:00 a.m. on Saturday March 28, 2020.

SECTION 7. Nothing in this Order shall prohibit admission of an individual to the hotel facility pursuant to a contract entered into directly by the hotel with an agency of the federal or state government to house persons deemed essential by the governmental entity or military personnel.

SECTION 8. Nothing in this Order shall prohibit admission of an individual to the hotel facility pursuant to a contract entered into directly between the hotel and the County of Galveston or the City of Galveston to house persons deemed essential by those entities.


SECTION 9. Nothing in this Order shall prohibit the hotel from continuing operation of an on premises restaurant; however all congregate dining areas will be closed; food prepared by an on premises restaurant will be delivered to essential guests' rooms by use of room service.

SECTION 10. A violation of this Order shall be a Class C misdemeanor punishable as permitted by law.


SECTION 11. In accordance with the Texas Disaster Act, this declaration shall take effect at 5:00 p.m. on March 27, 2020 and shall terminate seven days from the entry of this Order or until further Order of the City.

SO DECLARED AND ORDERED at 4:00 pm this the 27th day of March 2020.

APPROVED AS TO FORM:




DONALD S. GLTWASKY
CITY ATTORNEY



JAMES D. YARBROUGH
MAYOR, CITY OF GALVESTON

ATTEST:



JANELLE WILLIAMS
CITY SECRETARY



EXHIBIT A

The following are defined as essential services for the purpose of this Order on the condition the services are performed on or from the City of Galveston:

- 1) **Essential Healthcare Operations.** Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures.
- 2) **Essential Government Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Further, nothing in this order shall prohibit any individual from performing or accessing "Essential Government Functions." All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible.
- 3) **Essential Critical Infrastructure.** Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached.
- 4) **Essential Retail.** Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, liquor stores, gas stations and convenience stores, farmers' markets that sell food products and household staples. Food cultivation, including farming, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically

provide free services to students or members of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas stations, auto-supply, auto and bicycle repair, hardware stores, and related facilities. Businesses that supply products needed for people to work from home.

- 5) Providers of Basic Necessities to Economically Disadvantaged Populations. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- 6) Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses. Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning and maintenance, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with the support of supplies needed to operate.
- 7) News Media. Newspapers, television, radio, and other media services.
- 8) Childcare Services. Childcare facilities providing services that enable employees exempted in this Order to work as permitted.