

**ORDER PROHIBITING CONSUMPTION OF FOOD WITHIN
ONE HUNDRED FEET OF A TAKE OUT FOOD ESTABLISHMENTS IN THE
CITY OF GALVESTON
ISSUED BY
THE MAYOR OF GALVESTON**

WHEREAS, the City of Galveston, Texas has declared a state of emergency in accordance with Texas Government Code Chapter 418 due to the Coronavirus/COVID 19; and

WHEREAS, information issued by the Federal Center for Disease Control and the Texas Department of Health Services related to the Coronavirus have stressed undertaking steps to control the spread 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, although the Health District refuses to identify the precise location within the County; and

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

WHEREAS, the City issued an order closing restaurants and bars in the City of Galveston, and limiting those operations to takeout, delivery, drive thru, and curbside pickup; and,

WHEREAS, as the purpose of closing restaurants and bars is to eliminate the congregation of citizens in a close area to control the spread of the virus and the congregation or persons consuming food in proximity to a food preparation establishment frustrates the control measure of closing the bars and restaurants; and

WHEREAS, for the purposes of this Order, the terms restaurants shall be defined to include traditional brick and mortar facilities, food trucks, roadside food stands of any kind, any other type of commercial operation selling prepared food to the public; and events sponsored by not for profit groups during which food is prepared.

**NOW THEREFORE, I, MAYOR OF THE CITY OF GALVESTON, 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. That it shall be unlawful for any person to consume food or beverage within one hundred (100) linear feet of the food establishment from where the food was purchased. As an exception, patrons may consume their food or beverage within their automobile whether or not that automobile is within one hundred (100) linear feet of the food establishment from where the food originated.

SECTION 3 Restaurants shall not provide tables for use by patrons to utilize in the consumption of food purchased from their facility within 100 feet of the premises.

SECTION 4. With the exception of Section 2 of this Order, all other provisions of Order Closing Restaurants and Bars, adopted by the Mayor on March 17, 2020 remain in full force and effect.

SECTION 5. Any person who shall violate any provision of this Order shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a penal sum as allowed by law.

SECTION 6. That, in accordance with the Texas Disaster Act, this order shall take effect immediately at 1:17 P.M. on March 19, 2020 and shall terminate seven days from the entry of this Order or until further Order of the City.

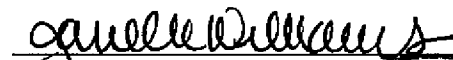
SO DECLARED AND ORDERED, at 1:17 pm on this 19th day of March 2020.

APPROVED AS TO FORM:


DONALD S. GLYWASKY
CITY ATTORNEY


JAMES D. YARBROUGH
MAYOR, CITY OF GALVESTON

ATTEST:


JANELLE WILLIAMS
CITY SECRETARY

