

**ORDER CLOSING PUBLIC BEACH ACCESS TO VEHICLES
IN THE CITY OF JAMAICA BEACH
ISSUED BY
THE MAYOR OF THE CITY OF JAMAICA BEACH
(FIRST REVISION)**

WHEREAS, on March 17, 2020 and March 19, 2020, Mayor Steve Spicer, Mayor of the City of Jamaica Beach, Texas issued a Mayoral Proclamation declaring a local disaster for public health emergency for the City of Jamaica Beach, in response to help prevent and control COVID-19; and

WHEREAS, information issued by the federal Center for Disease Control and the Texas Department of Health Services related to COVID-19 virus have stressed undertaking steps to control the spread of the virus and failure to do so 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 coronavirus in Galveston County caused by community spread and the number of active cases in the County continues to grow; and

WHEREAS, the Mayor of the City of Galveston issued an Order closing public beaches in the City of Galveston as a robust control measure to diminish the numbers of visitors to the City and to discourage people from congregating in highly concentrated groups within a given area to prevent the spread of the virus; and

WHEREAS, with the closure of Galveston's beaches, the City of Jamaica Beach has experience an increase of visitors on the public beach located within our city limits and finds it in the best interest of our community to take similar control measures to reduce the spread of the COVID-19 virus; and

WHEREAS, on March 23, 2020, the City Council of the City of Jamaica Beach approved a Resolution that extended the disaster declaration for public health emergency proclaimed by Mayor Spicer and granted the Mayor authority to exercise any powers, take any actions and issue any orders in response to COVID-19.

NOW THEREFORE, I, MAYOR OF THE CITY OF JAMAICA BEACH, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, 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 the purpose of this Order, the term "beach" shall refer to the edge of the waters of the Gulf of Mexico to the vegetation line or the edge of the dunes running parallel to the waters of the Gulf of Mexico, whichever apply.

SECTION 3. For the purpose of this Order, the term "vehicle" shall refer to, but not limited to, a motor vehicle, passenger vehicle, utility vehicle, golf cart, moped, motorcycle, or any other type of vehicle as defined by the Texas Transportation Code.

SECTION 4. The beach within the City of Jamaica Beach limits is hereby closed to vehicular traffic.

SECTION 5. It is a violation of this Order for any member of the public to enter onto the beach by way of vehicle for any reason, except for authorized emergency vehicles; this order may be enforced by any City of Jamaica Beach Police Officer or Authorized City Official.

SECTION 6. In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates this Order commits an offense, punishable by a fine up to \$1,000.00 or confinement in jail for a term that does not exceed 180 days.

SECTION 7. If any provision of this Order or its application to any person or circumstance is held by a court of competent jurisdiction to be invalid or unconstitutional, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

SECTION 8. This Order supersedes the previous order closing public beach access to vehicles in the City of Jamaica Beach, Texas, issued by the Mayor on March 30, 2020, and this Order shall remain in effect until it is modified, terminated or superseded by the Mayor or City Council of the City of Jamaica Beach, Texas.

ORDERED at 5:00 p.m. this 6th day of April, 2020.

CITY OF JAMAICA BEACH, TEXAS:



Steve Spice, Mayor

ATTEST:



Lupe Rushing, City Secretary