

AMENDED DECLARATION OF DISASTER for CITY of WACO, TEXAS
Issued February 21, 2021

WHEREAS, Governor of Texas Greg Abbott issued a severe weather disaster declaration on February 12, 2021, under Section 418.014 of the Texas Government Code, covering 254 counties, authorizing the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster pursuant to Section 418.017; and

WHEREAS, the City of Waco, McLennan County, Texas, has suffered widespread and severe damage, injury or loss of life or property, or there is imminent threat of the same resulting from severe winter weather and winter storm with sub-freezing temperatures that began on Sunday, February 14, 2021, and continues through today, Sunday, February 21, 2021; and

WHEREAS, the City of Waco, Texas, water system is a public water system (PWS); and

WHEREAS, because the City of Waco, Texas, water system continues to be under immediate strain due to existing and ongoing freezing weather conditions, and because the City is taking every step possible to **avoid** issuing a Boil Water Notice by reducing the amount of water use on the system, high water volume customers should stop and/or reduce water use immediately; and

WHEREAS, under the Water Conservation and Drought Contingency Plan (“Plan”) for the City of Waco, Texas, there are four stages for water conservation in the occurrence of a water shortage emergency; and

WHEREAS, initiation of a specific state is dependent on climatic and water system conditions, and does not necessarily require a progression from Stage 1 through Stage 3 to reach Stage 4; and

WHEREAS, criteria for implementation of Stage 4 of the Plan includes that weather forecasts and stream flow conditions, in the opinion of the City Manager, warrant restrictions on the use of water, and that the total amount of water available to the City from its developed water sources—as determined by the water utilities director—is less than a 12-month supply; and

WHEREAS, Mandatory Restrictions under Stage 4 of the Plan include: (1) any and all outdoor/landscaping water usage until the emergency is alleviated, which applies to all metered water users using the City's public water supply and includes all residential (single or multi-family), commercial (car wash, nurseries, business), recreational (public/private golf courses, parks, athletic fields), religious, health care, school and municipal entities; and (2) use of water for municipal purposes shall be limited to only those activities necessary to maintain the public health, safety and welfare, as determined by the City; and (3) use of water from fire hydrants is prohibited except for fire fighting and health and safety related activities; and

WHEREAS, significant progress has been made in the storage of water that lessens the need for some of the provisions of the Emergency Declaration issued on Friday, February 19, 2021; and

WHEREAS, the City has begun the recovery phase from the severe winter weather and winter storm with sub-freezing temperatures; and

WHEREAS, the Mayor of the City of Waco has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property and thus issues this Amended Declaration of Disaster,

NOW, THEREFORE, BE IT PROCLAIMED BY DILLON MEEK, MAYOR OF THE CITY OF WACO, TEXAS, UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108:

1. That a local state of disaster is hereby declared for the City of Waco, Texas.
2. Pursuant to §418.108(b) of the Texas Government Code, this Declaration of a local state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued / renewed by the City Council of the City of Waco.
3. Pursuant to §418.108(c) of the Government Code, this Declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to §418.108(d) of the Government Code, this Declaration of the local state of disaster activates the City's Emergency Management Plan.
5. Beginning at 3:00 p.m. on Friday, February 19, 2021, and continuing until 6:00 p.m. on Sunday, February 21, 2021, all cleaning/dyeing and laundry plants, commercial laundry (self-serve commercial), and automobile car washing establishments in the City are required to cease all operations and activities at facilities located within the City.
6. In recognition of the fact that solid waste collections in the City have been cancelled for numerous days, provisions of Chapter 21 of the Code of Ordinances of the City of Waco, Texas, which would impede the ability of residents to dispose of solid waste or the ability of the City or its customers to collect and transport solid waste to the landfill are hereby suspended. This includes Sections 21-22(a), 21-22(c), 21-24(a)-(d), 21-24(g), and 21-30(b).
7. That any building permit fees for repairs or alterations of existing buildings to repair damage caused by this severe winter weather and winter storm event are waived (such waiver not to include fees for after-hours inspections, re-inspections, or stop work orders).
8. All provisions of this Order should be interpreted to effectuate this intent.

9. Failure to comply with any of the provisions of this Order constitutes an imminent threat to public health.
10. That a violation of this order shall be a Class C misdemeanor and the penalty for violating this order shall be a fine of not less than one dollar (\$1.00) and no more than one thousand dollars (\$1,000.00), and each day a violation exists shall be a separate offense. That this declaration also hereby authorizes the use of any other lawfully available enforcement tools.
11. The City of Waco must promptly provide copies of this Order by posting it on the City of Waco website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.
12. 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 remaining portions or applications of this Order.

This Declaration shall take effect immediately from and after its issuance.

ORDERED THIS the 21st day of February, 2021.

Dillon Meek

DILLON MEEK
Mayor, City of Waco, Texas



Filed with City Secretary

Esmeralda Hudson, TRMC, CPM

February 21, 2021 @ 5:18 p.m.