



# City of San Antonio

## Legislation Details (With Text)

**File #:** 20-4765  
**Type:** Miscellaneous Item  
**In control:** City Council A Session  
**On agenda:** 8/13/2020  
**Title:** PULLED -- Ordinance authorizing the Health Authority to adopt rules to protect individuals from COVID-19, and to provide the City Manager with enforcement tools by creating an offense and penalty. [Colleen Bridger, Assistant City Manager and Acting Health Director]  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Draft Ordinance

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**DEPARTMENT:** Health Department

**DEPARTMENT HEAD:** Colleen Bridger, Assistant City Manager and Acting Health Director

**COUNCIL DISTRICTS IMPACTED:** Citywide

### SUBJECT:

Authorizing the Health Authority to adopt rules to protect individuals from COVID-19 and affirming the City Manager's enforcement mechanisms, consistent with local and state law.

### SUMMARY:

This item will acknowledge the health authority's power to adopt rules to protect individuals from COVID-19, would facilitate enforcement of rules by creating an offense and penalty.

### BACKGROUND INFORMATION:

Coronavirus (COVID-19) is a highly contagious virus that spreads between people who are in close contact with one another through respiratory droplets produced when an infected person speaks, sings, coughs, or sneezes. It is also possible that a person can contract COVID-19 by touching a surface that has the virus on it and then touching their own mouth, nose, or possibly eyes. A significant percentage of individuals with the COVID-19 virus are asymptomatic, which means an infected person can transmit the virus to others before showing any symptoms.

Section 122.006 of the Texas Health and Safety Code allows home-rule municipalities such as the City of San Antonio to adopt rules to protect the health of individuals in the municipality; and Section 121.003 of the Texas Health and Safety Code allows for a home-rule municipality to enforce any law reasonably necessary to protect the public health.

This item would affirm that the Health Authority may adopt rules to protect individuals from COVID-19, as well as mitigate and reduce the transmission of COVID-19 in the community.

**ISSUE:**

The Texas Health and Safety Code gives the Health Authority broad powers to combat a pandemic, including the powers to quarantine, immunize, and enact prevention measures. The Health Authority is authorized to issue specific rules for individuals to mitigate the spread of COVID-19 which this ordinance reinforces. Additionally, this Ordinance would affirm the City Manager's authority, consistent with local and state law, to designate City Staff to assist the Bexar County Health Authority with administering, implementing, and enforcing adopted rules.

**ALTERNATIVES:**

NA

**FISCAL IMPACT:**

There is no direct fiscal impact as a result of this action.

**RECOMMENDATION:**

Staff recommends approval of this item.