



**ORDER PROHIBITING OPERATION OF
ELECTRONIC AMUSEMENT GAMES
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, 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;

WHEREAS, in this Order "electronic amusement games" shall include video games of any kind, eight liners, video poker machines or any device that displays a games on a video screen; and

WHEREAS, businesses that allow electronic amusement games in their establishment continue to attract large numbers of patrons, with minimal spacing which does not allow for social distancing; and

WHEREAS, the high concentration of citizens visiting these businesses that allow electronic amusement machines an opportunity for the transmission of the virus through community spread; and

WHEREAS, the determination to implement control measures involves consideration of the balance between the social utility of the control measure implements versus the effect of the measure on the private and public sectors ability to deliver goods and services to the general population and preserve the public confidence; and

WHEREAS, it appears the implementation of control measures to control the community spread of the virus by prohibiting the operation of electronic amusement machines in the City of Galveston is in the best interest of this community; and

WHEREAS, the implementation of control measures to these activities would not undermine the ability of the private and public sector to deliver essential goods and services to the general population.

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. No business located in the City of Galveston may allow continued operation of electronic amusement machines on their premises; electronic amusement machines are to be unplugged and unavailable for use by any patron of the business.

SECTION 3. This order does not prohibit the use of:

Stamp vending machines

Food vending machines

Beverage vending machines

Merchandise vending machines


SECTION 4. 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 5. That, in accordance with the Texas Disaster Act, this declaration shall take effect immediately at 10:45 A.M. on March 24, 2020 and shall terminate seven days from the entry of this order or until further Order of the City.

SO DECLARED AND ORDERED at 10:45 a.m. on this the 24th 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

