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**LOCAL DECLARATION OF DISASTER**

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WHEREAS, the County of Comal on the 10<sup>th</sup> day of June, 2010, has suffered widespread or severe damage, injury, or loss of life or property (or there is imminent threat of same) resulting from disastrous flooding and flash flooding, and

WHEREAS, the County Judge of Comal County, Texas has determined that extraordinary measures must be taken to alleviate the suffering of people and to protect or rehabilitate property,

**NOW, THEREFORE, BE IT PROCLAIMED BY THE COUNTY JUDGE OF COMAL COUNTY, TEXAS:**

1. That a local state of disaster is hereby declared for Comal County, Texas, pursuant to Section 418.108(a) of the Texas Government Code.
2. Pursuant to Section 418.108(b) of the Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the Commissioners Court of Comal County, Texas.

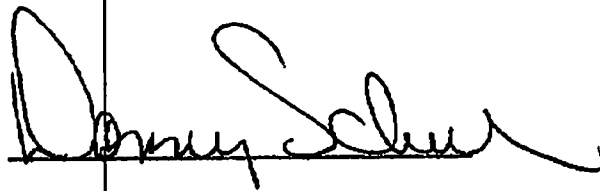
3. Pursuant to Section 418.108(c) of the Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk.

4. Pursuant to Section 418.108(d) of the Government Code, this declaration of a local state of disaster activates the Comal County emergency management plan.

5. Pursuant to Sections 418.016 and 418.1015 of the Government Code, this declaration suspends the provisions of any Comal County regulations, rules, or orders prescribing the procedures for conduct of Comal County business if strict compliance with the provisions, orders, or rules would in any way prevent, hinder, or delay necessary action in coping with the disaster.

6. That this proclamation shall take effect immediately from and after its issuance.

DECLARED this the 10<sup>th</sup> day of June 2010.



Comal County Judge

**EXECUTIVE ORDER NO. 250**



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**ORDER INVOKING DISASTER POWERS PURSUANT TO THE GOVERNOR'S  
DECLARATION OF DISASTER**

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Pursuant to section 418.1015(a) of the Texas Government Code, the County Judge may exercise the powers, on an appropriate local scale, granted the Governor in the Texas Disaster Act. Tex. Gov't Code Ann. §418.1015(a) (Vernon Supp. 2007).

The following shall take effect immediately upon issuance, and shall remain in effect until the state of disaster is terminated.

**1. MOVEMENT OF PEOPLE AND OCCUPANCY OF PREMISES**

(a) A person shall not remain or travel upon any public or private property in the following area(s):

River Road at its intersection Hueco Springs Loop up River Road to its intersection at Guadalupe Street at the 4<sup>th</sup> Guadalupe River Crossing.

(b) A person shall not enter for any persons including but not limited to recreational use the following area of the Guadalupe River:

Guadalupe River from city limits of New Braunfels, Texas up to Canyon Dam.

(c) Subsections (a) and (b) shall not apply to a person authorized by local government officials to assist in the protection of the health, safety, or welfare of the public and persons authorized by local government officials for the provision of restoration and rehabilitation of persons and property affected by this disaster.

Tex. Gov't Code Ann. §§ 418.001 - 418.018 (Vernon 1998), and Tex. Gov't Code Ann. §433.002(3) (Vernon Supp. 2007).

## 2. PENALTIES

These Orders shall take effect immediately and be duly filed with the County Clerk.

A person who violates any provision of a rule, regulation, or Order adopted under the Comal County emergency management plan commits a Class C misdemeanor, punishable by a fine of up to \$500.00.

Tex. Gov't Code Ann. §418.108(i) (Vernon 1998).

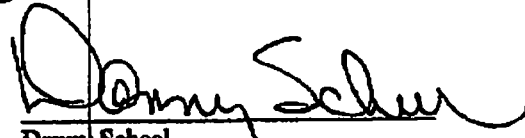
In accordance with Section 418.108(i) of the Texas Government Code and Section 352.051 of the Texas Local Government Code, an affected party is entitled to injunctive relief to prevent the violation or threatened violation of a requirement or prohibition established by this Order.

**3. EMERGENCY**

This ordinance shall take effect immediately from and after its passage and publication,  
and it is accordingly so ordered.

DECLARED this the 10<sup>th</sup> day of June, 2010.

ORDERED AND SIGNED at 12:15 a.m./p.m. THIS 10<sup>th</sup> DAY OF JUNE, 2010.



Danny Scheel  
Coma County Judge