

Comal County Commissioners Court Order No. 252



**ORDER CONTINUING COUNTY JUDGE DANNY SCHEEL'S DECLARATION OF
LOCAL DISASTER FOR COMAL COUNTY, TEXAS AND EXTENDING
PORTIONS OF EXECUTIVE ORDER NO. 251**

WHEREAS, by Declaration of Local Disaster for Comal County, Texas, (hereinafter referred to as "Declaration") issued **JUNE 10TH, 2010**, the County Judge of Comal County declared a local state of disaster for Comal County, Texas, resulting from:

**DISASTROUS FLOODING AND FLASH FLOODING LEADING TO
WIDESPREAD AND SEVERE DAMAGE, INJURY AND LOSS OF LIFE
AND/OR PROPERTY; and**

WHEREAS, pursuant to the Declaration, County Judge Danny Scheel issued Executive Order No. 250 restricting the use and access to River Road and the Guadalupe River in Comal County, Texas; and

WHEREAS, pursuant to the Declaration, County Judge Danny Scheel issued Executive Order No. 251 modifying the restrictions regarding the use and access to River Road and the Guadalupe River in Comal County, Texas, based upon the Action Plan submitted by the Water Oriented Recreation District (W.O.R.D.) which detailed the clean-up efforts and mitigation of safety hazards due to the flooding event for the area from the Canyon Dam to Bezdek's Rentals, near the 2nd Crossing of River Road; and

WHEREAS, pursuant to Section 418.108(b) of the Texas Government Code, the Comal County Commissioners Court, as the governing body for this County, may renew a declaration of a local disaster and extend an Executive Order restricting access to areas devastated by flash flooding for the purpose of protecting the health, safety, or welfare of the public and persons in addition to providing for the restoration and rehabilitation of property affected by flooding events.

WHEREAS, County Judge Danny Scheel's Executive Order No. 251, to wit:

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

River Road from O'Henry's Hideaway to the Hueco Springs Loop.

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

Guadalupe River from Bezdek's Rental's downstream to the city limits of New Braunfels, Texas.

(c) Subsections (a) and (b) shall not apply to a person authorized by local government officials including property owners and their designated renters, persons 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 property affected by this disaster."

WHEREAS, the Comal County Commissioners Court received information and verification from W.O.R.D. and County Officials that the entire portion of River Road, including the area from Hueco Springs Loop to O'Henry's Hideaway is safe for public use.

NOW THEREFORE BE IT ORDERED, that the Comal County Commissioners Court hereby renews and extends the Declaration of Local Disaster for Comal County, Texas and

(1) continues the restrictions of access and use of the Guadalupe River from:

Bezdek's Rentals downstream to the city limits of New Braunfels, Texas.

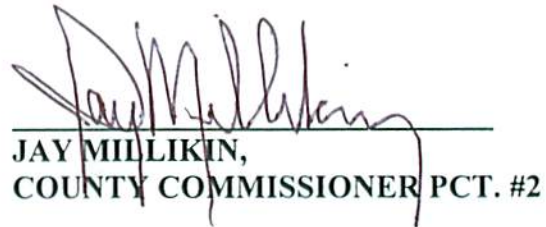
(2) Subsection (1) shall not apply to a person authorized by local government officials including property owners and their designated renters, persons to assist in the protection of the health, safety, or welfare of the public and persons authorized by local government officials for the provision of restoration and rehabilitation of property affected by this disaster."

NOW THEREFORE BE IT ORDERED, that the Comal County Commissioners Court Orders are effective until June 24, 2010, or until the County Judge removes portions or all of the restrictions within this Order upon the recommendation of the Emergency Management Coordinator, the Comal County Sheriff's Office, and W.O.R.D. deeming the protection of the health, safety, or welfare of the public and the property affected by this disaster has been restored and/or rehabilitated.

APPROVED this 17 day of JUNE, 2010.


DANNY SCHEEL, COUNTY JUDGE

Absent
DONNA ECCLESTON,
COUNTY COMMISSIONER PCT. #1


JAY MILLIKIN,
COUNTY COMMISSIONER PCT. #2


GREGORY PARKER,
COUNTY COMMISSIONER PCT. #3


JAN KENNADY,
COUNTY COMMISSIONER PCT. #4

ATTEST: 
JOY STREATER, COUNTY CLERK



