

DEC 14 2020



Becky Ivey
County Clerk Johnson County Texas
BY ML DEPUTY

THE STATE OF TEXAS

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§

ORDER #2020-85

COUNTY OF JOHNSON

**ORDER AUTHORIZING COUNTY ATTORNEY TO FILE
LAWSUIT AND AUTHORIZING EXPENSES**

On this the 14 day of December, 2020, the Commissioners Court of Johnson County, being duly convened at a regularly called meeting of the Commissioners Court, upon motion of Commissioner Howell, Pct. #2, seconded by Commissioner Stringer, Pct. #3, duly put and carried, adopted the following:

1.

Whereas, Johnson County, Texas is a political subdivision of the State of Texas, and through its Commissioners Court has the authority to bring suit to enforce the statutes enacted by the Texas Legislature that affect Johnson County; and

2.

Whereas, Chapter 751 of the Texas Health and Safety Code provides that a person who promotes a mass gathering as defined by Section 751.002, Texas Health and Safety Code, must obtain a permit for the mass gathering from the county judge of the county in which the mass gathering will be held; and

3.

Whereas, on December 5, 2020, a mass gathering was held at a venue located at 6100 N. FM 157, Johnson County, Texas without the promoter of the mass gathering obtaining a permit from the County Judge of Johnson County, Texas; and

4.

Whereas, according to the Johnson County Sheriff's Office, the venue located at 6100 N. FM 157, Johnson County, Texas routinely has events on the weekends and said venue consists of open fields for parking, food and beverage vendors, a large stage for live amplified music, an outdoor concrete dance floor and a rodeo arena; and

5.

Whereas, the promoters of the events located at 6100 N. FM 157, Johnson County, Texas are not obtaining a permit for a mass gathering from the County Judge of Johnson County to ensure that the guidelines of Chapter 265, Texas Administrative Code, are being followed to provide for the health, safety and welfare of the public who attend the mass gatherings.

6.

IT IS THEREFORE ORDERED that the County Attorney of Johnson County, Texas is hereby authorized to file a lawsuit for a temporary injunction and a permanent injunction against the person or persons promoting the mass gathering events located at 6100 N. FM 157, Johnson County, Texas.

7.

IT IS FURTHER ORDERED that the County Attorney is authorized to expend the amount of \$4,000.00 as initial expenses in the case, which amount includes, but is not limited to, funds for court reporter fees, expert fees and expenses, discovery costs, and any other reasonable

and necessary expenses.

8.

All funds necessary to accomplish the above are hereby ordered to be made.


9.

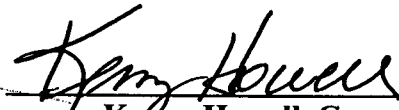
All such costs and fees should be charged to the general fund.

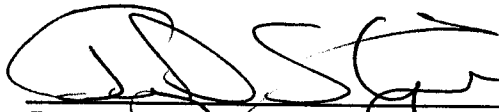
WITNESS OUR HAND THIS THE 14 DAY OF December, 2020.



Roger Harmon, Johnson County Judge

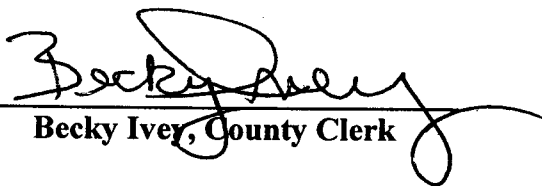
Voted: yes, ___ no, ___ abstained


Rick Bailey, Comm. Pct. #1
Voted: yes, ___ no, ___ abstained


Kenny Howell, Comm. Pct. #2
Voted: yes, ___ no, ___ abstained


Jerry D. Stringer, Comm. Pct. #3
Voted: yes, ___ no, ___ abstained


Larry Woolley, Comm. Pct. #4
Voted: yes, ___ no, ___ abstained

ATTEST: 
Becky Ivey, County Clerk

