



**DECLARATION OF DISASTER
AND
PROCLAMATION OF EMERGENCY REGULATIONS**

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China, with symptoms including fever, cough, and shortness of breath and with outcomes ranging from mild to severe illness and in some cases death;

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation, and case management, contact tracing and prevention of onward spread of the disease;

WHEREAS, on March 5, 2020, the World Health Organization Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic;

WHEREAS, on March 11, 2020 the World Health Organization (WHO) declared COVID-19 a worldwide pandemic;

WHEREAS, the Centers for Disease Control and Prevention is closely monitoring the growing number of cases that have spread into the United States and the identification of “community spread” cases of COVID-19 in the United States signals that transmission of the virus is occurring;

WHEREAS, COVID-19 spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes;

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action;

WHEREAS, President Donald Trump declared a State of National Emergency for the United States of America on March 13, 2020;

WHEREAS, Governor Greg Abbott issued a State of Disaster for all Texas counties for COVID-19 on March 13, 2020;

WHEREAS, Governor Greg Abbott issued an Executive Order March 19, 2020, further clarifying additional measures for public gathering and business operations within the State of Texas;

WHEREAS, County Judge Glen Whitley issued a Declaration of Disaster Due to Public Health Emergency for Tarrant County for COVID-19 on March 13, 2020; the County Commissioners issued a Renewal of Declaration of Local Disaster due to Public Health Emergency on March 17,

2020; and the County Judge issued a First Amended Declaration of Local Disaster due to Public Health Emergency to implement additional measures to ensure the protection of the residents of Tarrant County;

WHEREAS, the City of Colleyville has an adopted Emergency Management Plan and Coronavirus Response Plan and is autonomous from the Tarrant County Declaration in the application of Disaster Declaration enforcement;

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor is designated as the emergency management director of the City of Colleyville, and may exercise the powers granted to the governor on an appropriate local scale;

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease including isolation surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the governor of state resources;

WHEREAS, by this Declaration of Local Disaster and Public Health Emergency, I declare all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident;

WHEREAS, pursuant to the authority granted to the Mayor under the Texas Disaster Act of 1975, I authorize the use of all available resources of state government and political subdivisions to assist in the City's response to this situation;

WHEREAS, Section 3.06 of the City Charter for the City of Colleyville, Texas provides that in a time of emergency, the Mayor may govern the City by proclamation and maintain order and enforce all laws;

WHEREAS, I, Richard Newton, the Mayor of the City of Colleyville have determined that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19.

NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF COLLEYVILLE, TEXAS:

**ARTICLE I
DECLARATION OF DISASTER**

1. That a state of disaster and public health emergency is hereby declared for the City of Colleyville, pursuant to Section 418.108(a) of the Texas Government Code.
2. That the state of disaster and public health emergency shall continue for a period of not more than seven days of the date hereof, unless the same is continued by the City Council of the City of Colleyville, Texas, pursuant to Section 418.108 (b) of the Texas Government Code.

3. That this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary, pursuant to Section 418.108(c) of the Texas Government Code.
4. That the City's Emergency Operations Plan and Coronavirus Response Plan are activated and implemented, pursuant to Section 418.108(d) of the Texas Government Code.
5. That this declaration authorizes the City to commandeer or use any private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelters for evacuees, subject to compensation requirements, pursuant to Section 418.020 of the Texas Government Code.
6. That this declaration authorizes the City to take any actions necessary to promote health and suppress disease, including quarantine, regulating ingress and egress from the City, and fining those who do not comply with the City's rules, pursuant to Section 122.006 of the Health and Safety Code.
7. That this declaration sets forth strong recommendations, attached as Exhibit A hereto, for the purpose of mitigating the spread of COVID-19;
8. That in compliance with the Executive Order of Governor Abbott, this declaration hereby limits the size of gatherings, including social gatherings, to not more than 10 people and mandates the cancellation of all such gatherings of more than 10 people until further notice. This declaration does not prohibit gatherings of people in multiple, separate, enclosed spaces (including separate cubicles) in a single building such as different floors of multi-level office, residential building, or hotel, so long as more than 10 people are not present in any single space at the same time. This declaration also does not prohibit the use of enclosed spaces where more than 10 people may be present in the space at the same time. For any gathering covered by this subsection, the Mayor of the City of Colleyville strongly encourages compliance with the attached recommendations. The uses in Article II are not considered "gatherings," but are limited or prohibited therein.
9. That this declaration hereby authorizes the use of all lawfully available enforcement tools.

ARTICLE II EMERGENCY REGULATIONS

The following emergency regulations apply to all businesses located within the incorporated limits of the City of Colleyville in the manner set forth in this Article II.

1. It is hereby ordered that a restaurant with or without drive-in or drive-through services; drive-in restaurant; drive-through restaurant; or other food service businesses providing food or drink for consumption on the premises (including those ancillary to other uses)

may only provide inside take out, curb-side take out, delivery, drive-in or drive-through services.

2. It is further ordered that all hands-on service establishments including gyms/fitness, massage, salons, and theatres shall close to the public except so as to provide curb-side or takeaway counter service.
3. That this declaration hereby directs that commercial establishments and houses of worship limit the occupancy of all buildings and facilities to the maximum extent possible, but at least to 50% occupancy as set forth on the business certificate of occupancy or 125 individuals whatever is less. This 50% occupancy limit does not apply to office buildings, government buildings, critical infrastructure, grocery stores and pharmacies, non-profit service providers, day cares, and medical facilities. Food service businesses in medical facilities that would otherwise be open to the public may still operate to serve medical staff, but shall not be open to the public, except as provided by Article I, Section 8.
4. It is further ordered that the owner, manager, or operator of any business or facility that is likely to be impacted by the regulations contained in this Article II shall also post a copy of the recommendations attached as Exhibit A hereto in a conspicuous location visible to the public, to assist in mitigating the spread of COVID-19.
5. It is further ordered, in accordance with the Guidelines from the President, Governor, and the CDC, people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance.

ARTICLE III PENALTIES

1. In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates Article I this declaration commits an offense, punishable by a fine up to \$1,000.00 or confinement in jail for a term that does not exceed 180 days.
2. The provisions contained in Article II of this declaration shall have the same effect of an ordinance when filed with the City Secretary. A person who knowingly or intentionally violates Article II of this declaration commits an offense, punishable by a fine up to \$2,000.00.

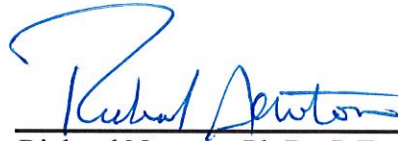
ARTICLE IV MISCELLANEOUS PROVISIONS

1. If any section, paragraph, subdivision, clause, phrase or provision of this declaration shall be judged invalid or unconstitutional, the same shall not affect the validity of this declaration as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.
2. Any ordinances or regulations that conflict with the emergency regulations contained in Article II are suspended or modified as necessary to make these regulations effective. Suspension or modification of the ordinances and regulations shall remain in effect until

these regulations are terminated or until the state of disaster is terminated, whichever is sooner.

3. That this declaration shall take effect at 11:59 PM, March 20, 2020; provided that, the emergency regulations contained in Article II of this declaration shall not be effective until this declaration is duly filed with the City Secretary.

ORDERED this 20th day of March, 2020.



Richard Newton, Ph.D., P.E., PMP
Mayor, City of Colleyville

ATTEST:



Christine Loven, TRMC
City Secretary

Signed this 20th day of March 2020 at 4:15 p.m.

EXHIBIT A
CITY OF COLLEYVILLE
RECOMMENDATIONS FOR
MITIGATING THE SPREAD OF
COVID-19

The City of Colleyville strongly recommends the following:

- (1) Cancel all nonessential gatherings and meetings of more than 10 people.
- (2) Create smaller groups for essential meetings, and consider holding video/audio meetings instead.
- (3) For individuals at increased risk of severe illness generally should avoid public contact with others and take preventative measures (gloves, masks, etc.) when in public settings.
- (4) For operators of public spaces, provide ways for patrons to maintain safe social distancing, for example, maintaining six feet of separation between individuals; have hand washing capabilities, hand sanitizers and tissues available; and frequently clean high touch surface areas like counter tops, hand rails, and door knobs.
- (5) For workplaces, promote telecommuting; ensure employees do not work while sick; do not require a doctor's note for employees who are sick; maximize flexibility in sick leave benefits; and minimize the number of employees working within arm's length of one another.
- (6) Commercial businesses should encourage the use of drive-thru, curbside, or delivery services. Further, employees should be discouraged from working within arm's length of one another. Ongoing measures should be taken to ensure handwashing capabilities, hand sanitizers, and frequent cleaning of high-touch surface areas like countertops, doorknobs, and handrails.
- (7) Determine ways to consider providing support services, including meals, to individuals at increased risk of severe illness while limiting group settings and exposures.
- (8) Minimize all nonessential travel.