

**SEVENTH AMENDED DECLARATION OF PUBLIC HEALTH EMERGENCY
CITY OF FORT WORTH, TEXAS
STAY AT HOME, WORK SAFE MEASURES**

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; and

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; and

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; and

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

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; and

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; and

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

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

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

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

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; and

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; and

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; and

WHEREAS, I, Betsy Price, the Mayor of the City of Fort Worth 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; and

WHEREAS, I issued a Declaration of Public Health Emergency on March 13, 2020, an Amended Declaration of Public Health Emergency on March 16, 2020, a Second Amended Declaration of Public Health Emergency on March 18, 2020, a Third Amended Declaration of Public Health Emergency on March 19, 2020, a Fourth Amended Declaration of Public Health Emergency on March 21, 2020, a Fifth Amended Declaration of Public Health Emergency on March 24, 2020, and a Sixth Amended Declaration of Public Health Emergency on April 7, 2020, to implement additional measures to ensure the protection of the general public in the City of Fort Worth; and

WHEREAS, Governor Abbott issued Executive Order GA 16 superseding GA 14 on April 17, 2020, to provide for statewide measures to address the spread of COVID-19 and allow for certain nonessential businesses to reopen for restricted business and on April 21, 2020, the Revised Guidance for Houses of Worship During the COVID-19 Crisis issued jointly by the Governor and the Attorney General regarding the effect of Executive Order GA 16 on religious services conducted in churches, congregations, and houses of worship; and

WHEREAS, to remain consistent with the declaration of the Texas Department of State Health Services and the executive orders and Revised Guidance issued by Governor Greg Abbott, I now issue this Seventh Amended Declaration of Public Health Emergency.

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

1. That a state of disaster and public health emergency is hereby declared for the City of Fort Worth, pursuant to §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 Fort Worth, Texas, pursuant to §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 §418.108(c) of the Texas Government Code.
4. That the City's Emergency Operations Plan is activated and implemented, pursuant to §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 §418.020(c) 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, establishing quarantine stations, emergency hospitals, and other hospitals, regulating ingress and egress from the City, and fining those who do not comply with the City's rules, pursuant to §122.006 of the Health and Safety Code.
7. That this Declaration authorizes the City to order the evacuation of all or part of the population from a stricken or threatened area under the jurisdiction and authority of the mayor if necessary for the preservation of life or other disaster mitigation, response, or recovery, and to control the movement of persons and the occupancy of premises, pursuant to §418.108(f), (g) of the Texas Government Code.
8. That all persons currently residing within the City of Fort Worth shall minimize social gatherings and in-person contact with people who are not in the same household, except as necessary to obtain Essential Business and Services or services from nonessential businesses that can be performed through Minimum Basic Operations, as these terms are defined in this Declaration. To the extent individuals are using shared or outdoor spaces, they must maintain Social Distancing and minimize in-person contact with people who are not in the same household.
9. That nothing in this Declaration is intended to restrict "essential services" as such term is defined in Governor Abbott's Executive Order GA-16 (Order GA-16), nor is it intended to allow gatherings prohibited by Order GA-16. To the extent that the Texas Division of Emergency Management approves additions to "essential services", those additions will be treated as an Essential Business and Services in the City of Fort Worth. Nothing herein is intended to impose restrictions inconsistent with any order issued by the Governor related to COVID19 (a COVID Order). To the extent that this Declaration conflicts with a COVID Order, the provisions in a COVID Order prevail. All questions relating to what is an essential service or business shall be directed to the Texas Division of Emergency Management via email at EssentialServices@tdem.texas.gov. Information is also available at www.tdem.texas.gov/essentialservices.
10. That all businesses operating in City of Fort Worth, except Essential Businesses and Services as defined herein, shall not allow members of the public to occupy business premises. Non-essential businesses may continue Minimum Basic Operations, as outlined below, so long as the businesses strictly adhere to the following:
 - a. follow guidelines promulgated by the President or the CDC;
 - b. maintain Social Distancing;
 - c. utilize remote teleworking to the greatest extent possible;
 - d. strictly comply with the terms required by the Texas Department of State Health Services (DSHS),¹ as may be amended; and
 - e. minimize the number of employees needed to operate at a basic level.

¹ DSHS requirements may be found at www.dshs.texas.gov/coronavirus

Minimum Basic Operations allows the minimum necessary activities to:

- a. Maintain the value of the business's inventory or equipment, process payroll and employee benefits, maintain the premises and the security of the premises, equipment or inventory, including the care and maintenance of livestock or animals;
- b. IT or other operations that facilitate employees working from home; and
- c. Facilitate online or call-in sales by pickup, delivery to the customer's door, delivery by mail; and/or perform in-store repair services.

11. That it is ordered that people shall avoid eating or drinking in a restaurant with or without drive-in or drive-through services; drive-in restaurant; drive-through restaurant; bars or microbrewery, micro-distillery, or winery; provided however, that establishments may provide take out, delivery, curbside pickup or drive-in or drive-through services for food and drink, as allowed by law. Social Distancing is required.
12. That licensed health care professionals and all licensed health care facilities shall refer to Governor Abbott's Executive Order GA-15, issued on April 17, 2020, or any subsequent order, for direction on permissible medical procedures and surgeries.
13. That if someone in a household has tested positive for COVID-19, the household shall follow guidance and/or instruction provided by the County Public Health Authority. It is strongly recommended that household members seek medical attention if they begin to feel any symptoms of COVID-19. It is also recommended that household members follow CDC guidance precautions to help minimize the spread of COVID-19 in the household. Additional information can be found at <https://www.cdc.gov/coronavirus/2019-ncov/daily-life-coping/get-your-household-ready-for-COVID-19.html>.
14. That nursing homes, retirement, and long-term care facilities are to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end of life visitation, as determined through guidance from the Texas Health and Human Services Commission.
15. Individuals experiencing homelessness are strongly urged to obtain shelter and maintain Social Distancing when feasible. If a homeless person is sheltered and exhibits symptoms or is diagnosed, the shelter's isolation center shall be deemed the residence of the homeless person solely for the purpose of complying with the requirements of this Declaration. Medical personnel shall make the decision whether any other shelter residents shall be required to isolate based on potential exposure. Available shelters, to the maximum extent practicable, must use COVID-19 risk mitigation practices in their operations.
16. That this Declaration does not prohibit people from engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other Essential Business or Services or services from businesses providing Minimum Basic Operations, visiting parks, hunting or fishing, or engaging in physical activity like jogging or bicycling, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household.
17. Definitions:
 - a. Social Distancing.
Shall mean maintaining at least 6 feet distance from other individuals, frequently washing hands with soap and water for at least 20 seconds, using hand sanitizer, covering coughs or

sneezes (into the sleeve or elbow, not the hands), regularly disinfecting high touch surfaces, and not shaking hands.

b. Essential Businesses and Services.

- i. Pursuant to Governor Abbott's Executive Order GA-16, everything listed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 3.0, or any subsequent version. Additional businesses and services may also be added by TDEM, as discussed in paragraph 9, above. All Essential Business or Services should be provided through remote telework from home unless they cannot be provided through remote telework.
- ii. Religious services, regardless of religion, conducted in churches, congregations, or other houses of worship. Religious services should be conducted in accordance with the *Revised Guidelines for Houses of Worship During the COVID-19 Crisis*, as promulgated by the attorney general and governor issued April 21, 2020, as may be amended. Based on substantial community spread of the virus as determined by the Local Health Authority, it is strongly recommended that religious services continue to be provided remotely, including outdoor drive-up services where individuals remain in their vehicles.

18. That in accordance with Attorney General Opinion KP-0296, nothing in this Declaration shall be construed to prohibit or regulate the transfer, possession, or ownership of firearms, or commerce in firearms.
19. That this Declaration hereby authorizes the use of all lawfully available enforcement tools, including applicable county and State of Texas criminal penalties.
20. That the sections, paragraphs, sentences, clauses and phrases of this Declaration are severable and if any phrase, clause, sentence, paragraph or section of this Declaration should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences paragraphs and sections that can be given effect without the invalid provision, and to this end, the provisions of this Declaration are severable.
21. That this Declaration shall take effect at 12:01 am on April 24th, 2020, and shall remain in effect until May 1, 2020, unless terminated or modified by a subsequent Order.

ORDERED this the 23rd day of April 2020.



Betsy Price, Mayor