

**SECOND DECLARATION OF LOCAL DISASTER
FOR PUBLIC HEALTH EMERGENCY**
DATE ISSUED: MARCH 24, 2020

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has spread throughout the world and has now been declared a global pandemic by the World Health Organization; and

WHEREAS, symptoms of COVID-19 include fever, coughing, and shortness of breath, and in some cases the virus has caused death; and

WHEREAS, the COVID-19 virus mainly 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 for the protection of the people of the City of Denton; and

WHEREAS, the known cases of COVID-19 diagnosed in the State of Texas is currently increasing daily with 200 positive or presumed positive cases across North Texas; and

WHEREAS, since the original Declaration issued by the Mayor on March 13, 2020, there have been eight (8) positive COVID-19 cases in the City of Denton, with six of those being confirmed on Sunday, March 22, 2020; and

WHEREAS, extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout the City of Denton, including the limitation of all gatherings to no more than ten (10) people; and

WHEREAS, this Order continues the activation of the City of Denton Emergency Management Plan; and

WHEREAS, the Mayor issued a Declaration of Local Disaster due to Public Health Emergency on March 13, 2020, which was renewed and amended by the Denton City Council on March 17, 2020 (Ordinance No. 20-721) and March 20, 2020 (Ordinance No. 20-740). Now the Mayor issues this Second Declaration of Local Disaster for Public Health Emergency to implement additional measures to ensure the protection of the residents of the City of Denton, Texas.

NOW, THEREFORE, BE IT DECLARED BY THE MAYOR OF THE CITY OF DENTON:

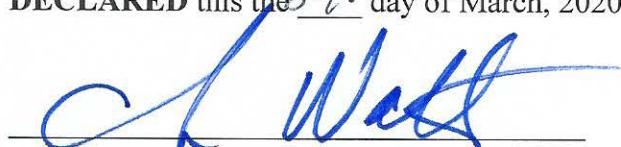
1. This Second Declaration of Local Disaster for Public Health Emergency is hereby declared and shall continue for a period of not more than seven (7) days from 11:59 p.m., March 25, 2020 unless continued or renewed by the Denton City Council.

2. Pursuant to Texas Government Code Section 418.108(c) and Section 9-25 of the City of Denton Code of Ordinances, this Second Declaration of Local State of Disaster for Public Health Emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

3. Pursuant to Section 418.108(d) of the Texas Government Code, this Second Declaration of Local State of Disaster for Public Emergency continues the activation of the City of Denton emergency management plan and grants the Mayor the powers set forth in Section 9-22 of the City of Denton Code of Ordinances.

4. That this declaration shall take effect at 11:59 p.m. on March 25, 2020.

DECLARED this the 24 day of March, 2020.



Honorable Chris Watts
City of Denton Mayor



ORDER OF THE MAYOR OF THE CITY OF DENTON
DATE ISSUED: MARCH 24, 2020

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. As the number of positive cases of COVID-19 continue to increase in the City of Denton, there is an immediate need to undertake the following measures described in this Order. This Order amends the Order of the City Council adopted on Friday, March 20, 2020 (Ordinance No. 20-740) for a period of not more than seven (7) days, beginning at 11:59 p.m. on Wednesday, March 25, 2020, and continuing through 11:59 p.m. on Wednesday, April 1, 2020.

PURUSANT TO THE MAYORAL DECLARATION OF MARCH 24, 2020 AND THE AUTHORITY IN SECTION 9-22 OF THE DENTON CODE OF ORDINANCES AND SECTION 416.108 OF THE TEXAS GOVERNMENT CODE, CITY OF DENTON MAYOR CHRIS WATTS HEREBY ORDERS:

1. This Order pertaining to a Declaration of Local Disaster for Public Health Emergency, originally enacted on March 13, 2020 and renewed by the City Council on March 17 and March 20, 2020, amends the Order of the City Council adopted on Friday, March 20, 2020 via Ordinance No. 20-740 for a period of not more than seven (7) days, unless continued or renewed by the City Council. The Order shall take effect at 11:59 p.m. on Wednesday, March 25, 2020 and continue through 11:59 p.m. on Wednesday, April 1, 2020.
2. Effective as of 11:59 p.m. on March 25, 2020:
 - a. All individuals currently living within the City of Denton are ordered to STAY AT HOME or their current place of residence. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, travel to businesses outside of the City of Denton, provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 3.
 - b. All businesses operating within the City of Denton, except Essential Businesses as defined below in Section 3, are required to cease all activities at facilities located within the City of Denton. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines attached, including maintaining six-foot social distancing for both employees and the general public.

- c. All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit (an apartment or house for use by one family).
- d. Restaurants and beverage bars with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.
- e. Religious and worship services may only be provided by video and teleconference. All individuals preparing for or conducting video or teleconference services must follow the Social Distancing Guidelines including the six-foot social distancing.
- f. All elective medical, surgical, and dental procedures are prohibited anywhere in the City of Denton. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or canceled based on patient risk considering the emergency need for the redirection of resources to COVID-19 response.

3. Definitions:

- a. For purposes of this Order, "Essential Business" means:
 - i. **Essential Healthcare Operations.** Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures, pursuant to Section 2(f) of this Order.
 - ii. **Essential Government Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety, and welfare of the public. Further, nothing in this order shall prohibit any individual from performing or accessing "Essential Government Functions." All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible. State or Federal government agencies shall follow State or Federal guidance to the extent

- possible.
- iii. **Essential Critical Infrastructure.** Work necessary to the operations and maintenance of the critical infrastructure sectors, including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), banks, financial institutions, pawn shops, safety and security related services, retail firearm sales, defense and national security-related operations, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees, and all activity should be performed in compliance with social distancing guidelines as set forth by the CDC.
- iv. **Essential Retail.** Food service and household providers, including grocery stores, warehouse stores, big-box stores, bodegas, liquor stores, gas stations and convenience stores, and farmers' markets. Food cultivation, including farming, hunting, fishing, and livestock, to the extent allowed by law. Businesses that ship or deliver groceries, food, goods, or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for drive through, delivery, or carry out. Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas stations, auto-supply, auto and bicycle repair, hardware stores, construction supply stores, and related facilities. Businesses that supply products needed for people to work from home.
- v. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses, including but not limited to non-profit organizations, that provide food, shelter, social services and support for said services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- vi. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance, and security, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintain the

safety, sanitation, and essential operations of residences, and Essential Businesses. Professional services, such as legal, accounting services, property management, and real-estate services, RV sales and services for housing when required to assist in compliance with legally mandated activities. Businesses that supply products needed for people to work from home.

- vii. **News Media.** Newspapers, television, radio, and other media services.
- viii. **Childcare Services.** Childcare facilities providing services that enable employees exempted in this order to work as permitted.

- b. For purposes of this Order, “Essential Activities” is defined as the following:
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members including pets and livestock (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home); and
 - ii. To obtain necessary food, beverage, services, or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences).
 - iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, or running). Use of public playground equipment is prohibited.
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
 - v. To care for a family member or pet in another household.

4. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, retail suppliers shall use common sense rationing of household products and groceries that are in limited supply.

5. If someone in a household has tested positive for COVID-19, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function until cleared by a medical professional.

6. Nursing homes, retirement, and long-term care facilities are instructed to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.

7. This Order hereby authorizes the use of all lawfully available enforcement tools found in Denton City Code, Chapter 9 (Emergency Management), state or federal laws.

8. Pursuant to Section 9-22 of the Code of Ordinances, the following measures are also hereby ordered continued as set forth herein:

- a. All City Committee, Commission, and Board meetings are suspended through the term of this order, with the exception of the Planning and Zoning Commission, which shall meet only to consider applications subject to state law-imposed deadlines;
- b. City Council meetings shall be rescheduled as posted and may be conducted in accordance with alternate measures as permitted by law;
- c. Only electronic purchasing submissions shall be accepted;
- d. No development applications listed in Table 2.2-A in the Denton Development Code shall be accepted for the term of this Order or any extension hereof;
- e. The City Manager or his designee is authorized to make application for local, state, and federal assistance as necessary and/or applicable;
- f. The City Manager or his designee is authorized to accept on behalf of the City services, gifts, grants, equipment, supplies, and/or materials whether from private, nonprofit, or government sources;
- g. The City Manager or his designee is authorized to terminate or suspend any event that is or may negatively impact the health, safety, and welfare of persons within the City;
- h. The City Manager is authorized to approve individual purchases up to \$500,000.00 for general expenditures, which includes: fees, professional services, personal services, and other categories exempted from the bid process by the Local Government Code Section 252.022;
- i. All City of Denton utility non-payment shut offs are suspended during the term of this Order and no penalties under Ordinances 19-2140, 19-2136, 19-2137, 19-2138, or 18-1494 shall accrue during the pendency of this order or any extension hereof; and
- j. The City Manager is given authority to expend up to \$50,000.00 as funding to the United Way of Denton County to assist individuals and families living in the City of Denton, who have experienced income or job loss directly resulting from COVID-19, in eviction avoidance;
- k. The City Manager is authorized to expend no more than an additional Five Hundred Fifty Thousand Dollars (\$550,000.00) during this period to proceed with the necessary emergency responses and essential functions not already budgeted.

9. Copies of this Order shall be promptly provided to the City Secretary for filing and posting on the City's website and in other conspicuous places.

IT IS SO ORDERED


Mayor Chris Watts
City of Denton