



**FIRST AMENDED 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; Second Amendment Declaration on March 21, 2020; Executive Order clarifying language in Second Amendment on March 22, 2020; and Executive Order March 24, 2020.

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

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 to 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 (ordered March 20, 2020), 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 in compliance with this declaration gatherings shall be limited as outlined within the Disaster Restrictions (hereto attached as Exhibit A). The uses in Article II are not considered "gatherings," but are limited or prohibited therein.
8. 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. In accordance with Executive Order of County Judge Glen Whitley dated March 24, 2020, all persons residing within Colleyville should stay at their place of residence to reduce the risk of virus spread, except as allowed by this declaration.
2. Individuals testing positive for COVID-19 shall quarantine at home until such time as they are symptom-free or cleared by a medical professional. First responders (police, fire, public works, and essential government leadership) shall be allowed to work so long as protocols exist to protect public from virus spread.
3. That this declaration hereby directs that all non-essential businesses (essential businesses are defined in Exhibit A hereto) shall close to public. Non-essential businesses may continue Minimum Basic Operations (defined below) consisting exclusively of the following as long as Social Distancing is maintained between all employees and contractors during the activities:

- i. Operations necessary to maintain security, upkeep, and maintenance of premises, equipment or inventory, including but not limited to the care and maintenance of livestock or animals;
- ii. IT or other operations that facilitate employees working from home;
- iii. Facilitate online or call-in sales performed by employees in a store or facility closed to the public; allows for in-store or curbside pick-up;
- iv. In-store repair services performed by employees in a store or facility closed to the public.

ARTICLE III PENALTIES

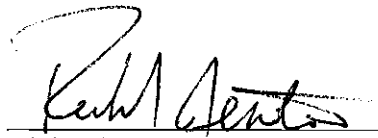
1. In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates Article I of this declaration commits an offense, punishable by a fine up to \$1,000.00 or confinement in jail for a term that does not exceed 180 days.
2. The provisions contained in Article II of 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 first amended declaration shall take effect at 11:59 PM, March 24, 2020. The original declaration effective at 11:59 PM, March 20, 2020 remains in full force and effect until such time as this first amended declaration becomes effective.

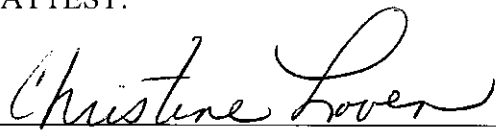
Signature page follows

ORDERED this 24th day of March, 2020.



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

ATTEST:



Christine Loven, TRMC
City Secretary

Signed this 24th day of March 2020 at 4:15 p.m.

Exhibit A Disaster Restrictions

Locations	Restrictions
All gatherings without regard to purpose, unless identified herein below.	No gatherings allowed except those comprised of family members, provided that no more than 10 family members are gathered at one time.
<u>Outdoor activities in Public Spaces</u> Walking, biking, running, golf courses and driving ranges, utilizing parks, etc.	Allowed. Social distancing required. Multiple families utilizing outdoor spaces does not constitute a gathering.
All businesses except Essential Businesses	No public occupancy permitted. Minimum basic operations allowed. Social distancing required.
<u>Entertainment & Retail</u> Bars, lounges, taverns; Indoor commercial amusement establishments; bingo halls; theaters; gyms; private clubs; meeting spaces; club houses; event centers; hotel meeting spaces and ballrooms; outdoor markets; malls; retail stores that do not sell essential household goods	No public occupancy permitted. Minimum basic operations allowed. Social distancing required.
<u>Hands-on Services</u> Hair and nail and barber shops; estheticians and related personal care businesses; spas and massage parlors; tattoo and piercing parlors and tanning salons; dog grooming	No public occupancy permitted. Minimum basic operations allowed. Social distancing required.
Food / Restaurant Establishments	In-House dining - CLOSED. Drive-in, drive-through, take out, and delivery is permitted. Social distancing required.
Worship Services	Buildings closed for in-person group services, provided staff can attend to produce audio/video services. One-on-one appointments allowed. Social distancing required.
<u>Essential Businesses</u> Grocery stores; stores selling essential household goods; pet food stores; convenience and package stores; pharmacies and drug stores; hardware stores; gas stations Day care facilities; medical facilities; veterinary care; non-profit service providers; homeless and emergency shelters Office buildings; essential government buildings; legal services; financial institutions; real estate transactions; Airports and transit facilities; transportation systems; residential buildings and hotels; construction; manufacturing and distribution facilities; communications; utility services; critical infrastructure sectors Maintenance and repair services; property maintenance services; pest control; laundromats, dry cleaners, laundry service; mail and shipping services	Allowed to remain open. Social distancing required.
Nursing homes, retirement, and long-term care facilities	Prohibit non-essential visitors unless to provide critical assistance or for end-of-life visitation
Funeral Services	Allowed to operate, but no more than 10 individuals allowed to gather indoors. Gatherings of more than 10 people must be outdoors with 6 ft. distance between individuals. Must practice social distancing.