

**FIRST AMENDED DECLARATION OF PUBLIC HEALTH EMERGENCY
CITY OF MANSFIELD, TEXAS**

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 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, County Judge Glen Whitley issued a Declaration of Disaster Due to Public Health Emergency for Tarrant County for COVID-19 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, President Donald Trump declared a State of National Emergency for the United States of America on March 13, 2020;

WHEREAS, the President’s Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16, 2020, call upon Americans to slow the spread of COVID-19 by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps;

WHEREAS, the Mayor of Mansfield, Texas was notified by the Texas Department of State Health Services of two positive cases of COVID-19 within the city limits of Mansfield, Texas, one in Johnson County and one in Tarrant County, Texas on March 18, 2020;

WHEREAS, the Texas Department of State Health Services has now determined that, as of March 19, 2020, COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code;

WHEREAS, the Governor of Texas, Greg Abbott, issued an Executive Order effective March 20, 2020, and continuing until 11:59 p.m. on April 3, 2020;

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor is designated as the Emergency Management Director of the City of Mansfield, 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, I, David L. Cook, the Mayor of the City of Mansfield 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 18, 2020, and hereby issue this First Amended Declaration of Public Health Emergency to implement additional measures consistent with Governor Greg Abbott's Executive Order, in order to ensure the protection of the general public in the City of Mansfield;

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

1. That a state of disaster and public health emergency is hereby declared for the City of Mansfield, 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, and may not be continued or renewed for a period of more than seven days, unless the same is continued by the City Council of the City of Mansfield, 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 take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating 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.
6. That people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance.
7. That this declaration hereby limits the size of social gatherings to no 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 a multi-level office, residential building, or hotel, so long as 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 people may be present at different times during the day, so long as more than 10 people are not present in the space at the same time. For any gathering covered by this subsection, the Mayor of the City of Mansfield strongly encourages compliance with the attached recommendations. The uses in Sections 8, 9, and 10 are not considered "gatherings," but are limited or prohibited as provided in Sections 8, 9, and 10.
8. That this declaration hereby orders that a restaurant with or without drive-in or drive-through services; drive-in restaurant; drive-through restaurant; or microbrewery, micro-distillery, or winery may only provide take out, delivery, or drive-in or drive-through services as allowed by law.
9. That this declaration hereby orders the closure of a bar, lounge, or tavern; commercial amusement; theater; gym; massage parlor; and private club.

10. That this declaration hereby limits the occupancy of the following locations to 50% occupancy as set forth on the business' certificate(s) of occupancy or 125 individuals, whichever is less:

- a. Event Centers;
- b. Hotel Meeting Spaces, and Ballrooms;
- c. Retail Stores;
- d. Convenience Stores;
- e. Plazas;
- f. Places of Worship; and


This 50% occupancy limit does not apply to areas not listed above, including office buildings, government buildings, critical infrastructure, residential buildings, grocery stores, manufacturing locations, non-profit service providers, day cares, and medical facilities.

11. That this declaration hereby authorizes the use of all lawfully available enforcement tools.

12. That this declaration sets forth strong recommendations, attached hereto, for the purpose of mitigating the spread of COVID-19.

13. That this declaration shall take effect at 11:59 p.m. on March 20, 2020.

ORDERED THIS the 20th day of March, 2020.



David L. Cook, Mayor

ATTEST:



Susana Marin, City Secretary