

**FIFTH 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 March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic;

WHEREAS, County Jude Glen Whitley issued multiple Declaration of Disaster due to Public Health Emergency for Tarrant County for COVID-19;

WHEREAS, Governor Greg Abbott issued a State of Disaster for all Texas counties for COVID-19 and has issued at least 19 Executive Orders for COVID-19;

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

WHEREAS, the Mayor of Mansfield, Texas has been notified by the Texas Department of State Health Services and, Tarrant County, Johnson County and Ellis County health officials numerous positive cases of COVID-19 and thus the Mayor of Mansfield has issued multiple Declarations of Public Health Emergency for COVID-19;

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, 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, Texas, 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;

WHEREAS, I, David L. Cook, the Mayor of the City of Mansfield, Texas, have previously issued a Declaration of Public Health Emergency on March 18, 2020, a First Amended Declaration of Public Health Emergency on March 20, 2020, a Second Amended Declaration of Public Health Emergency on March 24, 2020, a Third Amended Declaration of Public Health Emergency on March 31, 2020, and a Fourth Amended Declaration of Public Health Emergency on April 13, 2020, in order to implement additional measures consistent with Governor Greg Abbott's Executive Orders, and in order to ensure the protection of the general public in the City of Mansfield; and

WHEREAS, I, David L. Cook, the Mayor of the City of Mansfield, Texas, now find it necessary to issue this Fifth Amended Declaration of Public Health Emergency on this 1st day of May, 2020, in order 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 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.
3. That the City's Emergency Operations Plan is activated and implemented, pursuant to §418.108(d) of the Texas Government Code.
4. That effective immediately and continuing through May 8, 2020, the City hereby adopts the provisions of Executive Orders GA-18 and GA-19 issued by Governor Greg Abbott on April 27, 2020. The provisions of GA-18 and GA-19 are incorporated herein by reference as if written word for word. For clarity nothing in the Declaration is intended to conflict with Governor Abbott's Executive Orders, however, in the event of a conflict of this Declaration and Governor Abbott's Executive Orders, Governor Abbott's Orders shall control.
5. That this Declaration hereby authorizes the use of all lawfully available enforcement tools. Any person, firm, corporation, agent, or employee thereof who violates any of the provisions of this Declaration commits an offense that is considered to be a Class C misdemeanor and each day the violation continues shall be a separate offense punishable by a fine of not more than \$500. The penalty provided for in this Declaration is in addition to any other remedies that the City of Mansfield may have under its ordinances and/or that the State of Texas may have under state law.
6. That any certified peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Declaration in accordance with the authority granted under the Texas Disaster Act of 1975.
7. 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.
8. This Fifth Amended Declaration of Public Health Emergency shall take effect on the 1st day of May, 2020, and shall remain in effect for a period of not more than seven (7) 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.

ORDERED THIS the 1st day of May, 2020.



David L. Cook, Mayor

ATTEST:



Susana Marin, City Secretary