

**FIRST AMENDED DECLARATION OF LOCAL DISASTER
AND PUBLIC HEALTH EMERGENCY
BY MAYOR SCOTT LeMAY
OF THE CITY OF GARLAND, 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, the County of Dallas and virtually every major municipality within Dallas County – indeed within all major metropolitan communities in Texas – have issued one or more declarations of disaster within the last two weeks;

WHEREAS, many of those declarations have been updated since the original issuance of the declaration to implement and order increasing response measures to the spread of COVID-19;

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

WHEREAS, also on March 13, 2020, President Donald Trump declared a State of National Emergency for the entire country;

WHEREAS, pursuant to Chapter 418 of the Texas Government Code, the mayor 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 laws of Texas, I authorize the use of all available resources of state government and political subdivisions to assist in the City's response to this local disaster and public health emergency;

WHEREAS, I, Scott LeMay, the Mayor of the City of Garland, 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 who could potentially be infected or impacted by COVID-19; and

WHEREAS, I issued a Declaration of Local Disaster on March 16, 2020, an order that was subsequently ratified and expanded by the City Council on March 17, 2020;

WHEREAS, Governor Abbott issued Executive Order GA 08 and Commissioner John W. Hellerstedt, M.D. issued a Declaration of Public Health Disaster in the State of Texas on March 19, 2020 to implement statewide measures to address the spread of COVID-19; and

WHEREAS, County Judge Clay Jenkins has issued a series of amended declarations of disaster for Dallas County over the past several days, implementing increasing responses to the COVID-19 emergency;

WHEREAS, in order to immediately implement measures similar to consistent with those of Dallas County and other governmental entities within Dallas County and elsewhere in the State, I now issue this Amended Declaration of Local Disaster and Public Health Emergency to better align the City of Garland's response with similar measures put into place elsewhere;

NOW THEREFORE, I, SCOTT LeMAY, MAYOR OF THE CITY OF GARLAND, TEXAS, HEREBY PROCLAIM AND DECLARE:

1. That a state of disaster and public health emergency is hereby declared for the City of Garland, Texas pursuant to Sec. 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 Garland, Texas, pursuant to Sec. 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 Sec. 418.108(c) of the Texas Government Code.
4. That the City's Emergency Operations Plan is activated and implemented, pursuant to Sec. 418.108(d) of the Texas Government Code.
5. That this declaration authorizes the City to take possession of 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 and Constitutional limits, pursuant to Sec. 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, 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 Sec. 122.006 of the Health and Safety Code.
7. That, subject to Constitutional limits, this declaration hereby limits the size of gatherings to no more than 10 people and mandates the cancellation of all such gatherings of more than 10 people until further notice, except as specifically provided otherwise in sections 8 (closures) and 10 (continued operation) of this Declaration. For purposes herein, a gathering is any indoor or outdoor event that brings together or is likely to bring together more than 10 people at the same time in a single space where people are present and within 6 feet of one another, without regard to the purpose of the gathering. This declaration does not prohibit gatherings of people in numbers more than 10 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 10 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. This declaration does not make a distinction between the types of gatherings, i.e. social, community, or recreational.
8. That this declaration hereby orders that all food service establishments (as defined by Sec. 22.26 of the Garland Code of Ordinances) within the City may provide only take out, delivery, or drive-in or drive-through food services as otherwise allowed and regulated by law. Employees working at a business described in this section shall not be considered a gathering under section 7 of this Declaration, however, in no event shall more than ten non-employees be present inside of a business covered by this section at any one time except as otherwise provided in section 7.

9. That this declaration hereby orders the closure of and prohibits individuals to occupy bars, lounges, taverns, commercial amusement and entertainment establishments, bingo halls, theaters, gyms, private clubs, hair and nail salons, estheticians and other personal care businesses, spas, massage parlors, barber shops, tattoo parlors, piercing parlors, tanning salons, residential meeting spaces, event centers, hotel meeting spaces and ballrooms, outdoor plazas and markets, malls and retail stores that do not sell essential household goods.
10. That the following may continue doing business and continue operations provided they enforce social separation: grocery stores, stores selling essential household goods, convenience stores and gas stations, pharmacies and drug stores, day care facilities, medical facilities, veterinary facilities, non-profit service providers, homeless and emergency shelters, office buildings, essential government buildings, airports and transit facilities, transportation systems, residential buildings and hotels, and manufacturing and distribution facilities. The entities listed in this section are not subject to the ten-person limit referenced in section 7, but in all such locations, there must be sufficient space for all people to be 6 feet apart at all times to control infection.
11. Notwithstanding the above restriction, this Declaration is not intended to apply to any business operations delivering essential services. Essential services include services, by whomsoever rendered, and whether rendered to the government or to the public, the interruption of which would endanger life, health or personal safety of the whole or part of the population. Non-elective medical, surgical, and dental procedures are considered essential; elective medical, surgical, and dental procedures are non-essential for purposes of this Declaration. Healthcare providers who offer medical, surgical, and dental services to the public shall determine, using good professional judgment, what procedures are to be considered non-elective by assessing whether a procedure may be postponed or cancelled based on patient risk and considering the need to reserve resources for the COVID-19 response.
12. If a person in a household has tested positive for COVID-19, all persons within the household is ordered to isolate at home. Members of the household may not go to work, school, or any other community function until cleared by a medical professional but may seek medical services as needed from medical personnel and facilities.
13. A mandatory limit on toilet tissue is ordered until the supply chain meets demand or 14 days after the effective date of this Declaration. All sales of toilet paper are limited to the greater of 12 rolls per purchase or one package per purchase.
14. That this declaration hereby authorizes the use of all lawfully available enforcement measures provided that all City restrictions on delivery hours for transport to or from any business involved in the selling or distribution of food and household products, medicine or medical supplies are suspended until May 31, 2020.

15. To the extent not inconsistent with the provisions of this Declaration, the terms and conditions of the Amended Order of County Judge Clay Jenkins, issued March 21, 2020, are adopted as part of this Declaration.

16. That this proclamation shall take effect at 9:00 p.m. on March 21, 2020.

SO ORDERED this the 21st day of March, 2020.

/S/ _____ Scott LeMay _____
Mayor