

A Resolution

NO. _____

RESOLUTION TO CONTINUE THE MAYOR'S AUGUST 2, 2020 EXECUTIVE ORDER REGARDING FACE COVERINGS

WHEREAS, pursuant to Texas Government Code § 418.108, Mayor Betsy Price issued a Declaration of Local Disaster Due to Public Health Emergency on March 13, 2020 in response to the imminent threat of widespread illness from COVID-19; and

WHEREAS, the Declaration of Local Disaster declared on March 13, 2020 has remained in place continuously since such date; and

WHEREAS, Governor Greg Abbott, on April 17, 2020, suspended Section 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that were inconsistent with the Governor's executive orders; and

WHEREAS, Governor Greg Abbott, on or about April 27, 2020, expressed that local officials cannot require individuals to wear face masks to ensure that individual liberty is not infringed upon by government; and

WHEREAS, Governor Greg Abbott, on June 17, 2020, stated that local governments can require stores and businesses to require masks; and

WHEREAS, Mayor Price, on June 25, 2020, issued an executive order requiring businesses in the City of Fort Worth to implement a Health and Safety Policy to help stop the spread of COVID-19, which was subsequently extended by the Fort Worth City Council until 6:00 am on August 3, 2020; and

WHEREAS, Governor Greg Abbott, on July 2, 2020, issued Executive Order GA-29 which requires individuals to wear face coverings in certain circumstances in order to stop the spread of COVID-19; and

WHEREAS, it is the intent of this Resolution to remain consistent with and to harmonize, to the extent possible, the executive orders of Governor Greg Abbott (as extended or modified); and

WHEREAS, there currently still exists a declaration of public health disaster in and for the State of Texas as declared by Governor Greg Abbott and the Texas Department of State Health Services (DSHS) and locally by the approval of Resolution 5216-04-2020, Resolution of Public Health Emergency, approved by the Fort Worth City Council on April 29, 2020; and

WHEREAS, the Mayor is authorized to take such actions as are necessary in order to protect the health, safety and welfare of the citizens of Fort Worth so long as such action is consistent with Governor Abbott's executive orders; and

WHEREAS, the transmission of COVID-19 has not significantly dissipated and remains a significant threat to the health and safety of the Fort Worth community and additional action is necessary to decrease rates of infection and the number of people admitted to hospitals, ICU, or on ventilators; and

WHEREAS, the Mayor issued an Executive Order on August 2, 2020, regarding face coverings (the “Executive Order”) for the purpose of continuing to protect the health and safety of the community and address developing and rapidly changing circumstances; and

WHEREAS, pursuant to Texas Government Code Chapter 418 and the Texas Disaster Act of 1975, the City Council must renew or continue the Executive Order for the Executive Order to remain in effect beyond seven (7) days.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

I.

1. That the Executive Order, a copy of which is attached, is hereby continued through 11:59 pm on August 31, 2020, unless extended, modified or terminated early by the Mayor or the City Council.
2. That all of the regulations provided in the Executive Order and this resolution are hereby declared to be governmental and for the health, safety, and welfare of the general public.

II.

That this resolution shall take effect immediately from and after its issuance.

ADOPTED THIS 4th day of August, 2020.

Betsy Price
Mayor

Sarah J. Fullenwider
City Attorney

Mary J. Kayser
City Secretary