

RESOLUTION _____

RESOLUTION OF PUBLIC HEALTH EMERGENCY

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; and

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; and

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; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

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; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

WHEREAS, on March 13, 2020, County Judge Glen Whitley issued a Declaration of Disaster Due to Public Health Emergency for Tarrant County, Governor Greg Abbott issued a State of Disaster for all Texas counties, and President Donald Trump declared a State of National Emergency for the United States of America on March 13, 2020; and

WHEREAS, the Mayor of the City of Fort Worth issued and subsequently amended a Declaration of Public Health Emergency for the City of Fort Worth to implement measures to help mitigate the impacts of COVID-19 and stop its spread across the City and surrounding areas; and

WHEREAS, the Fort Worth City Council adopted resolutions to extend the Mayor's Declaration of Public Health Emergency, as amended, through April 30, 2020; and

WHEREAS, Governor Abbott issued Executive Order GA-18 and GA-19 on April 27, 2020, to provide for statewide measures to address the spread of COVID-19 and implement Phase 1 of his Open Texas strategic plan ("Open Texas Plan"), which allows certain nonessential businesses to reopen for restricted business on May 1, 2020; and

WHEREAS, Governor Abbott has indicated that he intends to issue executive orders to implement additional phases of his Open Texas Plan as certain metrics are met on a state-wide basis related to containing the spread of COVID-19; and

WHEREAS, the current situation with COVID-19 leads the City Council to believe that the mitigation efforts and emergency response must continue past April 30, 2020, with specific changes to address the evolving nature of the emergency situation and to ensure that the City remains consistent with Governor Abbott's executive orders and Open Texas Plan.

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

I.

1. That the designation of a public health emergency for the City is hereby extended and shall be coterminous with the State of Disaster issued by Governor Greg Abbott on March 13, 2020, as may be amended and renewed.
2. That all Fort Worth Declarations of Public Health Emergency are hereby superseded by this Resolution of Public Health Emergency.
3. That the City's Emergency Operations Plan shall continue to be implemented, pursuant to §418.108(d) of the Texas Government Code.
4. That this resolution authorizes the City to order the evacuation of all or part of the population from a stricken or threatened area under the jurisdiction and authority of the mayor if necessary for the preservation of life or other disaster mitigation, response, or recovery, and to control the movement of persons and the occupancy of premises, pursuant to §418.108(f), (g) of the Texas Government Code.
5. That the City adopts the provisions of Executive Orders GA-18 and GA-19 issued by Governor Greg Abbott on April 27, 2020, as may be amended or superseded by subsequent executive orders related to the Open Texas Plan issued by the Governor ("Executive Orders"). The provisions of the Executive Orders are incorporated herein by reference as if written word for word.
6. That any person, firm, corporation, agent or employee thereof who violates any of the provisions of this resolution commits an offense that is considered a class C misdemeanor and each day the violation continues shall be a separate offense punishable by a fine of not more than \$500. A culpable mental state is not required for the commission of an offense under this resolution and need not be proved. The penalty provided for in this resolution is in addition to any other remedies that the City may have under City ordinances and state law, including said penalties outlined in the Executive Orders issued to address the spread of COVID-19.
7. That all of the regulations provided in 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 ____day of April, 2020.

Betsy Price
Mayor

Sarah J. Fullenwider
City Attorney

Mary J. Kayser
City Secretary