

**SIXTH AMENDED DECLARATION OF PUBLIC HEALTH EMERGENCY
CITY OF FORT WORTH, TEXAS
STAY AT HOME, WORK SAFE MEASURES**

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 City of Fort Worth 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, pursuant to the Texas Disaster Act of 1975, the mayor is designated as the emergency management director of the City of Fort Worth, 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, Betsy Price, the Mayor of the City of Fort Worth 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, 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 Governor Abbott issued Executive Order GA 14 superseding GA 08 on March 31, 2020; and

WHEREAS, County Judge Glen Whitley issued a Second Amended Declaration of Disaster Due to Public Health Emergency for Tarrant County for COVID-19 on March 21, 2020 and an Executive Order on April 3, 2020;

WHEREAS, I issued a Declaration of Public Health Emergency on March 13, 2020, an Amended Declaration of Public Health Emergency on March 16, 2020, a Second Amended Declaration of Public Health Emergency on March 18, 2020, a Third Amended Declaration of Public Health Emergency on March 19, 2020, a Fourth Amended Declaration of Public Health Emergency on March 21, 2020, and a Fifth Amended Declaration of Public Health Emergency on March 24, 2020, to implement additional measures to ensure the protection of the general public in the City of Fort Worth; and

WHEREAS, to remain consistent with the declaration of the Texas Department of State Health Services and the executive orders issued by Governor Greg Abbott and to harmonize to the extent possible, the executive orders of Governor Greg Abbott, the Tarrant County Judge and the mandates contained in the declarations of the Mayors of the Cities of Fort Worth, Arlington and other cities, I now issue this Sixth Amended Declaration of Public Health Emergency.

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

1. That a state of disaster and public health emergency is hereby declared for the City of Fort Worth, 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, unless the same is continued by the City Council of the City of Fort Worth, 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 commandeer 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, pursuant to §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, establishing quarantine stations, emergency hospitals, and other 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.
7. That this Declaration 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.
8. All persons currently residing within the City of Fort Worth shall stay at home, except as allowed by this Declaration. All persons may leave their residences only for Essential Travel, Essential Services, and Essential Activities, to work in or access Essential Businesses, Government Service, or Essential Critical Infrastructure, or to perform Minimum Basic Operations, as defined below.

To the extent individuals are using shared or outdoor spaces, they must maintain Social Distancing and minimize in-person contact with people who are not in the same household.

Nothing in this Declaration is intended to restrict "essential services" as such term is defined in Governor Abbott's Executive Order GA-14 (Order GA-14), nor is it intended to allow gatherings prohibited by Order GA-14. To the extent that the Texas Division of Emergency Management approves additions to "essential services", those additions will be treated as an Essential Business in the City of Fort Worth. Nothing herein is intended to impose restrictions inconsistent with Order GA-14 or any other order issued by the Governor currently in effect relating to COVID-19 (a COVID Order). To the extent that this Executive Order conflicts with a COVID Order, the provisions in a COVID Order prevail. All questions relating to what is an essential service or business shall be directed to the Texas Division of Emergency Management via email at EssentialServices@tdem.texas.gov. Information is also available at www.tdem.texasa.gov/essentialservices.

9. All businesses operating in City of Fort Worth, except Essential Businesses as defined herein, shall not allow members of the public to occupy business premises. Non-essential businesses may continue Minimum Basic Operations, as outlined below, so long as the businesses strictly adhere to the following: (1) minimize in-person contact with people who are not in the same household; (2) maintain Social Distancing; (3) utilize remote teleworking to the greatest extent possible; and (4) minimize the number of employees needed to operate at a basic level.

Minimum Basic Operations allows the minimum necessary activities to:

- a. Maintain the value of the business's inventory or equipment, process payroll and employee benefits, maintain the premises and the security of the premises, equipment or inventory, including the care and maintenance of livestock or animals;
 - b. IT or other operations that facilitate employees working from home; and
 - c. Facilitate online or call-in sales; and/or perform in-store repair services.
10. It is ordered 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, curbside pickup or drive-in or drive-through services as allowed by law. Social Distancing is required.
11. All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Declaration prohibits the gathering of members of a household or living unit.
12. All elective medical, surgical, and dental procedures are prohibited anywhere in City of Fort Worth. All licensed health care professionals shall postpone all surgeries and procedures that are not immediately medically necessary to correct a serious medical condition of, or to preserve the life of, a patient who without immediate performance of the surgery or procedure would be at risk for serious adverse medical consequences or death as determined by the patient's physician. Provided, however, that this prohibition shall not apply to any procedure that, if performed in accordance with the commonly accepted standard of clinical practice, would not deplete the hospital capacity or the personal protective equipment needed to cope with the COVID-19 disaster.¹
13. If someone in a household has tested positive for COVID-19, the household is ordered to isolate at home. Members of the household cannot 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.
14. Nursing homes, retirement, and long-term care facilities are to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
15. Individuals experiencing homelessness are strongly urged to obtain shelter and maintain Social Distancing when feasible. If a homeless person is sheltered and exhibits symptoms or is diagnosed, the shelter's isolation center shall be deemed the residence of the homeless person solely for the purpose of complying with the requirements of this Declaration. Medical personnel shall make the decision whether any other shelter residents shall be required to isolate based on potential exposure. Available shelters, to the maximum extent practicable, must use COVID-19 risk mitigation practices in their operations.
16. Definitions:
- a. Social Distancing means maintaining at least 6 feet distance from other individuals, frequently washing hands with soap and water for at least 20 seconds, using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not the hands), regularly disinfecting high touch surfaces, and not shaking hands.

¹ Texas Medical Board, 22 TAC § 187.57 (c) (1), (2).

- b. Minimum Basic Operations include the following, provided the businesses strictly adhere to the following: (1) minimize in-person contact with people who are not in the same household; (2) maintain Social Distancing; (3) utilize remote teleworking to the greatest extent possible; and (4) minimize the number of employees needed to operate at a basic level.

Minimum Basic Operations allows the minimum necessary activities to:

- Maintain the value of the business's inventory or equipment, process payroll and employee benefits, maintain the premises and the security of the premises, equipment or inventory, including the care and maintenance of livestock or animals;
 - IT or other operations that facilitate employees working from home; and
 - Facilitate online or call-in sales; and/or perform in-store repair services.
- c. Essential Activities includes any of the following:
- i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home).
 - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet and livestock supplies, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences). It is strongly recommended that households, to the greatest extent possible, send only one person to businesses for the purpose of picking up food or other essential items.
 - iii. To engage in outdoor activity, provided the individuals comply with Social Distancing (for example, walking, biking, hiking, golfing, or running).
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Declaration.
 - v. To care for a family member or pet in another household.
- d. Essential Businesses:
- i. Essential Health Care Services. Healthcare operations, including hospitals, clinics, doctors, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, substance abuse providers, blood banks, medical research, or any related and/or ancillary healthcare services, veterinary care provided to animals. Home-based care for seniors, adults, or children. Residential facilities and shelters for seniors, adults, and children. Healthcare operations do not include fitness and exercise gyms and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with this Declaration.
 - ii. Essential Government Functions. All services provided by local, state and federal governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. All Essential Government Functions shall be performed in compliance with Social Distancing, to the extent possible.
 - iii. Essential Critical Infrastructure. Pursuant to Governor Abbott's Executive Order GA-14, everything listed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, or as may be amended.

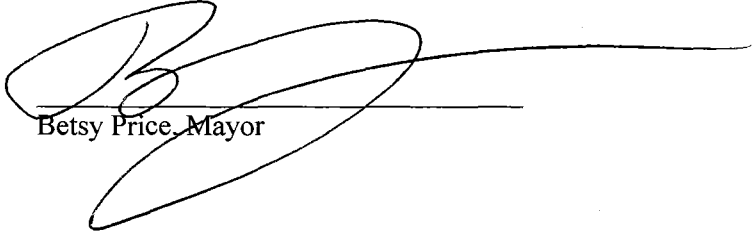
- iv. Essential Retail. Food service providers, including grocery stores, warehouse stores, bodegas, gas stations, convenience stores, and farmers' markets and other retail stores that sell food products and household staples, pet and feed stores. Businesses not open to the public that ship or deliver groceries, food, goods or services directly to residences. Liquor stores and restaurants and other facilities that prepare and serve food, but only for delivery, take out, drive-in, drive-through, curbside pickup, or carry out. Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Businesses that provide for the delivery of, or preparation of vehicles. Businesses that supply products needed for people to work from home, including businesses providing mail and shipping and post office box. Businesses that supply products necessary for essential repairs and maintenance of a home or business. Hotel, motels, and shared rental units, except that all bars, cafes, or restaurants in hotels, motels, and shared rental units are closed except for pick-up and room service.
- v. Providers of Basic Necessities to Economically Disadvantaged Populations. Social services and charitable organizations that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise vulnerable individuals.
- vi. Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses. Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning and maintenance, auto repair, warehouse/distribution and fulfillment, and storage for essential businesses. Plumbers, pool services, yard maintenance and landscapers, security services, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences, Essential Activities, and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities.
- vii. News Media. Newspapers, television, radio, and other media services.
- viii. Financial Institutions. Banks and related financial institutions, consumer lenders, alternative financial services companies, sales and finance lenders, credit unions, appraisers, and title companies. As much business as possible shall be conducted with web-based technology to limit in-person contact.
- ix. Real Estate Transactions: Services related to current real estate transactions. As much business as possible shall be conducted with web-based technology to limit in-person contact.
- x. Childcare Services. Childcare facilities providing services that enable employees who perform Essential Activities or work for an Essential Business to work as permitted.
- xi. Animal Shelters, Zoos, and Other Businesses that Maintain Live Animals. Businesses that maintain and care for live animals are not permitted to allow any visitors or patrons but may continue to operate to the extent necessary to provide the necessary care for the animals. Nothing in this section shall prohibit a non-employee from entering the premises to perform a health care services or another Essential Business service.

- xii. Construction. Construction under a valid permit issued by a governmental entity.
- xiii. Funeral Services. Funeral homes, crematoriums and cemeteries may operate.
- xiv. Worship Services. The community of Fort Worth is currently at substantial community spread. Guidelines from the CDC currently state that when a community is experiencing substantial community transmission of COVID-19, “cancel or postpone community and faith-based gatherings of any size.” Religious services held outdoors whereby individuals remain in their vehicles are allowed if Social Distancing is practiced.
For more information, houses of worship should consult CDC guidance: <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/guidance-community-faith-organizations.html>.” For updates about the level of community spread, see CoronaVirus.TarrantCounty.com.
- xv. Moving Services and Supply. Businesses that provide residential and/or commercial moving services and necessary moving supplies.
- e. Essential Travel. For the purposes of this Declaration, Essential Travel includes travel for any of the following purposes.
 - i. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, and Essential Businesses Essential Critical Infrastructure, Minimum Basic Operation;
 - ii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons;
 - iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services;
 - iv. Travel to return to a place of residence from outside the jurisdiction;
 - v. Travel required by law enforcement or court order;
 - vi. Travel by church staff or clergy for the purpose of production of remote delivery of religious services and other ministries requiring travel;
 - vii. Travel related to attending a funeral service; or
 - viii. Travel required for non-residents to return to their place of residence outside the City. Individuals are strongly encouraged to verify that their transportation out of the City remains available and functional prior to commencing such travel.
- f. Essential Services. Essential Services means services, by whomsoever rendered, and whether rendered to the government or to any other person, the interruption of which would endanger life, health or personal safety of the whole or part of the population.

- 17. In accordance with Attorney General Opinion KP-0296, nothing in this declaration shall be construed to prohibit or regulate the transfer, possession, or ownership of firearms, or commerce in firearms.
 - 18. That this declaration hereby authorizes the use of all lawfully available enforcement tools, including applicable county and State of Texas criminal penalties.
 - 19. That this Declaration incorporates the attached table, Disaster Restrictions, as if set forth verbatim herein.
 - 20. 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.
-

21. This Declaration shall take effect at 1pm on April 7, 2020, and shall remain in effect until April 30, 2020, unless terminated or modified by a subsequent Order.

ORDERED this the 7th day of April 2020.



Betsy Price, Mayor

**Disaster Restrictions
Declaration Issued April 7, 2020**

Locations / Activities	Restrictions
Persons residing in City of Fort Worth	<ul style="list-style-type: none"> • Stay at place of residence • Practice Social Distancing • Leave residence only for Essential Activities, or to work at Essential Businesses, Essential Travel, Essential Governmental Services, Essential Critical Infrastructure, or to perform Minimum Basic Operations • Comply with Guidelines from the President and the CDC
All businesses except Essential Businesses	<p>No public occupancy permitted Minimum Basic Operations allowed Social Distancing required Minimum number of employees Minimize in-person contact</p>
Public or Private Gatherings occurring outside a single household or living unit	Prohibited, with limited exceptions as set forth herein
Food Establishments Including those at schools, hotels, motels Excluding those at hospitals	<p>In-house dining/shopping – no public occupancy Drive-in, drive-through, take out, and delivery is permitted. Social Distancing is required</p>
Worship Services	<p>If substantial community spread, all in-person gatherings of any size are cancelled or postponed.</p> <p>GA-14 requires compliance with the Guidelines from the President and CDC</p>
Elective medical, surgical, and dental procedures	Prohibited, with limited exceptions as set forth herein
Nursing homes, retirement, and long-term care facilities	Prohibit non-essential visitors unless to provide critical assistance or for end-of-life visitation

<p><u>Essential Travel, summary:</u> Allowed to carry out activities specifically permitted in this Declaration.</p> <ul style="list-style-type: none"> i. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, and Essential Businesses Essential Critical Infrastructure, Minimum Basic Operation; ii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons; iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services; iv. Travel to return to a place of residence from outside the jurisdiction; v. Travel required by law enforcement or court order; vi. Travel by church staff or clergy for the purpose of production of remote delivery of religious services and other ministries requiring travel; vii. Travel related to attending a funeral service; or viii. Travel required for non-residents to return to their place of residence outside the City. Individuals are strongly encouraged to verify that their transportation out of the City remains available and functional prior to commencing such travel. 	<p>Individuals may leave home to perform Essential Activities</p> <p>Must practice Social Distancing</p>
<p><u>Essential Businesses, summary:</u> hospitals clinics doctors dentists pharmacies pharmaceutical and biotechnology companies, other healthcare facilities healthcare suppliers mental health providers substance abuse service providers blood banks medical research laboratory services home-based and residential-based care for seniors, adults, or children</p>	<p>Allowed to remain open</p> <p>Social Distancing required</p> <p>Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with Social Distancing and compliance with the Guidelines from the President and the CDC.</p>

veterinary care

all services to provide for the health, safety and welfare of the public

food service providers

food cultivation- farming, fishing, livestock delivery and shipping not open to the public

essential critical infrastructure

laundromats, dry cleaners, laundry service

gas stations

auto-supply & repair, bicycle repair

hardware stores

businesses that supply products needed for people to work from home

social services, charitable organizations

trash and recycling collection, processing and disposal

mail and shipping services

building cleaning, maintenance

security services

warehouse/distribution and fulfillment

storage for essential businesses

funeral homes, crematoriums, cemeteries

plumbers

electricians

pool service, yard maintenance, landscaping

exterminators

legal or accounting

news media

financial institutions

real estate transactions

childcare services

businesses that maintain live animals

construction

moving services and supply

Essential Critical Infrastructure, summary:

Work necessary to the operations and maintenance of the list by the U.S.

Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, as may be amended

<p><u>Minimum Basic Operations:</u></p> <ul style="list-style-type: none">- operations necessary to maintain security, upkeep, and maintenance of premises, equipment or inventory, including but not limited to the care and maintenance of livestock or animals;- IT or other operations that facilitate employees working from home;- Teleworking is required, if possible- Facilitate online or call-in sales or in-store repair services;- in-person contact of any kind between people who are not in the same household must be minimized.	<p>Operations allowed for non-essential businesses</p> <p>Social Distancing required</p> <p>Number of employees are kept to a minimum</p> <p>Minimize in-person contact with people who are not in the same household</p>
<p><u>Essential Services:</u></p> <p>-Business operations the interruption of which would endanger life, health or personal safety of the whole or part of the population.</p>	<p>Allowed to remain open</p> <p>Business operations providing Essential Services should implement screening precautions to protect employees and all activity shall be performed in compliance with Social Distancing and in compliance with the Guidelines of the President and CDC.</p>