

ORDINANCE NO. 7132 [AMENDED]

AN ORDINANCE OF THE CITY OF GARLAND, TEXAS, CONTINUING THE DECLARATION OF A STATE OF DISASTER AND PUBLIC HEALTH EMERGENCY IN THE CITY OF GARLAND BECAUSE OF THE IMPACT OF COVID-19; CONFIRMING AND RATIFYING AN AMENDED EMERGENCY PROCLAMATION ISSUED BY THE MAYOR IN RESPONSE TO THE EMERGENCY; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; ADOPTING AND APPROVING CERTAIN RULES TO PROTECT THE HEALTH OF PERSONS IN THE CITY; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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, within the past two weeks, and as recently as yesterday on several occasions, County Judge Clay Jenkins 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, on March 21, 2020, Mayor LeMay issued an amended Declaration of Disaster imposing additional measures to address the spread of COVID-19;

WHEREAS, as a home-rule city, the City of Garland has the authority and jurisdiction to issue rules and to make law within its municipal limits in times of emergency and a county has only a secondary role in that regard;

WHEREAS, in order to provide clarity, uniformity, and consistency as to what rules will be in place during the COVID-19 emergency, the City Council has determined that it is best for its citizens and the public health to avoid confusion on the part of its citizens by allowing the amended declarations of County Judge Clay Jenkins to remain in effect in Garland until or unless the City Council determines otherwise;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS;

Section 1

Pursuant Section 418.108, TEX. GOV'T CODE, the City Council continues the a state of disaster and emergency in the City of Garland as a result of the impact of COVID-19.

Section 2

The declaration of local disaster, signed, executed, and issued by the Mayor on March 21, 2020, is hereby confirmed, renewed, and continued as provided in Section 418.108, TEX. GOV'T CODE to the extent consistent with this Ordinance.

Section 3

Pursuant to Sections 121.003 and 122.006 of the Texas Health and Safety Code, Section 418.108 of the Texas Government Code, and such other powers the City may have under the City Charter and other laws, the City Council adopts and approves the following rules, to have the force and effect of law and enforceable under the terms of this Ordinance:

(A) Effective midnight March 23, 2020 until midnight, April 7, 2020, unless sooner modified, repealed, or extended, all persons residing or otherwise found within the City of Garland, Texas are ordered to shelter in place by remaining at their residence except: (1) when leaving their place of residence or traveling in or through Garland; or (2) engaging in otherwise lawful activities and business.

(B) The Garland City Council encourages its citizens and others within Garland to abide by the rules as expressed in the Amended Order(s) of Dallas County Judge Clay Jenkins and the proclamations and executive orders of Texas Governor Greg Abbott issued with respect to the COVID-19 emergency.

(C) If a person in a household has tested positive for COVID-19, all persons within the household are ordered to isolate at home. Members of the household may not go to work, school, or any other community function, or receive visitors or in-home services until cleared by a medical professional but may seek or receive medical services as needed from medical personnel and facilities.

(D) That this Ordinance 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.

Section 4

(A) 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.

(B) The City's Emergency Operations Plan is and remains activated and implemented, pursuant to Sec. 418.108(d) of the Texas Government Code.

(C) This Ordinance 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.

(D) This Ordinance 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.

Section 5

That the terms and provisions of this Ordinance are severable and are governed by Sec. 10.06 of the Code of Ordinances of the City of Garland, Texas.

Section 6

That Ordinance No. 7132, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

Section 7


That this Ordinance shall be and become effective immediately upon and after its passage and approval.

Section 8

That this Ordinance expires April 7, 2020 unless extended by the affirmative vote of the City Council.

PASSED AND APPROVED this the 25rd day of March, 2020.

CITY OF GARLAND, TEXAS



Mayor

ATTEST:



City Secretary

