

Fourth Amended Declaration of Disaster

By

THE MAYOR OF THE CITY OF AMARILLO

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott declared a state of emergency related to the outbreak of COVID-19 and suspended multiple state statutes and rules to promote social distancing protocols; and

WHEREAS, President Donald Trump declared a State of National Emergency for the United States of America on March 13, 2020; and

WHEREAS, on March 18, 2020, The Mayor of the City of Amarillo declared a local disaster; and

WHEREAS, on March 18, 2020, the County Judges of Randall and Potter County declared a local disaster; and

WHEREAS, on March 24, 2020 the Amarillo City Council renewed and continued the Mayor's Declaration of Disaster; and

WHEREAS, on March 30, 2020 at 9:00 AM the Mayor of the City of Amarillo issued a First Amended Declaration of Disaster, pursuant to her authority under Section 418.108(a) of the Texas Government Code; and

WHEREAS, pursuant to state law the Amarillo City Council renewed and continued the Mayor's First Amended Declaration of Disaster on March 31st, 2020 continuing it until 11:59 PM, April 14th, 2020; and

WHEREAS, pursuant to state law the Amarillo City Council renewed and continued the Mayor's First Amended Declaration of Disaster on April 14, 2020 continuing it until 11:59 PM, April 30, 2020; and

WHEREAS, the governor issued Executive Orders GA -15, GA-16, and GA 17 on April 17th, 2020; and,

WHEREAS, Executive Order GA-16 specifically defines "reopened services" as "retail services that are not "essential services" but that may be provided through pickup, delivery by mail, or delivery to the customer's doorstep in strict compliance with the terms required by DSHS (Texas Department of State Health Services)"; and

WHEREAS, on April 24th, 2020 the Mayor of the City of Amarillo issued a Second Amended Declaration of Disaster, pursuant to her authority under Section 418.108(a) of the Texas Government Code; and,

WHEREAS, the governor issued Executive Orders GA -18 (relating to reopening of services and businesses), GA-19 (relating to hospital capacity and services), and GA 20 (relating to travel restrictions) on April 27th, 2020; and,

WHEREAS, on April 29th, 2020 the Mayor of the City of Amarillo issued a Third Amended Declaration of Disaster, pursuant to her authority under Section 418.108(a) of the Texas Government Code in compliance with GA-18; and

WHEREAS, pursuant to state law the Amarillo City Council renewed and continued the Mayor's Third Amended Declaration of Disaster on May 5th, 2020; and

WHEREAS, the governor issued Executive Order GA -21 (relating to reopening of services and businesses) on May 5th, 2020; and

WHEREAS, I now issue this Fourth Amended Declaration of Disaster to implement and conform to the restrictions and definitions of Executive Order GA-21 ("GA-21") and to help combat the spread and impact of COVID-19 in the City of Amarillo; and

NOW, THEREFORE, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, THE AMARILLO CITY CHARTER, AND CODE OF MUNICIPAL ORDINANCES THE MAYOR DOES HEREBY FIND AND ORDER

1. That a state of disaster and public health emergency declared on March 18, 2020 remains in effect for the City of Amarillo, 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 Amarillo, 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 remains activated and implemented, pursuant to §418.108(d) of the Texas Government Code and shall continue in effect.

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, emergency shelters for evacuees, or for the provision of medical or healthcare services 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, 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 §122.006 of the Health and Safety Code.

7. The restrictions contained within GA-21 and any subsequent orders are hereby adopted within the City of Amarillo. Visit www.gov.texas.gov/news to read the current Executive Orders of the Governor.

8. As permitted in GA-21, public libraries within the City of Amarillo shall remain closed and services shall be restricted to curb-side checkout only until May 11th, 2020. Visit <https://www.amarillolibrary.org/services/amarillo-public-library-response-to-covid-19> to learn more.

9. GA-21 permits, among other listed activities, that people may engage in essential daily activities, such as outdoor sports, provided that the sports do not include contact with other participants and no more than four participants play the sport at any time.

10. To the greatest extent possible, all businesses and residents shall comply with the social distancing guidelines set forth in the CDC and Governor's Report to Open Texas. Visit www.gov.texas.gov/opentexas.

11. That this declaration shall take effect immediately, and shall be in effect until rescinded, modified, or amended by the Mayor or by resolution of the Amarillo City Council.

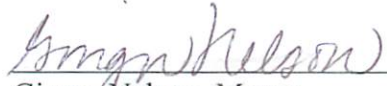
12. That all orders and restrictions contained in previous Declarations and Orders issued by the Mayor's office not contrary to GA-21 remain in full force and effect.

13. That peace officers, City of Amarillo code inspectors, and the City of Amarillo Fire Marshal are hereby authorized to enforce this ORDER and Declaration. Further, persons who violate this Order will be charged with a violation of Amarillo Municipal Code Section 2-7-

8 with the associated penalties therein. Violations of this declaration will subject the violator to a \$1,000.00 fine as authorized by Section 418.173 of the Texas Government Code and GA-21.


14. The City Manager is directed to make prompt general distribution of this order by news media, internet, social media, public postings and other means of dissemination.

ORDERED this the 7th day of May, 2020 at 5:00 (a.m/p.m.).



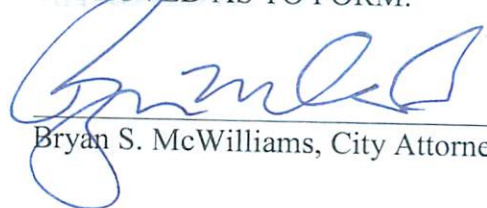
Ginger Nelson, Mayor

ATTEST:



Frances Hibbs, City Secretary

APPROVED AS TO FORM:



Bryan S. McWilliams, City Attorney

CC: Police Chief
Fire Chief
Fire Marshal
Environmental Health Director
Public Health Director
Director of Emergency Management
Public Information Officer