

## **Sixth 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 31<sup>st</sup>, 2020 continuing it until 11:59 PM, April 14<sup>th</sup>, 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 17<sup>th</sup>, 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 27<sup>th</sup>, 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**, on May 7th, 2020 the Mayor of the City of Amarillo issued a Fourth Amended Declaration of Disaster, pursuant to her authority under Section 418.108(a) of the Texas Government Code in compliance with GA-21; and

**WHEREAS**, pursuant to state law the Amarillo City Council renewed and continued the Mayor's Fourth Amended Declaration of Disaster on May 12th, 2020; and

**WHEREAS**, the governor issued Executive Order GA -23 (relating to reopening of services and businesses) on May 18th, 2020; and

**WHEREAS**, on May 22nd, 2020 the Mayor of the City of Amarillo issued a Fifth Amended Declaration of Disaster, pursuant to her authority under Section 418.108(a) of the Texas Government Code in compliance with GA-23; and

**WHEREAS**, the governor issued Executive Order GA -26 (relating to the expanded opening of services and businesses) on June 3rd, 2020; and

**WHEREAS**, I now issue this Sixth Amended Declaration of Disaster to implement and conform to the restrictions and terms of Executive Order GA-26 ("GA-26") 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 terms and restrictions contained within GA-26 and any subsequent orders are hereby adopted within the City of Amarillo. Visit [www.gov.texas.gov/news](http://www.gov.texas.gov/news) to read the current Executive Orders of the Governor.

8. GA-26 does not prohibit people from accessing Covered Services or engaging in safe daily activities, such as going to the grocery store, or gas station; providing or obtaining other Covered Service.

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](http://www.gov.texas.gov/opentexas).

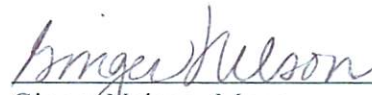
11. That this declaration shall take effect immediately, and shall be in effect until rescinded, modified, or amended by the Mayor or by resolution of the Amarillo City Council.

12. That all orders and restrictions contained in previous Declarations and Orders issued by the Mayor's office not contrary to GA-26 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-26.

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.

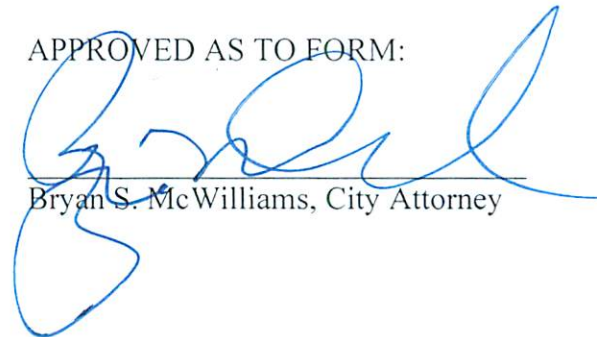
ORDERED this the 4<sup>th</sup> day of June, 2020 at 3:40 (a.m./p.m.).

  
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