

APR 30 2020



**EIGHTH AMENDED DECLARATION OF LOCAL  
DISASTER DUE TO PUBLIC HEALTH EMERGENCY  
CITY OF NORTH RICHLAND HILLS, TEXAS**

**WHEREAS**, in December 2019, Coronavirus Disease (COVID-19), caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), was first detected in Wuhan City, Hubei Province, China; and

**WHEREAS**, symptoms of COVID-19 include fever, cough, and shortness of breath, and outcomes have ranged 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 and advised countries to prepare for the containment, including active surveillance, early detection, isolation and case management, contact tracing, and prevention of onward spread of the disease; 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**, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

**WHEREAS**, continuous spread of the disease presents an imminent threat of widespread illness or loss of life resulting from a global pandemic and other public calamity resulting therefrom, which requires emergency action; and

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

**WHEREAS**, County Judge Glen Whitley issued a Declaration of Local Disaster Due to Public Health Emergency for Tarrant County for COVID-19 on March 13, 2020; on March 18, 2020, Judge Whitley issued a First Amended Declaration of Local Disaster Due to Public Health Emergency; on March 21, 2020, Judge Whitley issued a Second Amended Declaration of Local Disaster Due to Public Health Emergency; on March 24, 2020, Judge Whitley issued an Executive Order requiring all persons within the county to remain in their residence, except as allowed by the Order (the "Order"); on March 27, 2020, Judge Whitley modified his Executive Order to provide additional guidance on the required shelter in place order; on April 3, 2020, Judge Whitley further modified his Executive Order, to the extent possible, to harmonize the Executive Orders of Governor Greg Abbott, and the cities of Tarrant County;

and on April 21, 2020, Judge Whitley modified his order to provide additional consistency with Governor Abbott's Executive Orders, which Judge Whitley's Executive Order expires on April 30, 2020; and

**WHEREAS**, Governor Greg Abbott issued a State of Disaster for all Texas counties for COVID-19 on March 13, 2020, and on March 19, 2020, Governor Abbott subsequently issued an Executive Order imposing restrictions on citizens and businesses in the State of Texas to prevent further spread of COVID-19; on March 31, 2020, Governor Abbott subsequently issued Executive Order GA-14 ("Order GA-14"), providing further guidance on COVID-19 restrictions; and on April 17, 2020 Governor Abbott issued Executive Orders GA-15, GA-16, and GA-17 (referred to herein as "Order GA-15," "Order GA-16," and "Order GA-17"), in which Order GA-16 supersedes Order GA-14, providing additional guidance and clarification on COVID-19 restrictions; and on April 27, 2020, after determining that additional measures and guidelines are still needed to address the COVID-19 pandemic, Governor Abbott issued Executive Orders GA-18 and GA-19 (referred to herein as "Order GA-18" and "Order GA-19" respectively) to provide for statewide measures to address the spread of COVID-19 and to implement Phase I of the Open Texas strategic plan ("Open Texas Plan"); and

**WHEREAS**, pursuant to the City Code of Ordinances Chapter 22, Article II, Section 22-32 of the City of North Richland Hills, and the Texas Government Code Section 418.108(a), the Mayor of the City of North Richland Hills is authorized to declare a local state of disaster if a disaster has occurred or is imminent; and

**WHEREAS**, I, Oscar Trevino, the Mayor of the City of North Richland Hills, have determined that due to the global outbreak of COVID-19, extraordinary measures must be taken to prevent and to alleviate the suffering of the citizens of North Richland Hills and to protect the public health and safety; and

**WHEREAS**, the City of North Richland Hills Emergency Management Plan should be activated and continued to provide for disaster mitigation, preparedness, response and recovery; and

**WHEREAS**, I, Oscar Trevino, issued a Declaration of Local Disaster Due to Public Health Emergency on March 13, 2020; I issued a First Amended Declaration of Local Disaster Due to Public Health Emergency on March 20, 2020; I issued a Second Amended Declaration of Local Disaster Due to Public Health Emergency on March 23, 2020; and I issued a Third Amended Declaration of Local Disaster Due to Public Health Emergency on March 26, 2020; and I issued a Fourth Amended Declaration of Local Disaster Due to Public Health Emergency on March 30, 2020; and on April 3, 2020, I issued a Fifth Amended Declaration of Local Disaster Due to Public Health Emergency; and on April 10, 2020, I issued a Sixth Amended Declaration of Local Disaster Due to Public Health Emergency to provide consistency throughout the region on COVID-19 restrictions; and on April 22, 2020, I issued a Seventh Amended Declaration of Local Disaster Due to Public Health Emergency to provide consistency and additional guidance on COVID-19 restrictions, and the City Council of the City of North Richland Hills by action taken on April 27, 2020, extended such declaration until April 30, 2020; and

**WHEREAS**, the number of confirmed cases of COVID-19 continue to rise on a local, state and national level, and 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 statewide basis related to containing the spread of COVID-19; and

**WHEREAS**, I, Oscar Trevino, find it necessary to hereby issue this Eighth Amended Declaration of Local Disaster Due to Public Health Emergency amending, continuing and restating the declaration to adopt Orders GA-18 and GA-19, which supersede all local disaster declarations related to COVID-19 in order to provide consistency throughout the state, to ensure the protection of the general public, and for the health and safety of the citizens of the city of North Richland Hills.

**NOW THEREFORE, BE IT DECLARED AND PROCLAIMED BY THE MAYOR OF THE CITY OF NORTH RICHLAND HILLS, TEXAS:**

**SECTION 1.** That a state of local disaster for public health emergency is hereby declared for the city of North Richland Hills pursuant to the Code of Ordinances, Chapter 22, Article II, Section 22-32 of the City of North Richland Hills and Texas Government Code Section 418.108(a).

**SECTION 2.** That this declaration of local disaster shall be in effect for a period not to exceed seven days from this date, unless terminated or continued by action of the City Council of the City of North Richland Hills, Texas.

**SECTION 3.** That this declaration activates the recovery and rehabilitation aspects of the North Richland Hills Emergency Management Plan, and further authorizes the furnishing of all aid and assistance as deemed necessary or desirable by those administering such plans, and activates the preparedness and response aspects of such plans as provided therein.

**SECTION 4.** That this declaration authorizes the procurement of all necessary supplies and equipment, including acceptance of private contributions which may be offered for the purpose of improving emergency management within the City.

**SECTION 5.** That this declaration authorizes agreements, after approval by the City Attorney, for the City to use any private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelter or evacuees, subject to compensation requirements, pursuant to Texas Government Code 418.020.

**SECTION 6.** That this declaration authorizes the Mayor to order the evacuation of all or part of the population from a stricken or threatened area under his/her authority if the Mayor considers the action necessary for the preservation of life or other disaster mitigation, response or recovery.

**SECTION 7.** That this declaration authorizes the Mayor to control ingress and egress from a disaster area under his/her jurisdiction or authority and to control the movement of persons and the occupancy of premises in that area.

**SECTION 8.** That this declaration authorizes the City to adopt rules to protect the health of persons in the city, including quarantine rules to protect the residents against communicable disease, provide for the establishment of quarantine stations, and hospitals, and authorizes the fining of those who do not comply with this order pursuant to Health and Safety Code 122.006.

**SECTION 9.** That this declaration adopts the provisions of 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 (collectively "Executive Orders"). The provisions of the Executive Orders are incorporated herein by reference as if written word for word.

**SECTION 10.** Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this declaration 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 declaration and need not be proved. The penalty provided for in this declaration is in addition to any other remedies the City may have under City ordinances and state law, including but not limited to, suspension or revocation of a permit, and said penalties outlined in the Executive Orders issued to address the spread of COVID-19.

**SECTION 11.** It is hereby declared to be the intention of the Mayor and the City Council that the phrases, clauses, sentences, paragraphs, and sections of this declaration are severable, and if any phrase, clause, sentence, paragraph or section of this declaration shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this declaration.

**SECTION 12.** That this declaration shall be filed promptly with the City Secretary, and shall be given prompt and general publicity.

**SECTION 13.** That this declaration shall take effect at 12:01am, May 1, 2020.

**SO DECLARED AND ORDERED** this 30<sup>th</sup> day of April, 2020.



Oscar Trevino, Mayor  
City of North Richland Hills, Texas