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March 24, 2020

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CITY SECRETARY
DALLAS, TEXAS

SECOND AMENDED EMERGENCY REGULATIONS

WHEREAS, by proclamation issued March 12, 2020, pursuant to the Texas Disaster Act of 1975, the Mayor declared a state of local disaster for the City of Dallas resulting from the COVID-19 Pandemic;

WHEREAS, by proclamation issued March 19, 2020, the state of local disaster was extended to April 29, 2020;

WHEREAS, Texas Government Code Section 418.108 authorizes the Mayor of the City of Dallas 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 the Mayor considers the action necessary for the preservation of life or other disaster mitigation, response, or recovery; and authorizes the Mayor to control ingress to and egress from a disaster area under the jurisdiction and authority of the Mayor to control the movement of persons and the occupancy of premises in that area;

WHEREAS, Section 14B-7 of the Dallas City Code authorizes the City Manager to "promulgate such regulations as he or she deems necessary to protect life and property and preserve critical resources" while a state of disaster is in effect; and

NOW, THEREFORE, the following regulations take effect immediately upon issuance, and shall continue until the regulations are rescinded, superseded, or amended, or until expiration pursuant to applicable law.

SECTION 1. ADOPTION OF COUNTY ORDERS.

(a) Except as provided in these regulations, the Amended Order of County Judge Clay Jenkins, dated March 23, 2020, (“the Amended Order”) is adopted as the Second Amended Emergency Regulations of the City of Dallas, with certain exceptions and additions. The Amended Order is attached as Exhibit A to this emergency regulation.

(b) The following sections of the Amended Order are adopted with the exception that these regulations shall take effect immediately on March 24, 2020, and not on March 23, 2020:

- (i) Section 1, Subsections (a) through (f).
- (ii) Section 2, Subsections (a) and (b).
- (iii) Section 3.
- (iv) Section 4.
- (v) Section 5.
- (vi) Section 7.
- (vii) Section 8.

(c) Any reference to the geographic area of Dallas County in the Amended Order shall instead mean the City of Dallas.

(d) Any sections of the Amended Order that specifically address Dallas County governmental functions are excepted.

SECTION 2. REPORTING OF COVID-19 TESTS.

(a) All public, private, and commercial laboratories operating within the City of Dallas and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period (1) the number of COVID-19 tests performed and (2) the number of positive COVID-19 tests to Rocky Vaz, Director of Emergency Management for the City of Dallas at

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Oemdepartment@dallascityhall.com, if either the specimen is collected in, or the test is performed in, the City of Dallas.

(b) Such laboratories shall not provide names or other individually identifiable health information that could be used to identify an individual patient. This information will be used solely for public health purposes to monitor the testing conducted in the City and mitigate and contain the spread of COVID-19.

SECTION 3. POSTING OF THESE REGULATIONS.

The owner, manager, or operator of any facility that is likely to be impacted by these regulations shall post a copy of these regulations onsite and visible to users of the facility and provide a copy to any user of the facility asking for a copy.

SECTION 4. SUSPENSION AND MODIFICATION OF ORDINANCES.

(a) Any ordinance, order, or regulation that would prevent temporary sheltering and housing by the City, State of Texas, or the Federal Government in response to the declared disaster is suspended or modified as necessary to make these regulations effective.

(b) Any ordinance or regulation imposing a time requirement for approving or denying an application or for appealing a city decision is tolled.

(c) Any ordinance or regulation that conflicts with these regulations is suspended or modified as necessary to make these regulations effective.

(d) Any ordinance or regulation that restricts delivery hours for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies is suspended or modified as necessary to allow for such transport and delivery.

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(e) Any ordinance or regulation that prevents a manufacturer who retools so that a substantial part of its business is for the purpose of manufacturing and producing ventilators is suspended and such manufacturer may apply for a certificate of occupancy for such manufacturing.

SECTION 5. CITY COUNCIL MEETINGS.

(a) Beginning March 26, 2020, all city council meetings must be conducted virtually, either as a telephonic or videoconference meeting.

(b) All persons wishing to speak at a city council meeting, including those speaking on public hearing items, must register to speak in accordance with the City Council Rules of Procedure Section 6.3.

SECTION 6. PROHIBITION OF COUNCIL COMMITTEE MEETINGS.

Except telephonic or videoconference meetings of the Ad Hoc Council Committee on COVID-19 Economic Recovery and Assistance and the Ad Hoc Council Committee on COVID-19 Human and Social Recovery and Assistance, all city council committees, both standing and ad hoc, are prohibited from meeting through April 29, 2020.

SECTION 7. SEVERABILITY.

If any subsection, sentence, clause, phrase, or word of these regulations or any application of them to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of these regulations.

SECTION 8. SAVINGS CLAUSE.

That all ordinances of the City of Dallas and the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by this emergency regulation.

SECTION 9. PENALTIES.


(a) These emergency regulations shall have the effect of an ordinance when duly filed with the city secretary.

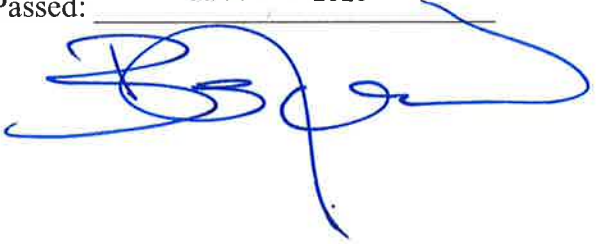
(b) A person who violates any provision of these regulations, upon conviction, is punishable by a fine of not less than \$50 and not more than \$2,000.


SECTION 10. EFFECTIVE DATE.

These regulations take effect immediately, and shall continue until they are either rescinded, superseded, or amended or until they expire pursuant to applicable law.


CITY OF DALLAS

BY: 
ERIC JOHNSON
Mayor

Passed: **MAR 24 2020**


BY: 
T.C. BROADNAX
City Manager

APPROVED AS TO FORM:

BY: 
CHRISTOPHER J. CASO
Interim City Attorney



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DALLAS COUNTY

Exhibit A
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AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS

Stay Home Stay Safe

DATE AMENDED ORDER ISSUED: March 23, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and,

WHEREAS, on March 12, 2020, Judge Jenkins issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus; and,

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of County Judge Clay Jenkins be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 3, 2020, unless rescinded by order of the Commissioners Court.

THEREFORE, the March 12, 2020, Order of County Judge Clay Jenkins is hereby AMENDED as follows:

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals anywhere in Dallas County to shelter in place – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This Order takes effect at 11:59 p.m. on March 23, 2020 and will continue through 11:59 p.m. on April 3, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE
SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. Effective as of 11:59 p.m. on March 23, 2020, and continuing until 11:59 p.m. on April 3, 2020:



- (a) All individuals currently living within Dallas County are ordered to shelter at their place of residence. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 2.
- (b) All businesses operating within Dallas County, except Essential Businesses as defined in below in Section 2, are required to cease all activities at facilities located within the County. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines attached, including maintaining six feet social distancing for both employees and the general public.
- (c) 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 Order prohibits the gathering of members of a household or living unit.
- (d) Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.
- (e) Religious and worship services may only be provided by video and teleconference. Religious institutions must limit in-person staff to ten (10) people or less when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Guidelines including the six feet social distancing.
- (f) All elective medical, surgical, and dental procedures are prohibited anywhere in Dallas County. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response.

2. Definitions:

- a. For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities":
 - 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 supply, and any other household consumer products, and



products necessary to maintain the safety, sanitation, and essential operation of residences.

- iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, 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 Order.
- v. To care for a family member or pet in another household.
- vi. To move to another residence either in or outside Dallas County.

b. For purposes of this Order, "Essential Businesses" means:

- i. **Essential Healthcare Operations.** Healthcare operations, including hospitals, clinics, dentists, chiropractors, physical therapy, optometry offices, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms, personal training, gymnastics studios, and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with Subsection 1(f) of this Order.
- ii. **Essential Government Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Further, nothing in this order shall prohibit any individual from performing or accessing "Essential Government Functions." All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible.
- iii. **Essential Critical Infrastructure.** Individuals may provide any services or perform any work necessary to offer, operate, maintain and repair, "Essential Critical Infrastructure." Essential Critical Infrastructure is defined by the 16 critical infrastructure sectors identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential, commercial, and school construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions except non-depository lenders (such as payday lenders), defense



and national security-related operations, and essential manufacturing operations. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached. For reference, the CISA 16 critical infrastructure sectors can be found here: <https://www.cisa.gov/critical-infrastructure-sectors>.

- iv. **Essential Retail.** Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, liquor stores, gas stations and convenience stores, farmers' markets that sell food products and household staples. Food cultivation, including farming, fishing, and livestock. Pet food and supplies. Businesses that ship or deliver groceries, food, hygiene products, goods or services directly to residences or essential businesses. Restaurants and other facilities that prepare and serve food, but only for delivery, drive-through services, 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. Gas stations, auto-supply, auto and bicycle repair, hardware stores, and related facilities. Businesses that supply products needed for people to work from home. To the greatest extent possible, essential retail establishments shall follow the guidelines below:
1. Designate shopping times for at risk populations (seniors, pregnant people, and people with underlying health conditions);
 2. Limit the amount of people in a store at once so that social distancing is possible;
 3. Implement an organized line system where people are spaced at least a few feet apart (ideally 6 feet);
 4. Implement purchase limits on high-demand items (toilet paper, soap, hand sanitizer);
 5. Offer pick up or deliveries of grocery items.
- v. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- vi. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** Trash and recycling collection, landscaping services, processing and disposal, mail, shipping and delivery services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, moving services for residential and essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to



maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with the support or supplies needed to operate. To the extent possible, services shall be provided in compliance with Social Distancing Guidelines attached, including distancing of six feet and routine use of hand sanitizer.

- vii. **Public and Private Education.** Public and private educational institutions, only for the purposes of facilitating distance learning or performing essential functions.
 - viii. **News Media.** Newspapers, television, radio, and other media services.
 - ix. **Childcare Services.** Childcare facilities providing services or community service providers offering childcare services that enable employees exempted in this Order may operate under the following mandatory conditions:
 - 1. Childcare must be carried out in stable groups of 12 or fewer (“stable” means that the same 12 or fewer children are in the same group each day).
 - 2. Children shall not change from one group to another.
 - 3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
 - 4. Childcare providers shall remain solely with one group of children.
3. Any manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing ventilators, masks, personal protective equipment, or any supply necessary for Essential Healthcare Operations may apply for an “essential business” exemption under this Order. Submit requests for an exemption to BusinessCOVID19@dallascounty.org.
4. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Dallas County for the next 60 days.
5. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in Dallas County are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase.



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6. Due to the public health emergency, the Office of the Dallas County Judge hereby advises the Dallas County Justices of the Peace to suspend eviction hearings and writs of possession for at least the next 60 days to prevent renters from being displaced.
7. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
8. Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
9. Public and private schools and institutions of higher education are instructed by this order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom settings.
10. Additionally, the Office of the Dallas County Judge and the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six or more employees in the City of Dallas can use their paid sick leave when they are sick or to care for sick family members.
11. This Order shall be effective until 11:59 p.m. on April 3, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
12. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

IT IS SO ORDERED

**CLAY JENKINS
DALLAS COUNTY JUDGE**



DCHHS Social Distancing Recommendations

1) Vulnerable Populations: Limit Outings

- Vulnerable populations include people who are:
 - 60 years old and older.
 - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

2) Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Ensure employees practice social distancing and do not work within six feet of one another.
- Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Maximize telecommuting options.
- Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.

3) Cancel Non-essential Events

- Cancel non-essential events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
 - Having hand washing capabilities, hand sanitizers and tissues available.
 - Frequently cleaning high touch surface areas like counter tops and hand rails.
 - Finding ways to implement social distancing..

4) Schools: Safety First

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for further closures.

5) Transit: Cleaning and Protection

- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.



- Ensure social distancing practices are implemented to the full extent possible.

6) Health Care Settings: Avoid as possible, protect the vulnerable

- Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Follow guidance and directions of all facilities.

7) Everyone: Do your part

The best way for all Dallas County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.

You can also prepare for the disruption caused by an outbreak. Preparedness actions include:

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a child care plan if you or a caregiver are sick.
- Make arrangements about how your family will manage school closures.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.