

SECOND AMENDED DECLARATION OF DISASTER TOWN OF FLOWER MOUND

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2, which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization;

WHEREAS, Mayor Steve Dixon issued a Disaster Declaration for the Town of Flower Mound in response to COVID-19 on March 15, 2020;

WHEREAS, The Town Council of the Town of Flower Mound approved the continuation of Mayor Dixon's Declaration of Disaster, on March 19, 2020;

WHEREAS, Mayor Steve Dixon issued a First Amended Disaster Declaration for the Town of Flower Mound in response to COVID-19 on March 20, 2020;

WHEREAS, County Judge Andy Eads issued a revised Disaster Declaration and Executive Order for Denton County in response to COVID-19 on March 22, 2020;

WHEREAS, County Judge Glen Whitley issued a Second Amended Declaration of Local Disaster Due to Public Health Emergency for Tarrant County in response to COVID-19 on March 21, 2020, which was further clarified by Executive Order on March 22, 2020;

WHEREAS, Governor Greg Abbott issued a State of Disaster for all Texas counties for COVID-19 on March 13, 2020 and an Executive Order relating to COVID-19 preparedness and mitigation on March 19, 2020;

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

WHEREAS, pursuant to the Texas Disaster Act of 1975, the Mayor is designated as the emergency management director of the Town of Flower Mound, and may exercise the powers granted to the governor on an appropriate local scale; and

WHEREAS, I, Steve Dixon, the Mayor of the Town of Flower Mound, issued a Declaration of Disaster on March, 15, 2020 and First Amended Disaster Declaration on March 20, hereby issues this Second Amended Declaration of Disaster to implement additional measures to ensure the protections of the residents of the Town of Flower Mound.

NOW THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE TOWN OF FLOWER MOUND, TEXAS, THAT:

This order ("Order") is effective as of 11:59 p.m. on Monday, March 23, 2020, and shall continue until 11:59 p.m. April 20, 2020:

1. The Declaration of Disaster on March 15, 2020 activated the Town of Flower Emergency Operations Plan, which shall continue in effect.
2. This Declaration hereby limits the size of gatherings to no more than 10 people and mandates the cancellation of all such gatherings of more than 10 people until April 20, 2020. For purposes herein, a gathering is any indoor or outdoor event that brings together or is likely to bring together more than 10 people at the same time in a single space where people are present and within six feet of one another, without regard to the purpose of the gathering.

This Declaration does not prohibit gatherings of people in multiple, separate enclosed spaces (including separate cubicles) in a single building such as different floors of a multi-level office, residential building, or hotel, so long as not more than 10 people are present in any single space at the same time. This declaration also does not prohibit the use of enclosed spaces where more than 10 people may be present at different times during the day, so long as more than 10 people are not present in the space at the same time. This declaration does not make a distinction between types of gatherings, i.e. social, community, or recreational.

3. This Declaration orders that restaurants and beverage bars with or without drive-in or drive-through services; drive-in restaurants; drive-through restaurants; or microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-in or drive-through services, if permitted by law.
4. This Declaration orders that the public cannot occupy nor may patrons be permitted to occupy the following: bars, lounges, taverns, commercial amusement establishments, bingo halls, theaters, movie theaters, gymnastic studios, martial arts studios, gyms, private clubs, hair and nail salons and barber shops, estheticians and related personal care businesses, spas, massage parlors, tattoo and piercing parlors, tanning salons, residential meeting spaces, event centers, hotel meeting spaces and ballrooms, outdoor plazas and markets, malls and retail stores that do not sell essential household goods.
5. This Declaration allows the following entities to continue doing business as long as they enforce social separation: grocery stores, stores selling essential household goods, convenience and package stores, pharmacies and drug stores, day care facilities, medical facilities, non-profit service providers, homeless and emergency shelters, office buildings, essential government buildings, airports and transit facilities, transportation systems, residential buildings and hotels, and manufacturing and distribution facilities.

In all such locations, there must always be sufficient space for all people to be six feet apart to control infection. Where possible, a tracking list of individuals present, and their contact information shall be maintained.

6. Retail suppliers shall use commonsense rationing of household products and groceries that are in limited supply.
7. Notwithstanding the above restriction, this Declaration is not intended to apply to any business operations delivering essential services. Essential Services means services, by whomsoever rendered, and whether rendered to the government or to any other person, the interruption of which would endanger life, health or personal safety of the whole or part of the population. Essential services as defined by the U.S. Department of Homeland Security Cyber and Infrastructure Security Agency's (CISA) Essential Critical Infrastructure Workforce Memorandum dated March 19, 2020 may continue to their operation appropriately modified to account for Centers for Disease Control (CDC) workforce and consumer protection guidance.
8. If someone in a household has tested positive for COVID-19, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function until cleared by a medical professional.
9. This Declaration restricts worship services for in-person services, provided that staff can work on site to produce audio/video services for transmission to the public.
10. The Order set forth in the First Amended Disaster Declaration dated March 20, ordering the suspension of issuance of all Solicitation Permits governed by Chapter 18 of the Code of Ordinances, Town of Flower Mound, Texas, and the revocation of all active, previously issued Solicitation Permits, is hereby restated and continued.
11. This Declaration hereby authorizes the use of all lawfully available enforcement tools.
12. This Declaration incorporates the attached table, Disaster Restrictions, as if set forth verbatim herein.
13. This Declaration shall be filed promptly with the Town Secretary.

In accordance with Texas Government Code Section 418.173, a person who knowingly or intentionally violates this order commits an offense, punishable by a fine up to \$1000.00 or confinement in jail for a term that does not exceed 180 days.

The purpose of this Order is for emergency protective measures, mitigation procedures and response plans to this public health emergency;

ORDERED this the 23rd day of March 2020.

Steve Dixon
Mayor, Town of Flower Mound