

**ORDINANCE NO. 4343**

**AN ORDINANCE OF THE CITY OF RICHARDSON, TEXAS, CONTINUING THE DECLARATION OF DISASTER AND ORDERS RELATED THERETO ISSUED BY THE MAYOR OF THE CITY OF RICHARDSON, TEXAS, ON MARCH 18, 2020; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED THE SUM OF ONE THOUSAND (\$1,000.00) DOLLARS FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, beginning on December 2019, a novel coronavirus, now designated SARS-CoV-2 which causes the disease COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and

**WHEREAS**, symptoms of COVID-19 include fever, coughing, and shortness of breath and, in some cases, the virus has caused death; and

**WHEREAS**, on January 30, 2020, the World Health Organization declared the outbreak of COVID-19 as a Public Health Emergency of International Concern; and

**WHEREAS**, on March 5, 2020, the World Health Organization urged proactive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared COVID-19 a worldwide pandemic; and

**WHEREAS**, on March 13, 2020, the Governor of Texas declared a State of Disaster for COVID-19; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a National Emergency for COVID-19; and

**WHEREAS**, on March 15, 2020, the Centers for Disease Control recommended no gatherings with 50 people or more take place for the next 8 weeks throughout the United States; and

**WHEREAS**, on March 16, 2020, Collin County has declared a disaster for COVID-19 and recommend the postponement or cancellation of all public gatherings greater than 50 people; and

**WHEREAS**, on March 16, 2020, the White House recommended avoiding social gatherings of more than 10 people; and

**WHEREAS**, on March 18, 2020, Paul Voelker, Mayor of the City of Richardson, Texas, declared a State of Disaster for the City of Richardson and certain control orders related thereto because of novel coronavirus, now designated SARS-CoV-2 which causes the disease COVID-19, has spread throughout the world and has now been declared a global pandemic by the World Health Organization; and

**WHEREAS**, on March 19, 2020, Commissioner John W. Hellerstedt, M.D. declared a Public Health Disaster in the State of Texas for COVID-19; and

**WHEREAS**, the Texas Governor issued several Executive Orders related to COVID-19 which continue through 11:59 p.m. on April 3, 2020; and

**WHEREAS**, the Dallas County has declared a disaster for COVID-19 and the Dallas County Judge has issued several Executive Orders related to COVID-19 which continue through 11:59 p.m. on April 3, 2020; and

**WHEREAS**, extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout the City of Richardson, Texas, including the quarantine of individuals, groups of individuals, and property as well as compelling individuals, groups of individuals, or property to undergo additional health measures that prevent or control the spread of disease; and

**WHEREAS**, the City Council finds and determines that on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control, the Texas Department of State Health Services, and the Dallas County Health Authority that it is necessary to renew and continue the State of Disaster declared on March 18, 2020, by the Mayor of the City of Richardson, Texas, and the orders related thereto; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RICHARDSON, TEXAS:**

**SECTION 1.** That the City Council, in accordance with the authority vested in the governing body of the City of Richardson, Texas, by Texas Government Code Section 418.108, hereby renews and continues the Declaration of Disaster of March 18, 2020, which shall continue until terminated by action of the City Council.

**SECTION 2.** That pursuant to Texas Government Code Section 418.108(d), the City of Richardson Emergency Management Plan shall remain active through the duration of this disaster declaration. The City's critical infrastructure, which includes, but is not limited to, communications, emergency services, energy, transportation systems, and water and wastewater systems shall continue operating.

**SECTION 3.** That the following orders shall apply throughout Richardson beginning 11:59 p.m. on March 24, 2020, and shall be effective through 11:59 p.m. on April 30, 2020, unless

superseded, canceled, modified, amended or terminated by the Mayor and/or the City Council, or pursuant to applicable law.

1. All individuals currently living within the City of Richardson are ordered to shelter at their place of residence. For the purposes of this Declaration, 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 herein.
2. All businesses operating within the City of Richardson, except Essential Businesses as defined herein, are required to cease all activities at facilities located within the City of Richardson. 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 foot social distancing for both employees and the general public.
3. 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 Declaration prohibits the gathering of members of a household or living unit.
4. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home in accordance with CDC guidelines. Likewise, the members of the such household cannot go to work, school, or any other community function accept as allowed by the CDC guidelines.

5. Nursing homes, retirement, and long-term care facilities are instructed by this Declaration to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
6. 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.
7. 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 foot social distancing.
8. All elective medical, surgical, and dental procedures are prohibited anywhere in the City of Richardson. 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.
9. Due to the 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 occurs first. All sales of bath or toilet tissue occurring in the City of Richardson are limited to the greater of: (a) twelve (12) rolls per purchase; or (b) one (1) package per purchase.

For purposes of this Declaration the following Definitions and orders shall apply unless amended by the Mayor and/or the City Council:

- (a) For purposes of this Declaration, 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 Declaration; and
  - v. To care for a family member or pet in another household.
- (b) For purposes of this Declaration, “Essential Businesses” means:
- i. Essential Healthcare Operations. Healthcare operations, including hospitals, clinics, dentists, 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 and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with this Declaration.

- 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 Declaration 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. Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential and commercial 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, defense and national security-related operations, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the

extent possible. 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.

- 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. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for delivery 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.
- 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, processing and disposal, mail and shipping services, building cleaning and maintenance, warehouse/distribution and fulfillment, storage for 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 of supplies needed to operate.

- vii. News Media. Newspapers, television, radio, and other media services.
- viii. Childcare Services. Childcare facilities providing services that enable employees exempted in this Declaration to work as permitted.

**SECTION 4.** That grocery stores, supermarkets, 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. Due to the need to deliver products as quickly and efficiently as possible during this critical time frame, this Declaration 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 Richardson for the next 60 days.

**SECTION 5.** That although Section 3.08 of the City Charter requires the City Council to conduct at least two (2) meetings per month, it may be necessary during the existence of this Declaration to cancel City Council meetings because of unforeseen events or emergency conditions. As a result, the Mayor and/or City Manager are hereby authorized to cancel any City Council meeting during the duration of this Declaration without the necessity of further approval of the City Council.

**SECTION 6.** That while this Declaration is in effect the City Council hereby authorizes the City Manager, or designee to waive the imposition and collection of any delinquency fee or penalty associated with any permit or approval required under any City Ordinance or Resolution but not including: (i) the fees for water, wastewater, trash collection, property taxes, penalties and interest for

property taxes; (ii) fees or penalties required to be collected and/or imposed by the State of Texas or other governmental authority having jurisdiction to impose and/or collect such fee or penalty; (iii) and fees or charges required to be imposed and/or collected by and/or paid to a third-party under a contract with the City.

**SECTION 7.** That pursuant to Section 418.108(c) of the Texas Government Code, this Ordinance shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

**SECTION 8.** That should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid.

**SECTION 9.** That an offense committed before the effective date of this ordinance is governed by prior law and the provisions of the ordinances of the City, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

**SECTION 10.** That all provisions of the ordinances of the City of Richardson in conflict with the provisions of this Ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Richardson not in conflict with the provisions of this Ordinance shall remain in full force and effect.

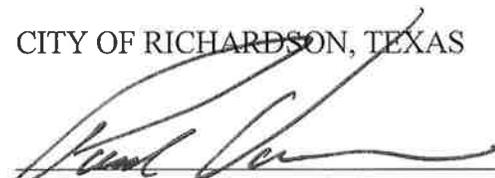
**SECTION 11.** That any person, firm or corporation violating any of the provisions or terms of this Ordinance, the Disaster Declaration, any orders issued by the Mayor and/or the City Council pursuant to the Disaster Declaration, Chapter 7 of the Code of Ordinances or Chapter 418 of the Texas Government Code shall, upon conviction, be punished by a fine not to exceed the sum of One Thousand Dollars (\$1,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

**SECTION 12.** That this Ordinance shall take effect immediately from and after its passage as the law and charter in such case provide.

**DULY PASSED** by the City Council of the City of Richardson, Texas, on this the 23<sup>rd</sup> day of March 2020.



CITY OF RICHARDSON, TEXAS

  
MAYOR

ATTEST:

  
CITY SECRETARY

APPROVED AS TO FORM:

  
PETER G. SMITH, CITY ATTORNEY  
(PGS:03-23-20: TM 114557)