

**CITY OF ALLEN DECLARATION OF LOCAL DISASTER
FOR PUBLIC HEALTH EMERGENCY**

WHEREAS, beginning in December 2019, a novel coronavirus, now designated 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, extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout Collin County, including the quarantine of individuals, groups of individuals and property, and additionally, including compelling individuals, groups of individuals, or property to undergo additional health measures that prevent or control the spread of disease; and,

WHEREAS, Governor Greg Abbott has declared a state of disaster for all Counties in Texas.

NOW, THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. A local state of disaster for public health emergency is hereby declared for Allen, Texas, pursuant to section 418.108(a) of the Texas Government Code.

SECTION 2. Pursuant to section 418.108(b) of the Texas Government Code, the state of disaster for public health emergency shall continue for a period of not more than seven (7) days from the date of this declaration unless continued or renewed by the City of Allen City Council.

SECTION 3. Pursuant to section 418.108(c) of the Texas Government Code, this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed immediately with the City Secretary.

SECTION 4. Pursuant to section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster for public health emergency activates the City of Allen's Emergency Management Plan.

SECTION 5. PROHIBITED GATHERINGS. Public or private Community Gatherings (as defined in Section 6 below) are prohibited anywhere in Allen, Texas.

SECTION 6. DEFINITIONS.

- a. For purposes of these regulations, a "Community Gathering" is any indoor or outdoor event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together two hundred and fifty (250) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, theater, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.
- b. An outdoor "Community Gathering" under these regulations is limited to events in confined outdoor spaces, which means an outdoor space that:
 - (i) is enclosed by a fence, physical barrier, or other structure; and,
 - (ii) where people are present and are within arm's length of one another for extended periods.
- c. These regulations do not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as a multiplex movie theater, school or office tower, so long as two hundred and fifty (250) people are not present in any single space at the same time. These regulations also do not prohibit

the use of enclosed spaces where two hundred and fifty (250) or more people may be present at different times during the day, so long as two hundred and fifty (250) or more people are not present in the space at the same time.

- d. For purposes of clarity, a “Community Gathering” does not include the following so long as visitors are generally not within arm’s length of one another for extended periods:
- (i) office spaces or residential buildings;
 - (ii) grocery stores, shopping malls, or other retail establishments where large numbers of people are present, but it is unusual for them to be within arm’s length of one another for extended periods; and,
 - (iii) hospitals and medical facilities.

SECTION 7. 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 8. 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 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 9. EFFECTIVE IMMEDIATELY. These regulations shall be effective immediately and continue until they are either rescinded, superseded, or amended or until they expire pursuant to applicable law.

SECTION 10. SUSPENSION AND MODIFICATION OF ORDINANCES.

- a. Any ordinances or regulations that would prevent temporary sheltering and housing by the City, State of Texas, or the Federal Government in response to the declared disaster are suspended or modified as necessary to make these regulations effective.
- b. Any ordinances or regulations that conflict with these regulations are suspended or modified as necessary to make these regulations effective.
- c. Suspension or modification of the ordinances and regulations shall remain in effect until these regulations are terminated or until the public health emergency is terminated, whichever is sooner.

SECTION 11. PENALTIES.

- a. These regulations shall have the effect of ordinances 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 Fifty Dollars (\$50) and not more than Two Thousand Dollars (\$2,000) for each offense.

DECLARED this 16th day of March 2020.



Stephen Terrell, Mayor
City of Allen, Texas