

DECLARATION OF DISASTER AND PUBLIC HEALTH EMERGENCY

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. 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 (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, United States nationals were transported from Wuhan City, China to several secure locations within the United States identified by the Centers for Disease Control and Prevention (CDC), including military bases in Texas, in order to ensure the health and wellbeing of those persons; and

WHEREAS, on February 7, 2020, 91 Americans evacuated from Wuhan City, China (Cohort 1) arrived at Texas military bases, with one person diagnosed with the virus and transported to a Texas hospital; and

WHEREAS, on February 17, 2020, the Centers for Disease Control evacuated 144 passengers from a cruise ship docked in Japan (Cohort 2) to a Texas military base; and

WHEREAS, on February 20, 2020, 90 evacuees from Cohort 1 were released from quarantine and returned to their homes; and

WHEREAS, persons in Cohort 2 that have not exhibited symptoms or have tested negative for the virus were originally set to be released from quarantine at a Texas military base on March 2, 2020; and

WHEREAS, as of March 2, 2020 ten (10) persons evacuated to a Texas military hospitals have tested positive for the virus and it is anticipated that the number of persons diagnosed with the virus is likely to increase, as testing for the virus continues; and

WHEREAS, on Saturday, February 29, 2020, one of the persons in Cohort 1 who had tested positive for COVID-19 and subsequently tested negative on two tests was released from quarantine in Texas. However, this person tested positive for the virus on a third test, with results coming in after her release. This person visited a San Antonio mall, ate at its food court, and spent a few hours among other persons, potentially exposing the public to the virus; and

WHEREAS, the person has been returned to quarantine at a Texas military base near San Antonio while the CDC and local health authorities are taking steps to ensure the community is kept safe and the exposure risk is minimized; and

WHEREAS, the identification of "community spread" cases of COVID-19 in the United States has occurred and the virus is no longer limited to travel to China, or contact with travelers who have visited China; and

WHEREAS, the World Health Organization has declared the coronavirus a pandemic and urged aggressive action from all countries to fight it; and

WHEREAS, as of March 13, 2020, Collin County reports that there are five (5) confirmed positive cases of COVID-19 in Collin County at this time and there are 63 persons under monitoring in Collin County; and

WHEREAS, as of March 13, 2020, Dallas County, the most populous County bordering Collin County, reports that there are eight (8) confirmed positive cases of COVID-19 in Dallas County; and

WHEREAS, as of March 13, 2020, Dallas County declared a state of local emergency due to the COVID-19 pandemic; and

WHEREAS, as of March 13, 2020, Governor Greg Abbott declared a state of disaster for Texas over the coronavirus pandemic; and

WHEREAS, as of March 16, 2020, County Judge Chris Hill declared a state of disaster for Collin County over the coronavirus pandemic; and

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

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the governor of state resources; and

WHEREAS, by this Declaration of Disaster and Public Health Emergency, I declare all rules and regulations that may inhibit or prevent prompt response to this threat suspended for the duration of the incident; and

WHEREAS, pursuant to the authority granted to the Mayor under the Texas Disaster Act of 1975, I authorize the use of all available resources of state government and political subdivisions to assist in the Town's response to this situation; and

WHEREAS, I, Henry Lessner, the Mayor of the Town of Fairview, Texas, have determined that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19;

NOW, THEREFORE, BE IT DECLARED BY THE TOWN OF FAIRVIEW, TEXAS:


1. That a local state of disaster and public health emergency is hereby declared for the Town of Fairview pursuant to §418.108(a) of the Texas Government Code.
2. Pursuant to §418.108(b) of the Government Code, the state of disaster and public health emergency shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the Town Council.
3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the Town Secretary..

4. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates the Town of Fairview's emergency management plan.
5. Pursuant to §418.020(d) of the Government Code, this declaration authorizes the Town to commandeer or use any private property, temporarily acquire, by lease or other means, sites required for temporary housing units or emergency shelters for evacuees, subject to compensation requirements.
6. Pursuant to §122.006 of the Health and Safety Code, this declaration authorizes the Town to take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals, regulating ingress and egress from the Town, and fining those who do not comply with the Town's rules.
7. Pursuant to the statutory authority cited above, I, Mayor Henry Lessner, declare that ingress into and travel through the Town of Fairview from any persons that have been quarantined in a facility for treatment of COVID-19 is not permitted without the written permission of the mayor. No previously quarantined person shall be permitted to enter the Town of Fairview until further notice.
8. The Mayor may take additional appropriate and legal actions and/or delegate to City officers authority to take appropriate and legal actions to protect the public health and safety in response to the COVID-19 virus pandemic including but not limited to:
 - a. closing or restricting access to city facilities;
 - b. revising occupant load numbers for city public facilities;
 - c. revising, suspending or deferring fees;
 - d. amending the personnel policies and procedures with regard to leave provisions for quarantined/diagnosed staff, and other personnel matters; and
 - e. rescheduling or reducing City Council and other public meetings and suspending rules related to content of meeting agendas.
9. The Governor of the State of Texas has issued executive orders including the following, which are incorporated herein by reference as mandatory provisions:
 - a. Order No. 1: In accordance with the Guidelines from the President and the CDC, every person in Texas shall avoid social gatherings in groups of more than 10 people.
 - b. Order No. 2: In accordance with the Guidelines from the President and the CDC, people shall avoid eating or drinking at bars, restaurants, and food courts, or visiting gyms or massage parlors; provided, however, that the use of drive-thru, pickup, or delivery options is allowed and highly encouraged throughout the limited duration of this executive order.
 - c. Order No. 3: In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance.
 - d. Order No. 4: In accordance with the Guidelines from the President and the CDC, schools shall temporarily close.

10. The initial actions for the Town of Fairview are shown on Attachment "A" and are hereby in effect.

11. This Declaration shall take effect immediately from and after its issuance.

DECLARED AND ORDERED this 20 day of March 2020.

A handwritten signature in blue ink that reads "Henry Lessner". The signature is written in a cursive style and is positioned above a horizontal line.

Mayor Henry Lessner
Town of Fairview, Texas

Attachment "A"

Town of Fairview Declaration of Disaster and Public Health Emergency

Town of Fairview COVID-19 Action Plan

1. All public events including the Friends of Fairview Fire Cook Out, the Fairview 5K run, the Hazardous Waste Day, the Drug Take Back and any other Town events will be canceled or postponed.
2. Municipal Court proceedings have been canceled.
3. All board and committee meetings have been cancelled other than Council and Planning and Zoning Commission. Those meetings will be held as determined necessary by the Mayor.
4. All room rentals at town hall and at the community room have been canceled and no new rentals will be approved.
5. Effective Monday, March 23, 2020 the Town Hall and all other town buildings and operations are open by appointment only. This includes Municipal Court. Information on reaching Town departments, making utility payments and conducting other business with the Town will be located on the Town website.
6. All departments have established and will follow emergency operating protocols to minimize exposure of employees to potentially ill persons, to protect emergency services employees as they continue to provide services, and to protect the public as they conduct business with the town including maintaining social distancing and meeting rules in accordance with CDC and State recommendations.
7. All departments have implemented cleaning and sanitizing within all public buildings, vehicles and equipment meeting the CDC recommendations.
8. Effective Monday, March 23, 2020 the Town will defer cutting off utilities for non-payment to assist residents and businesses for the duration of the disaster period.