

PROCLAMATION DECLARING A LOCAL STATE OF DISASTER DUE TO A PUBLIC HEALTH EMERGENCY BY THE MAYOR FOR THE CITY OF HOUSTON

WHEREAS, in December 2019, a respiratory disease caused by a novel coronavirus was detected in Wuhan City, Hubei Province, China. The virus has been named “SARS-CoV-2” and the disease it causes has been named “coronavirus disease 2019” (“COVID-19”). 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 and advised countries to prepare for the containment, including active surveillance, early detection, isolation and case management, contact tracing, and prevention of onward spread of the disease; and

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States to aid the nation’s healthcare community in responding to COVID-19; and

WHEREAS, the identification of “community spread” cases of COVID-19 in the United States could potentially signal that transmission of the virus may no longer be limited to travel to outbreak areas or contact with travelers who have visited outbreak areas; and

WHEREAS, according to the Center for Disease Control (“CDC”), it is likely that at some point, widespread transmission of COVID-19 in the United States will occur; and

WHEREAS, the CDC warns that widespread transmission of COVID-19 would translate into large numbers of people needing medical care at the same time; schools, childcare centers, workplaces, and other places for mass gatherings may experience more absenteeism; public health and healthcare systems may become overloaded with elevated rates of hospitalizations and deaths; other critical infrastructure, such as law enforcement, emergency medical services, and transportation industry may also be affected; and health care providers and hospitals may be overwhelmed; and

WHEREAS, to date, approximately 2 persons in the City of Houston and 14 persons in the region 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, given, among other things, the CDC’s guidance, there is an ongoing risk and likelihood of COVID-19-positive patients being identified in the City of Houston; and

WHEREAS, the City of Houston’s Local Health Authority is taking steps to ensure the spread of COVID-19 is contained, the community is kept safe, and the exposure risk is minimized; and

WHEREAS, the City, including its Local Health Authority, Health Department, Department of Emergency Management, and other City partners, have been working successfully and diligently to implement CDC guidelines, but now require additional tools and

resources to protect the public health given the current state of the epidemic and the need for a sustained response; and

WHEREAS, it is necessary to the public health of the residents of the City of Houston and surrounding areas that those persons under investigation, persons under management, and quarantined persons remain within the confines of their homes or in safe, secure facilities during the quarantine period following their exposure to the virus; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, as amended, Texas Government Code Annotated, Chapter 418, (the "Texas Disaster Act"), the Mayor is designated as the Emergency Management Director of the City of Houston, and may exercise the powers granted to the Governor on an appropriate local scale; and

WHEREAS, a declaration of local disaster due to this 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 Local State of Disaster due to this 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, I authorize the use of all available resources of state government and political subdivisions to assist in the City's response to this situation; and

WHEREAS, the City of Houston, and the people and communities of the City have suffered or face imminent threat to the public health and the potential for loss of life and property resulting from a disaster: the introduction, transmission, or spread (or imminent threat of the same) of COVID-19 in the City of Houston; and

WHEREAS, I, the Mayor of the City of Houston have determined that emergency measures must be taken to either prepare for or respond to a disaster due to this public health emergency in order 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, and to prevent or minimize the loss of life; and

WHEREAS, the Mayor of the City of Houston is empowered to take the actions described in this proclamation pursuant to the Texas Disaster Act; **NOW, THEREFORE**,

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF HOUSTON, TEXAS:

Section 1. Declaration of Local State of Disaster. A local state of disaster due to this public health emergency is hereby declared by the Mayor for the City of Houston and all surrounding incorporated areas pursuant to §418.108(a) of the Texas Disaster Act.

Section 2. Duration of Local State of Disaster. Pursuant to §418.108(b) of the Texas Disaster Act, the local state of disaster due to this public health emergency issued in this

proclamation shall continue until revoked but in no event will it exceed a period longer than seven days of the date hereof, unless continued or renewed by the consent of the City Council of the City of Houston.

Section 3. Publicity and Filing. Pursuant to §418.108(c) of the Texas Disaster Act, this declaration of a local state of disaster due to this public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

Section 4. Activation of the City Emergency Management Plan. Pursuant to §418.108(d) of the Texas Disaster Act, this declaration of a local state of disaster due to this public health emergency activates the City of Houston's Emergency Management Plan.

Section 5. Temporary Housing and Emergency Shelter. Pursuant to §418.020(d) of the Texas Disaster Act, this declaration authorizes the City to: (1) temporarily or permanently acquire by lease, purchase, or other means sites required for installation of temporary housing units or emergency shelters for disaster victims; and (2) enter into arrangements necessary to prepare or equip the sites to use the housing units or shelters, including arrangements for the purchase of temporary housing units or shelters and the payment of transportation charges.

Section 6. Protective Control Measures and Facilities. Pursuant to §122.006 of the Health and Safety Code, the City is authorized to adopt rules to protect the health of persons in the City of Houston, including quarantine rules to protect the residents against communicable disease and provide for the establishment of quarantine stations, emergency hospitals and other hospitals.

Section 7. Compliance with Local Health Authority Orders. Any individual, group of individuals, or property subject to a Local Health Authority Order restricting the movement of that individual or group of individuals or restricting movement to, from, or within that property, shall limit ingress and egress and take such measures as specified by that Local Health Authority Order.

Section 8. This proclamation shall take effect immediately upon its issuance by the Mayor of the City of Houston.

ORDERED this the 11th day of **March, 2020**.

Mayor of the City of Houston, Texas

ATTEST/SEAL:

City Secretary

APPROVED BY THE CITY LEGAL DEPARTMENT on March 11, 2020.