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May 13, 2020

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FIRST SUPPLEMENT TO THE SIXTH AMENDED EMERGENCY REGULATIONS

WHEREAS, by proclamation issued March 12, 2020, pursuant to the Texas Disaster Act of 1975, the Mayor declared a state of local disaster for the City of Dallas resulting from the COVID-19 Pandemic;

WHEREAS, by proclamation issued March 19, 2020, the state of local disaster was extended to April 29, 2020;

WHEREAS, by proclamation issued April 22, 2020, the state of local disaster was extended to May 12, 2020, and continuing concurrently thereafter with the Governor's state of disaster;

WHEREAS, by executive order issued May 5, 2020, Governor Greg Abbott expanded reopening of services as part of the safe, strategic plan to open Texas in response to the COVID-19 disaster;

WHEREAS, Texas Government Code Section 418.1015 states that the Mayor, as the presiding officer of the governing body of the City of Dallas, is designated as the emergency management director and serves as the Governor's designated agent in the administration and supervision of duties under Chapter 418, including exercising the powers granted to the Governor under Chapter 418 on an appropriate local scale;

WHEREAS, Texas Government Code Section 418.108 authorizes the Mayor of the City of Dallas to order the evacuation of all or part of the population from a stricken or threatened area under the jurisdiction and authority of the Mayor if the Mayor considers the action necessary for the preservation of life or other disaster mitigation, response, or recovery; and authorizes the

Mayor to control ingress to and egress from a disaster area under the jurisdiction and authority of the Mayor to control the movement of persons and the occupancy of premises in that area;

WHEREAS, in accordance with Texas Government Code Section 418.1015, the Mayor, as the emergency management director, has designated the City Manager as the emergency management coordinator to serve as an assistant to the emergency management director for emergency management purposes;

WHEREAS, Dallas City Code Section 14B-7 authorizes the City Manager to "promulgate such regulations as he or she deems necessary to protect life and property and preserve critical resources" while a state of disaster is in effect; and

WHEREAS, the Sixth Amended Emergency Regulations promulgated on May 8, 2020, provided further regulations and guidance in alignment with the Governor Abbott's executive orders;

NOW, THEREFORE, the following supplemental regulation takes effect immediately and shall continue until it is either rescinded, superseded, or amended or until it expires pursuant to applicable law.

SECTION 1. 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 a decision of a court of competent jurisdiction, then that decision will not affect the validity of the remaining portions or applications of these Emergency Regulations.

SECTION 2. SAVINGS CLAUSE.

That all ordinances of the City of Dallas and the Dallas City Code, as amended, shall remain in full force and effect, save and except as amended by these Emergency Regulations.

SECTION 3. PENALTIES.

This section replaces Section 16 of the Sixth Amended Emergency Regulations promulgated on May 8, 2020.


(a) These Emergency Regulations shall have the effect of an ordinance 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 \$50 and not more than \$1,000.


SECTION 4. EFFECTIVE DATE.

These Emergency Regulations take effect immediately and shall continue until they are either rescinded, superseded, or amended or until they expire pursuant to applicable law.


CITY OF DALLAS

BY: 

T.C. BROADNAX
City Manager

Passed: MAY 13 2020


APPROVED AS TO FORM:

CHRISTOPHER J. CASO
City Attorney
BY: 

Assistant City Attorney