

31496

200438

RECEIVED

March 30, 2020

2020 MAR 30 PM 5:16

CITY SECRETARY
DALLAS, TEXAS**THIRD 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, 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, 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

NOW, THEREFORE, the following regulations take effect immediately and shall continue until they are either rescinded, superseded, or amended or until they expire pursuant to applicable law.

SECTION 1. ADOPTION OF COUNTY ORDER.

(a) Except as provided in these regulations, the Amended Order of Dallas County Judge Clay Jenkins, dated March 29, 2020, (“Amended Order”) is adopted as part of the Third Amended Emergency Regulations of the City of Dallas, with certain exceptions and additions. The Amended Order is attached as Exhibit A to these emergency regulations.

(b) The following sections of the Amended Order are adopted and incorporated herein:

- (i) Section 1, Subsections (a) through (d).
- (ii) Section 2, Subsections (a) through (c).
- (iii) Section 5.
- (iv) Section 6.
- (v) Section 7.
- (vi) Section 9.
- (vii) Section 10.

(c) Any reference to the geographic area of Dallas County in the Amended Order shall instead mean the City of Dallas.

(d) Whenever the phrase “this Order” is used in the Amended Order, it shall instead mean “these regulations.”

(e) Any sections of the Amended Order that specifically address Dallas County governmental functions are excepted.

SECTION 2. ADOPTION OF DALLAS COUNTY ORDER REGARDING LONG-TERM CARE FACILITIES.

(a) Except as provided in these regulations, the Order of Dallas County Judge Clay Jenkins Regarding Long-Term Care Facilities, dated March 29, 2020, (“LTCF Order”) is adopted as part of the Third Amended Emergency Regulations of the City of Dallas, with certain exceptions and additions. The LTCF Order is attached as Exhibit B to these emergency regulations.

(b) The following sections of the LTCF Order are adopted and incorporated herein:

(i) Section 2.

(ii) Section 3, Subsections (a) through (d). Proof of the completion of all notifications in Subsections 3(a) through (d) shall be provided to Rocky Vaz at oemdepartment@dallascityhall.com within six business hours of the identification of a resident’s diagnosis of COVID-19. For purposes of this subsection, business hours are from 8:00 a.m. to 6:00 p.m.

(iii) Section 4.

(iv) Section 5.

(v) Section 6.

(c) Any reference to the geographic area of Dallas County in the LTCF Order shall instead mean the City of Dallas.

(d) Whenever the phrase “this Order” is used in the LTCF Order, it shall instead mean “these regulations.”

(e) Any sections of the LTCF Order that specifically address Dallas County governmental functions are excepted.

SECTION 3. ADOPTION OF DALLAS COUNTY STAY HOME STAY SAFE RULES FOR THE CONSTRUCTION INDUSTRY.

The Stay Safe Stay Home Rules for the Construction Industry of Dallas County Judge Clay Jenkins, associated with the Amended Order, (“the Construction Rules”) are adopted as part of the Third Amended Emergency Regulations of the City of Dallas. The Construction Rules are attached as Exhibit C to these emergency regulations.

SECTION 4. REPORTING OF COVID-19 TESTS.

(a) All public, private, and commercial laboratories operating within the City of Dallas and performing COVID-19 testing shall report by 5:00 p.m. each day for the prior 24-hour period (1) the number of COVID-19 tests performed and (2) the number of positive COVID-19 tests to Rocky Vaz at oemdepartment@dallascityhall.com, if either the specimen is collected in, or the test is performed in, the City of Dallas.

(b) Such laboratories shall not provide names or other individually identifiable health information that could be used to identify an individual patient. This information will be used solely for public health purposes to monitor the testing conducted in the City and mitigate and contain the spread of COVID-19.

SECTION 5. HOSPITALS.

All hospitals within the City of Dallas that are licensed under the Texas Health and Safety Code Chapter 241, maintained or operated by the state, except psychiatric hospitals, and maintained or operated by the federal government, except psychiatric hospitals, shall submit to Mayor Eric Johnson, City of Dallas Emergency Management Director, at eric.johnson@dallascityhall.com, by 4:00 p.m. each day, daily reports of the total number of: (1) patient beds and patient beds occupied; (2) Intensive Care Unit patient beds and Intensive Care

Unit patient beds occupied; and (3) ventilators that are available and ventilators being used by patients.

SECTION 6. 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 7. SUSPENSION AND MODIFICATION OF ORDINANCES.

(a) Any city ordinance, order, or regulation that would prevent temporary sheltering and housing by the City of Dallas, State of Texas, or the Federal Government in response to the declared disaster is suspended or modified as necessary to make these regulations effective.

(b) Any city ordinance, order, or regulation imposing a time requirement for approving or denying an application or for appealing a city decision is tolled.

(c) Any city ordinance, order, or regulation that conflicts with these regulations is suspended or modified as necessary to make these regulations effective.

(d) Any city ordinance, order, or regulation that restricts delivery hours for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies is suspended or modified as necessary to allow for such transport and delivery.

(e) Any city ordinance, order or regulation that prevents a manufacturer who retools its business for the purpose of manufacturing and producing ventilators, masks, personal protective equipment, or any supplies necessary for Essential Healthcare Operations is suspended, and such manufacturer may apply for a temporary certificate of occupancy for such manufacturing.

SECTION 8. CITY COUNCIL MEETINGS.

(a) All city council meetings must be conducted virtually, either as a telephonic or videoconference meeting.

(b) All persons wishing to speak at a city council meeting, including those speaking on public hearing items, must register to speak in accordance with the City Council Rules of Procedure Section 6.3.

SECTION 9. PROHIBITING CERTAIN COUNCIL COMMITTEE MEETINGS.

Except telephonic or videoconference meetings of the Ad Hoc Council Committee on COVID-19 Economic Recovery and Assistance and the Ad Hoc Council Committee on COVID-19 Human and Social Recovery and Assistance, all city council committees, both standing and ad hoc, are prohibited from meeting through April 29, 2020.

SECTION 10. PROHIBITING CERTAIN CITY BOARD AND COMMISSION MEETINGS.

Except telephonic or videoconference meetings of the city plan commission, which may be required to meet to consider plats; the park and recreation board, which may be required to meet to consider proposed contracts and other agreements; and other boards and commissions, which may be required to meet to consider an item pursuant to, or in compliance with, state or federal law, all city boards and commissions are prohibited from meeting through April 29, 2020.

SECTION 11. 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 such decision will not affect the validity of the remaining portions or applications of these regulations.

SECTION 12. 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 this emergency regulation.

SECTION 13. PENALTIES.

(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 \$2,000.

SECTION 14. EFFECTIVE DATE.

These 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: 
ERIC JOHNSON
Mayor

Passed: MAR 30 2020

BY: 
T.C. BROADNAX
City Manager



APPROVED AS TO FORM:

CHRISTOPHER J. CASO
Interim City Attorney

BY: 
Assistant City Attorney



31496

EXHIBIT A 200438

DALLAS COUNTY**AMENDED ORDER OF COUNTY JUDGE CLAY JENKINS**

Stay Home Stay Safe

DATE AMENDED ORDER ISSUED: March 29, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;;

WHEREAS, on March 12, 2020, Judge Jenkins issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of County Judge Clay Jenkins be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 3, 2020, unless rescinded by order of the Commissioners Court.

THEREFORE, the March 12, 2020, Order of County Judge Clay Jenkins is hereby AMENDED as follows:

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals anywhere in Dallas County to shelter in place – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This Order takes effect at 11:59 p.m. on March 29, 2020 and will continue through 11:59 p.m. on April 3, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE
SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. Effective as of 11:59 p.m. on March 29, 2020, and continuing until 11:59 p.m. on April 3, 2020:



31496

200438

DALLAS COUNTY

- (a) All individuals currently living within Dallas County are ordered to shelter at their place of residence. For the purposes of this Order, 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 in Section 2.
- (b) All businesses operating within Dallas County, except Essential Businesses as defined in below in Section 2, are required to cease all activities at facilities located within the County except Minimum Basic Operations as defined in Section 2. 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 Rules attached, including maintaining six feet social distancing for both employees and the general public.
- (c) 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 Order prohibits the gathering of members of a household or living unit.
- (d) All elective medical, surgical, and dental procedures are prohibited anywhere in Dallas County. 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.

2. Definitions:

- a. For purposes of this Order, 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, running, golfing, and tennis).
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.



31496

200438

DALLAS COUNTY

- v. To care for a family member or pet in another household.
 - vi. To move to another residence either in or outside Dallas County.
 - vii. To engage in "**Essential Travel**," which includes travel for any of the following purposes: (1) travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses Essential Critical Infrastructure, and Minimum Basic Operation; (2) travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons; (3) travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services; (4) travel to return to a place of residence from outside the jurisdiction; (5) travel required by law enforcement or court order; (6) travel by church staff or clergy for the purpose of production of remote delivery of religious services and other ministries requiring travel; (7) travel related to attending a funeral service; or (8) travel required for non-residents to return to their place of residence outside the County.
- b. For purposes of this Order, "**Essential Businesses**" means:
- i. **Essential Healthcare Operations.** Healthcare Operations includes but is not limited to hospitals, clinics, dentists, chiropractors, physical therapy, optometry offices, 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, personal training, gymnastics studios, and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with Subsection 1(f) of this Order.
 - ii. **Essential Governmental 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. Each governmental body will determine its Essential Governmental Functions and identify the employees and/or contractors necessary to the performance of those functions. Further, nothing in this order shall prohibit any individual from performing or accessing "Essential Governmental Functions." All Essential Governmental Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible. This Order does not apply to Federal or State Government.
 - iii. **Essential Critical Infrastructure.** All public and private facilities and assets, including both physical and cyber systems, and other functions and sectors vital to the security, governance, and public health, safety of Dallas County. Critical infrastructure includes, but is not limited to, utilities such as electricity, gas, water and wastewater, roads and highways, public



DALLAS COUNTY

31496

200438

transportation, solid waste and recycle collection and removal, oil refining, roads and highways, public transportation, defense and national security-related operations, and manufacturing operations supplying essential items to Essential Businesses, Essential Governmental Functions, and Critical Infrastructure. Critical Infrastructure employers should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached. For reference, the CISA 16 critical infrastructure sectors can be found here: <https://www.cisa.gov/critical-infrastructure-sectors>.

- iv. **Stores that Sell Groceries and Other Essential Supplies.** Grocery stores, supermarkets, warehouse stores, big-box stores, bodegas, liquor stores, convenience stores, and farmers' markets that sell food products and household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products. The sale of self-service food items is prohibited. To the greatest extent possible, essential retail establishments shall follow the guidelines below:
 - 1. Designate shopping times for at risk populations (seniors, pregnant people, and people with underlying health conditions);
 - 2. Limit the amount of people in a store at once so that social distancing is possible;
 - 3. Implement an organized line system where people are spaced at least a few feet apart (ideally 6 feet);
 - 4. Implement purchase limits on high-demand items (toilet paper, soap, hand sanitizer);
 - 5. Offer pick up or deliveries of grocery items.
- v. **Restaurants.** 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. In-person service is prohibited. Customers may order and pay inside, but are prohibited from waiting inside the restaurant for their food. All food must be brought outside to customers. To allow for increased access to restaurants, this Order hereby suspends all laws and regulations prohibiting people from walking in a drive-through.
- vi. **Food Cultivation.** Food cultivation, including farming, fishing, and livestock.
- vii. **Delivery of Groceries and Essential Supplies.** Businesses that ship or deliver groceries, food, hygiene products, and essential supplies directly to residences or essential businesses.
- viii. **Transportation.** Operation, maintenance, and repair of airlines, taxis, and other private transportation providers (such as Uber and Lyft) that provide transportation services necessary for the performance of essential activities and essential travel.



31496

200438

DALLAS COUNTY

- ix. **Gas Stations and Businesses Needed for Transportation.** Gas stations, auto-supply stores, auto-repair, and bicycle repair. Auto-dealerships, for in-person mechanical services or to complete an online transaction on an appointment basis only. Gas stations and convenience stores are prohibited from selling self-service food items.
- x. **Critical Trades.** Plumbers, electricians, exterminators, janitors, lawn care services, pool cleaners, maintenance and security, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences, Essential Businesses, Essential Government Functions, and Critical Infrastructure. Critical Trade does not include discretionary maintenance or improvements. Union representatives and their staff, if they represent employees of an Essential Business, Essential Government Functions, or Critical Infrastructure.
- xi. **Construction.** Construction for public works, residential, commercial, and schools. Elective additions and maintenance are prohibited. Protecting construction worker from the spread of COVID19 is extremely important for their safety and for public health, all construction sites must follow the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including, but not limited to, the following:
 - 1. All workers and contractors (hereafter referred to as "workers") must take their temperature at their residence. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
 - 2. To the greatest extent possible, implement a system whereby supervisors must check the temperature of all workers and contractors with a forehead thermometer before the worker begins work. If a worker or contractor has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
 - 3. Shift work must be implemented such that each shift shall have no more than fifty percent (50%) of the workers who were on shift on March 16, 2020. Once assigned to a shift, workers shall not change from one shift to another;
 - 4. To the greatest extent possible, limit crossover of subcontractors;
 - 5. Gatherings during meals or breaks are prohibited;
 - 6. Workers must keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
 - 7. Workers must not use a common water cooler. Employers shall provide individual water bottles or instruct workers to bring their own;
 - 8. Employers must allow non-essential personnel to work from home when possible;



31496

200438

DALLAS COUNTY

9. Employers must provide soap and water and hand sanitizer in the workplace, including all restrooms. Ensure that adequate supplies are maintained;
10. If running water is available at the site, workers must wash their hands for at least twenty (20) seconds before beginning work, when they remove gloves, and before and after the use of shared items such as tools or multi-user devices, before and after any meal or restroom breaks, and when their shift or work time ends.
11. Rest breaks of at least fifteen (15) minutes for every four (4) hours worked must be provided so workers may follow hygiene guidelines;
12. Employers must provide one (1) working flushing toilet for every fifteen (15) workers on site or one (1) outdoor portable toilet for every 10 workers on site;
13. There shall be no adverse action taken against an employee who has been quarantined, or advised to self-quarantine, due to possible exposure to coronavirus; and
14. Employers must designate a COVID-19 safety monitor on each site who has the authority to enforce these rules;

Failure to strictly comply with this Order can result in penalties described below. Additionally, the general contractor and non-compliant subcontractor can be removed from the essential business list.

- xii. **Professional Services.** Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities or services necessary to avoid imminent harm to a client. Real estate and inspection services, but only for the purpose of title work and closing; in-person open houses and showings are prohibited.
- xiii. **Financial Institutions.** Banks and related depository financial institutions, credit unions, insurance companies, title companies, payroll and accounting services. Non-depository institutions (such as payday lenders) are prohibited.
- xiv. **Information Technology Services/Telecommunications Services.** IT and IT services and their essential service vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services, and critical manufacturing, as well as telecommunications services, internet access and broadband/communications services.
- xv. **Essential Retail.** Laundromats, dry cleaners, and laundry service providers., hardware stores, and related facilities. Firearm and ammunition suppliers and retailers for purposes of safety and security. Hardware stores and business that sell electrical, plumbing, and other materials necessary to support Essential Businesses, and Essential Government Functions, and Critical Infrastructure. To the greatest extent possible, essential retail establishments shall follow the guidelines below:



31496

200438

DALLAS COUNTY

1. Designate shopping times for at risk populations (seniors, pregnant people, and people with underlying health conditions);
 2. Limit the amount of people in a store at once so that social distancing is possible; and
 3. Implement an organized line system where people are spaced at least a few feet apart (ideally 6 feet).
- xvi. **Hotels and Motels.** Hotels and motels, to the extent used for lodging or delivery or carry-out food services.
- xvii. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses or organizations that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- xviii. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** . Businesses or services that supply other Essential Businesses, Essential Government Services, and Critical Infrastructure with the support or supplies needed to operate; including but not limited to mail, shipping and delivery services, warehouse/distribution and fulfillment, storage, moving services, janitorial services, laundry services, computer, audio or video electronics, sanitary equipment, and medical equipment.. To the extent possible, services shall be provided in compliance with Social Distancing Rules attached, including distancing of six feet and routine use of hand sanitizer.
- xix. **Supplies to Work From Home.** Businesses that supply products needed for people to work from home.
- xx. **Public and Private Education.** Public and private educational institutions, only for the purposes of facilitating distance learning or performing essential functions, provided compliance with the Social Distancing Rules is maintained
- xxi. **News Media.** Newspapers, television, radio, and other media services.
- xxii. **Childcare Services.** Childcare facilities providing services or community service providers offering childcare services that enable employees exempted in this Order may operate under the following mandatory conditions:
1. Childcare must be carried out in stable groups of 12 or fewer ("stable" means that the same 12 or fewer children are in the same group each day).
 2. Children shall not change from one group to another.
 3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
 4. Childcare providers shall remain solely with one group of children.
- xxiii. **Animal Care Services.** Animal shelters, veterinary care, and pet food and supply stores. Grooming, if necessary for the health and wellbeing of the animal. Pet daycare, but only for employees of Essential Businesses. To the



31496

200438

DALLAS COUNTY

greatest extent possible, all services must be performed in compliance with social distancing requirements of six feet.

- xxiv. **Religious and Worship Services.** Religious and worship services may only be provided by audio, video, and teleconference. Religious institutions must limit in-person staff to ten (10) people or less at one time, and twenty-five (25) people total per day, when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Rules including the six feet social distancing.
 - xxv. **Funeral Services.** Funeral, mortuary, cremation, burial, cemetery, and related services, provided that social distancing of six feet per person is maintained to the greatest extent possible.
- c. For purposes of this Order, **Minimum Basic Operations** means the following, provided that employees comply with the Social Distancing Rules:
 - i. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- 3. The Dallas County Sheriff's Office, the Dallas County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this Order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail for a term not to exceed 180 days.
 - 4. Any manufacturer who retools their business for the purpose of manufacturing and producing ventilators, masks, personal protective equipment, or any supply necessary for Essential Healthcare Operations may apply for an "essential business" exemption under this Order. Submit requests for an exemption to BusinessCOVID19@dallascounty.org.
 - 5. Under this Order, no person shall sell any of the following goods or services for more than the regular retail price the person charged for the goods or services on March 16, 2020, except where an increased retail price is the result of increased supplier or other costs (including the loss of supplier supporting funds):
 - a. groceries, beverages, toilet articles, and ice;
 - b. restaurant, cafeteria, and boarding-house meals; and
 - c. medicine, pharmaceutical and medical equipment, and supplies.
 - 6. Grocery stores, supermarkets, warehouse stores, 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. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order 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 Dallas County for the next 60 days.



31496

200438

DALLAS COUNTY

7. Due to 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 comes first. All sales of bath or toilet tissue occurring in Dallas County are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase.
8. Due to the public health emergency, the Office of the Dallas County Judge hereby advises the Dallas County Justices of the Peace to suspend eviction hearings and writs of possession for at least the next 60 days to prevent renters from being displaced.
9. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.
10. Nursing homes, retirement, and long-term care facilities are instructed by this Order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
11. Public and private schools and institutions of higher education are instructed by this Order to provide a safety plan to Dallas County Office of Homeland Security and Emergency Management 72 hours before students return to a classroom setting.
12. Additionally, the Office of the Dallas County Judge and the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six (6) or more employees in the City of Dallas can use their paid sick leave when they are sick or to care for sick family members.
13. This Order shall be in effect until 11:59 p.m. on April 3, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
14. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

IT IS SO ORDERED

**CLAY JENKINS
DALLAS COUNTY JUDGE**

**DALLAS COUNTY****DCHHS Social Distancing Rules****1) Vulnerable Populations: Limit Outings**

- Vulnerable populations include people who are:
 - 60 years old and older.
 - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

2) Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Ensure employees practice social distancing and do not work within six feet of one another.
- Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Maximize telecommuting options.
- Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.

3) Cancel Non-essential Events

- Cancel non-essential events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
 - Having hand washing capabilities, hand sanitizers and tissues available.
 - Frequently cleaning high touch surface areas like counter tops and hand rails.
 - Finding ways to implement social distancing..

4) Schools: Safety First

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for further closures.

5) Transit: Cleaning and Protection

- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
- Ensure social distancing practices are implemented to the full extent possible.



6) Health Care Settings: Avoid as possible, protect the vulnerable

- Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Follow guidance and directions of all facilities.

7) Everyone: Do your part

The best way for all Dallas County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.

You can also prepare for the disruption caused by an outbreak. Preparedness actions include:

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a child care plan if you or a caregiver are sick.
- Make arrangements about how your family will manage school closures.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.

**DALLAS COUNTY****ORDER OF COUNTY JUDGE CLAY JENKINS
REGARDING LONG-TERM CARE FACILITIES**

DATE ORDER ISSUED: March 29, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 12, 2020 Order of County Judge Clay Jenkins be amended;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and

WHEREAS, on March 19, 2020, the Dallas County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Dallas County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 3, 2020, unless rescinded by order of the Commissioners Court.

THEREFORE, County Judge Clay Jenkins issue this Order. This Order does not supersede or replace any other orders issued by Judge Jenkins pursuant to and under the authority of the Local Disaster for Public Health Emergency and such other orders remain in full force and effect pursuant to their terms:

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE
SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. This Order shall be in effect beginning at 11:59 p.m. on March 29, 2020 and until 11:59 p.m. on April 3, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
2. This Order applies to all Long-Term Care Facilities ("LTCFs") in Dallas County, Texas.
3. If a resident of an LTCF is identified with a COVID-19 diagnosis, the LTCF shall do the following:
 - a. Immediately notify all staff (from all levels of care or any job description within the LTCF) that a resident has been diagnosed with COVID-19. This notification shall be done in staff meetings, by phone or text message or email.
 - b. All residents (in all levels of care within the LTCF) who are mentally competent shall be informed immediately that a resident has been diagnosed with COVID-19. If the LTCF learns of the diagnosis while the resident is asleep, the resident shall be notified immediately after they wake. The LTCF shall insure that the notification is



DALLAS COUNTY 31496

200438

documented and maintained in its records, including noting the time and method of delivery of the notification.

c. Family members and responsible parties of all residents (in all levels of care within a facility with the exception of independent living) shall be informed immediately by phone, text message or email.

d. A notification statement of diagnosis of COVID-19 in a resident shall also be posted for public access within 30 minutes of identification of a case. The notice shall be posted at the main entrance to the LTCF and prominently displayed on the LTCF's website. This website posting must be on the LTCF's local webpage in addition to the LTCF's corporate website.

e. Proof of the completion of all notifications in 3(a)-3(d) shall be provided to Dallas County Health and Human Services within six business hours of the identification of a resident's diagnosis of COVID-19. For purposes of this subsection, business hours are from 8 a.m. to 6 p.m.

4. If an LTCF has any resident with a diagnoses of COVID-19, the LTCF shall institute the following measures within the same level of care:

a. All health care personnel must wear masks for patient care, and must have temperature and symptom checks prior to each shift. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;

b. The facility will be closed to new admissions and will also close all services, including outpatient rehabilitation.

c. Any and all of the staff at the LTCF shall not work at any LTCFs other than the impacted LTCF, and the administrator any LTCF shall keep a list of all employees who have worked at any other LTCFs, including the name and contact information for the administrator at the other LTCF.

5. Any standards prohibiting improper transfer of patients will be strictly enforced.

6. An LTCF may allow transfer of a resident to home care, but only after a patient has been tested as negative for COVID-19. In the case of such a transfer, the LTCF must provide a copy of this order to those in the household to which the resident is being transferred. Those persons in the household to which the resident is transferred are ordered to isolate at home. Members of the household cannot go to work, school, or any other community function, except for workers included in Essential Healthcare Operations who may continue to work in accordance with CDC guidance.

7. The LTCF shall inform the HHSC regulatory agency of all COVID-19 cases, the same day of identification of each new case. The notification must also include a tally of total cases.

8. The County of Dallas must promptly provide copies of this Order by posting on the Dallas County Health and Human Services website. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is required to post a copy of this Order onsite



31496

200438

DALLAS COUNTY

and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

IT IS SO ORDERED

CLAY JENKINS
DALLAS COUNTY JUDGE

DCHHS Social Distancing Rules**1) Vulnerable Populations: Limit Outings**

- Vulnerable populations include people who are:
 - 60 years old and older.
 - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

2) Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Ensure employees practice social distancing and do not work within six feet of one another.
- Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Maximize telecommuting options.
- Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.

3) Cancel Non-essential Events

- Cancel non-essential events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
 - Having hand washing capabilities, hand sanitizers and tissues available.
 - Frequently cleaning high touch surface areas like counter tops and hand rails.
 - Finding ways to implement social distancing..

4) Schools: Safety First

**DALLAS COUNTY**

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for further closures.

5) Transit: Cleaning and Protection

- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
- Ensure social distancing practices are implemented to the full extent possible.

6) Health Care Settings: Avoid as possible, protect the vulnerable

- Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Follow guidance and directions of all facilities.

7) Everyone: Do your part

The best way for all Dallas County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.

You can also prepare for the disruption caused by an outbreak. Preparedness actions include:



31496

200438

DALLAS COUNTY

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a child care plan if you or a caregiver are sick.
- Make arrangements about how your family will manage school closures.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.



Stay Home Stay Safe

Rules for the Construction Industry

This document provides guidance for persons and business associated with the building and construction industries and trades on the meaning and application of Order issued by Dallas County Judge Clay Jenkins on March 29, 2020 (the "Order").

Reason for Construction Rules. The purpose of these rules is to outline the steps that every employer and employee must take to reduce the risk of exposure to COVID-19. The rules describe how to prevent worker exposure to coronavirus, protective measures to be taken on the jobsite, and cleaning and disinfecting procedures.

Construction as Critical Infrastructure. The Order classified construction for public works, residential, commercial, and schools as critical infrastructure. Elective additions and maintenance are prohibited.

Requirements for Construction. All employers involved in construction activity must follow the requirements set forth in the COVID-19 Safety Recommendations issued by the Construction Industry Safety Coalition, including the rules below:

1. Mandatory temperature checks of all workers before they leave home. If a worker has a temperature above 99.6 degrees Fahrenheit, then they are prohibited from going to work and must remain at their residence;
2. Temperature checks of all workers with a forehead thermometer at the construction site before they may begin work. If an employee or contractor has a temperature above 99.6 degrees Fahrenheit, then they are to be sent home immediately;
3. Implement shift work;
4. Limit crossover of subcontractors;
5. Prohibit gatherings during meals or breaks;
6. Keep a 6 foot distance between people at all times, unless the work being performed requires multiple individuals for the safety of the workers;
7. Do not use a common water cooler. Provide individual water bottles or instruct workers to bring their own;



8. Allow non-essential personnel to work from home when possible;
9. Provide soap and water and hand sanitizer in the workplace, including all restrooms. Ensure that adequate supplies are maintained;
10. Mandatory handwashing of at least twenty (20) seconds for workers during the following:
 - a. Before workers begin work;
 - b. After workers remove gloves;
 - c. Before and after the use of shared items such as tools or multi-user devices;
 - d. Before and after any meal or restroom breaks; and
 - e. After a worker's shift or work time ends.
11. Mandatory rest breaks of at least fifteen (15) minutes for every four (4) hours worked so workers may follow hygiene guidelines;
12. Provide one (1) working flushing toilet for every fifteen (15) workers on site or one (1) outdoor portable toilet for every 10 workers on site;
13. No adverse action taken against an employee who has been quarantined, or advised to self-quarantine, due to possible exposure to coronavirus; and
14. Designate a COVID-19 safety monitor on each site who has the authority to enforce these rules.

Enforcement. Failure to strictly comply with this Order can result in penalties described below. Additionally, the general contractor and non-compliant subcontractor can be removed from the essential business list.