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August 30, 2021

CITY SECRETARY
DALLAS, TEXAS

THIRTEENTH 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 March 2, 2021, Governor Greg Abbott reopened Texas on a statewide basis;

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, 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the following regulations take effect at 12:01 a.m. on September 1, 2021, and shall continue until they are either rescinded, superseded, or amended or until they expire pursuant to applicable law.

SECTION 1. COMPLIANCE WITH EXECUTIVE ORDERS.

(a) Governor Greg Abbott's Executive Orders GA-38 and GA-39, and any future executive order or proclamation, pursuant to his disaster proclamation issued on March 13, 2020, is hereby adopted to the extent that it applies to the City of Dallas.

(b) Compliance with Executive Order GA-38 and GA-39 and any future executive orders or proclamations, so adopted, pursuant to the Governor's disaster proclamation issued on March 13, 2020, is required.

SECTION 2. HEALTH RECOMMENDATIONS.

In providing or obtaining services, every person (including individuals, businesses, and other legal entities) is strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services (DSHS) health recommendations, found at www.dshs.texas.gov/coronavirus.

SECTION 3. SUSPENSION AND MODIFICATION OF ORDINANCES.

(a) Any city ordinance, order, or regulation that would prevent the delivery of emergency or vital services, temporary sheltering, or housing 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 Emergency 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 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 healthcare operations is suspended, and the manufacturer may apply for a temporary certificate of occupancy for such manufacturing.

SECTION 4. USE OF CITY FACILITIES.

City facilities may be used as needed by the city to meet the requirements and goals of these Emergency Regulations, including, but not limited to, operating temporary healthcare facilities, fire stations, and other emergency and public health and safety services.

SECTION 5. CITY COUNCIL MEETINGS.

(a) Beginning on September 1, 2021, city council meetings may be conducted in person, with councilmembers physically present together, or as a hybrid with the presiding officer physically present and other councilmembers participating either virtually or in person, in compliance with the Texas Open Meetings Act (TOMA).

(b) Public attendance and participation in city council meetings may be virtual, through videoconference, in compliance with TOMA, or in person. The public is encouraged to continue to participate virtually.

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

SECTION 6. CITY COUNCIL COMMITTEE MEETINGS.

(a) Beginning on September 1, 2021, city council committee meetings, both standing and ad hoc, may be conducted in person, with councilmembers physically present together, or as a hybrid with the chair physically present and other councilmembers participating either virtually or in person, in compliance with TOMA.

(b) Public attendance at city council committee meetings may be virtual, through videoconference, in compliance with TOMA, or in person. The public is encouraged to continue to participate virtually.

SECTION 7. CITY BOARD AND COMMISSION MEETINGS.

(a) Beginning on September 1, 2021, all city board and commission meetings may be conducted in person, with board members and commissioners physically present together, or as a hybrid with the presiding officer physically present and other board members and commissioners participating either virtually or in person, in compliance with TOMA.

(b) Public attendance and participation in city board and commission meetings may be virtual, through videoconference, in compliance with TOMA, or in person. The public is encouraged to continue to participate virtually.

(c) All persons wishing to speak at a city board or commission meeting by videoconference, including those speaking on public hearing items, must register to speak in accordance with the rules and requirements of that board or commission.

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

SECTION 9. 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 10. 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 \$1,000.

SECTION 11. EFFECTIVE DATE.

These regulations take effect at 12:01 a.m. on September 1, 2021, and shall continue until they are either rescinded, superseded, or amended or until they expire pursuant to applicable law.

CITY OF DALLAS

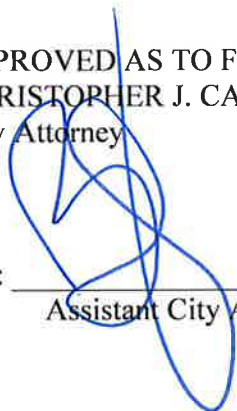
BY: 

T.C. BROADNAX
City Manager

Passed: AUG 30 2021



APPROVED AS TO FORM:
CHRISTOPHER J. CASO
City Attorney

BY: 

Assistant City Attorney