

CITY OF MCKINNEY, TEXAS
SECOND REVISED MAYORAL DECLARATION OF LOCAL STATE OF DISASTER
DUE TO PUBLIC HEALTH EMERGENCY

WHEREAS, beginning in December 2019, a novel coronavirus, now designated COVID-19, has spread through the world and has now been declared a global pandemic by the World Health Organization; and

WHEREAS, symptoms of COVID-19 include fever, coughing, and shortness of breath and, in some cases, the virus has caused death; and

WHEREAS, prudence dictates that extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout the City of McKinney, including the quarantine of individuals, groups of individuals and occupied structures and, additionally, including compelling individuals, groups of individuals, or occupied structures to undergo additional health measures that prevent or control the spread of the virus; and

WHEREAS, Governor Abbott and Collin County have declared a local disaster due to public health emergency; and

WHEREAS, as Mayor, and under state law and local ordinance, I issued my initial Mayoral Declaration of Local State of Disaster on March 16, 2020; and subsequent thereto the President of the United States, in conjunction with the Centers for Disease Control and Prevention, revised his recommendation on social gatherings from 50 to 10 persons; and

WHEREAS, I consequently issued my Revised Mayoral Declaration of Local State of Disaster later that day, March 16, 2020; and in conjunction therewith the City has been evaluating the health and safety aspects of placing limitations on patron occupancies in restaurants and bars in the City of McKinney to help insure that COVID-19 is contained.

NOW, THEREFORE, BE IT DECLARED BY THE MAYOR OF THE CITY OF MCKINNEY, TEXAS:

SECTION 1. That a local state of disaster due to public health emergency is hereby declared for the City of McKinney, Texas, pursuant to section 418.108(a) of the Texas Government Code. This Second Revised Declaration supersedes and revises, in its entirety, my Revised Declaration of March 16, 2020.

SECTION 2. Pursuant to section 418.108(b) of the Texas Government Code, the state of disaster due to public health emergency shall continue for a period of not more than seven (7) days from the effective date of this declaration unless continued or renewed by the City Council of the City of McKinney, Texas.

SECTION 3. Pursuant to section 418.108(c) of the Texas Government Code, this declaration of a local state of disaster due to public health emergency shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

SECTION 4. Pursuant to section 418.108(d) of the Government Code, this declaration of a local state of disaster activates the City of McKinney's Emergency Management Plan under McKinney Ordinance 2008-02-013.

SECTION 5. That this declaration authorizes the City to take any actions necessary to promote health and suppress the virus, including the quarantine of persons and occupied structures, examining and regulating hospitals, regulating ingress and egress from the City, regulating ingress and egress to occupied structures, and insuring compliance for those who do not comply with the City's rules, pursuant to section 122.006 of the Health and Safety Code.

SECTION 6. That this declaration hereby limits the size of gatherings to not more than 10 people and mandates the cancellation of all such gatherings until further notice. A "gathering" refers generally to a scheduled event or common endeavor where 10 persons are present in a confined space, room, or area. The City Council of the City of McKinney and its necessary attendees shall be exempt from this restriction for scheduled public meetings, whether a regular, work session, special or emergency meeting.

SECTION 7. That beginning today and until 11:59 p.m. on Thursday, March 19, 2020 all restaurants and bars shall limit indoor patron occupancies to 50% of the capacity allowed under their Certificate of Occupancy. These businesses are also required to provide social distancing of not less than six (6) feet between each dining party. Beginning Friday, March 20, 2020, all dine-in service at restaurants and bars shall cease. This restriction does not affect drive-thru or carry-out services. This Section 7 will terminate at 11:59 p.m. on Monday, March 23, 2020 by operation of law; however, on March 24, 2020, the City Council will be asked to continue these restrictions until March 31, 2020. It is the intent of this Section 7 that restaurants and bars are able to invoke business interruption insurance coverage due to the enactment of this restriction.

SECTION 8. That this declaration hereby authorizes the use of all lawfully available enforcement tools.

SECTION 9. That this declaration shall take effect immediately.

SO DECLARED AND ORDERED this 17th day of March, 2020.



George C. Fuller
Mayor