

FILED FOR RECORD

AT 5:26 O'CLOCK P. M.

DATE 3/31/20

ZONIA G. MORALES

CLERK COUNTY COURT JIM HOGG CO. TEXAS
BY Zonia G. Morales DEPUTY



**Jim Hogg County Disaster Declaration
Stay Home Stay Safe
DIRECTIVE ISSUED: March 31, 2020
ORDER TO STAY AT HOME**

WHEREAS, pursuant to Texas Government Code Section 418.108, Jim Hogg County Judge Juan Carlos Guerra issued a Declaration of Local Disaster related to the COVID-19 Global Health Crisis on March 18, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 16, 2020, President Donald 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;

WHEREAS, on March 25, 2020, the Jim Hogg County Commissioners Court issued an Extension of Declaration of Local related to the COVID-19 Global Health Crisis that affirmed the activation of the Jim Hogg County Emergency Management Plan and extends the Declaration of Local Disaster until rescinded by order of the Commissioners' Court; and

WHEREAS, the on-going evaluation of circumstances related to the coronavirus and the updated recommendation of the Centers for Disease Control and the Texas Department of State Health Services warrant further Order.

NOW THEREFORE, UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, JIM HOGG COUNTY JUDGE ORDERS:

1. Effective as of 12:01 a.m. on April 2, 2020, and continuing until 11:59 p.m. on April 30, 2020:

- A. All individuals currently living within JIM HOGG County are encouraged to stay at their place of residence. For the purposes of this Order, residences include homes, townhomes, apartments, duplexes, motels, shared rentals, recreational vehicles, motor homes, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonable as possible maintain social distancing of at least six (6) feet from any other person when they are outside their residence. All persons may leave their residences or enter or leave the

territorial limits of this County only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 3.

- B. All business operating within Jim Hogg County, except Essential Businesses as defined below in Section 3, are required to cease all activities at facilities located within Jim Hogg County. 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 Guidelines attached as Exhibit "A" and incorporated in its entirety, including maintaining six (6) 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. This means that no social gatherings are allowed at any given time that include people not living in household. Governor Abbott issued an Executive Order on March 31, 2020 to heighten social distancing to stop the spread of COVID-19. Governor Abbott made the following statement regarding Executive Order; "Social distancing is our best tool in the fight against COVID-19, and the actions we have taken thus far have proven to be effective in limiting the spread of this virus," said Governor Abbott. "Now it is time to redouble our efforts to reduce further exposure as much as possible and flatten the curve. As with all the actions the state is taking, the Essential Services and Activities Protocols is informed by the expertise and guidance of the CDC as well as state and local health officials. I urge my fellow Texans to heed these heightened social distancing directives to protect their health and the health of those around them. By following these guidelines, we will limit the spread of COVID-19 and overcome this challenge together." The Executive Order renews and expands the Governor's previous directive to minimize social gatherings and minimize contact with people who are not in the same household. It also renews the Governor's directive to avoid eating or drinking at bars, restaurants, and food courts, and visiting gyms or massage establishments, and it expands the order to include tattoo studios, piercing studios, and cosmetology salons. Nothing in this Order prohibits the gathering of members of a household or living unit.**

- D. Restaurants with or without drive-in or drive-through services may only provide take out, delivery, or drive-through services in such manner consistent with Texas Governor Greg Abbott's waiver.

- E. Religious and worship services may be provided by video and teleconference. Institutions must limit in person staff to 10 people or less in the same room when

preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Guidelines (including the social distancing guideline of six (6) feet).

- F. All elective medical, surgical, and dental procedures are prohibited anywhere in Jim Hogg County. All medical facilities, including dental offices 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. Elective surgeries and procedures that are designed to reduce risk to patients or treat painful or potentially disabling conditions may be continued.

2. Additional Restrictions

- a. Restriction on numbers of adults entering public and private establishments:
 - I. **Unless an individual requires assistance due to physical or medical needs, or is a parent of a child for whom there is no alternative care, only one member of a household can enter the following retail/wholesale establishments at one time with no more than 10 customers in the store. This applies to the following retailers Grocery stores, warehouse stores, big-box stores, liquor stores, gas stations, and convenience stores.**
 - II. **Preventive measures MUST be taken by management in stores that remain open. Disinfecting of business throughout the day is the responsibility of the owner/management. Shopping carts are to be sanitized after each customer use and hand sanitizer must be available for customers as they arrive and leave the place of business. The safety of ALL employees working in these "essential" business places is also a priority in this order. Owners and/or Management are responsible for making sure that employees are provided with the items they need in order to comply with the preventive measures issued by CDC and State Health Department, i.e., hand sanitizers, Clorox or Lysol Wipes, gloves, masks, including having access to washing hands frequently at place of business, etc.**
 - III. **All retailers, wholesalers, and customers of the above listed retail/wholesale outlets are immediately put on notice: Pursuant to Texas Government Code, Section 418.173, Peace officers are hereby authorized to enforce the current Order. Any retailer, wholesaler or customer who violates any provision of these**

regulations, upon conviction, is punishable by a fine of not more than \$1,000.00.

3. 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 needed 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 the social distancing requirement of six (6) feet (for example, walking, biking, hiking, fishing or running). All county public parks for the exception of Jim Hogg County Veteran's Memorial Plaza, within the geographic boundaries of Jim Hogg County are closed for regular hours of operation.
 - IV. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
 - V. To care for a family member(s) or a pet (or pets) in another household.
- b. For purposes of this Order, "Essential Businesses" means:
 - I. Essential Healthcare Operations. Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, physical therapy, 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 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 Government 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, including any local government entities that are required by law to furnish medical and hospital care for the indigent and needy persons residing in the County. Further, nothing in this order shall prohibit any individual from performing or accessing "Essential Government Functions." All Essential Government Functions shall be performed in compliance with social distancing requirements of six (6) feet, to the extent possible.
- III. Essential Educational Functions: All services provided by local educational entities needed to ensure the continuing operation of the educational agencies to provide for the ongoing education and general welfare of students. Further, nothing in this order shall prohibit any individual from performing or accessing "Essential Educational Functions" to include meal pick up. All Essential Educational Functions shall be performed in compliance with social distancing requirements of six (6) feet, to the extent possible.
- IV. Essential Critical Infrastructure. Work necessary to the operations and maintenance of any of the sixteen (16) critical infrastructure sectors, including suppliers and distributors, as identified by the National Cybersecurity and Infrastructure Agency (including, but not limited to the following sectors: chemical, commercial facilities, communications, critical manufacturing, dams, defense industrial base, emergency services, energy, financial services, food & agriculture, government facilities, healthcare & public health, information technology, nuclear reactors, materials & waste, transportation systems, water & wastewater systems), public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil and gas industry, crude oil storage and transport facilities, refining processes, oil and gas/industry disposal facilities, roads and highways, public transportation, automobile repair, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, bail bond sureties, defense and national security-related operations, warehouses, essential manufacturing operations, provided that they carry out those services or that work in compliance with social distancing requirement of six (6) feet, to the extent possible.
- V. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with the Social Distancing Guidelines attached. Essential Businesses also include businesses that supply Essential Businesses with the services, support, storage, repairs, equipment or supplies necessary or useful to operate or function effectively. Essential Businesses also include other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;

- vi. Essential Retail. Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, liquor stores, gas stations and convenience stores, farmers' markets that sell food products and household staples. Food cultivation, including farming, fishing, and livestock.

Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities and conveyances that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free services to students or member of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas Stations, auto-supply, auto and bicycle repair, hardware stores, landscaping, and related facilities. Businesses that supply products needed for people to work from home.

- vii. Providers of Basic Necessities to Economically Disadvantaged Populations. Business that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- viii. Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses. Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries, hotels and motels, recreational vehicles parks, and public storage facilities. Plumbers, electricians, roofers, exterminators, air conditioner repair, appliance repair, equipment repair, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as insurance, title, real estate, legal or accounting services when necessary to assist in compliance with legally mandated, prohibited, or necessary activities, including the entry of contracts for Essential Businesses or support thereof. Automobile, large truck, and RV dealerships (sales and services centers) in support of transportation. Businesses that supply other essential businesses with support or supplies needed to operate.
- ix. News Media. Newspapers, television, radio, and other media services.
- x. Childcare Services. Childcare facilities providing services that enable employees exempted in this Order to work as permitted.

3. Any manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing ventilators may apply for an "essential business" exemption under this Order. Application for exemption shall be made with the County Judge.

4. Due to the public health emergency, the Office of the Jim Hogg County Judge hereby advises the Jim Hogg County Justices of the Peace to suspend eviction hearing and writs of

possession for at least the next sixty (60) days to prevent renters from being displaced, except as otherwise authorized by the Texas Supreme Court Order of March. 19, 2020. Moreover, as authorized by the issuing court the Office of the Jim Hogg County Judge hereby advises the Jim Hogg County Sheriff to suspend all extraditions for at least the next thirty (30) days to further deter the spread of the virus.

5. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home for a period of at least 14 days after the person has tested negative for coronavirus or left the household or such longer period as determined by the Department of State Health Services. Members of the household cannot go to work, school, or any other community function.

6. 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.

7. Additionally, the Office of the Jim Hogg County Judge and the Department of State Health Services instructs all employees to remain at home if sick, and to promptly communicate with an appropriate health care professional.

8. This Order shall be effective until 11:59 p.m. on April 30, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.

9. The County of Jim Hogg must promptly provide copies of this Order by posting on the Jim Hogg County 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.

10. All typical routes of ingress and egress (roads and streets, county roads, state and other highways, Interstate highways) throughout Jim Hogg County (including all of Jim Hogg County's incorporated and unincorporated areas) shall remain open and accessible, except to the extent specifically limited by Section 3 of this Order to Stay At Home.

11. This Order of County Judge Juan Carlos Guerra applies to all areas of Jim Hogg County.

12. A violation of this Order to Stay at Home is a violation of the emergency management plans of Jim Hogg County. All individuals living in Jim Hogg are immediately put on notice: Pursuant to Texas Government Code, Section 418.173, Peace officers are hereby authorized to enforce the current Order. Any individual who violates any provision of these regulations, upon conviction, is punishable by a fine of not more than \$1,000.00.

IT IS SO ORDERED.


Juan Carlos Guerra
COUNTY JUDGE

Attest :


Zonia Garza Morales, County Clerk

