



ANGELINA COUNTY

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AMENDED EMERGENCY REGULATIONS AND STAY HOME – STAY SAFE ORDER BY THE COUNTY JUDGE OF ANGELINA COUNTY

WHEREAS, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and

WHEREAS, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and

WHEREAS, on March 19, 2020, County Judge Don Lymbery executed a Declaration of Local State of Disaster Due to Public Health Emergency (Declaration) for Angelina County effective March 20, 2020, to allow Angelina County to take measures to reduce the possibility of exposure to COVID-19, and promote the health and safety of Angelina County residents; and

WHEREAS, the original Declaration of Local Disaster for Public Health Emergency in Angelina County was subsequently amended by County Judge Don Lymbery, on March 24, 2020, to include an Order imposing criminal penalties for violation of the orders and regulation imposed by the Declaration; and

WHEREAS, on March 24, 2020, the Angelina County Commissioners Court consented to the continuance of the Declaration in force until midnight (12:00 a.m.) on May 1, 2020, unless rescinded by action of the County Judge; and

WHEREAS, on March 29, 2020, based on an increasing threat to the citizens of Angelina County, Judge Don Lymbery executed an Amended Declaration of Local Disaster for Public Health Emergency in Angelina County, Texas which contained an Amended Emergency Regulations Order, effective at 11:59 a.m. March 30, 2020; and

WHEREAS, the on-going evaluation of circumstances and potential for spread of the virus, the confirmation of additional cases of COVID-19 in Angelina County, and the recommendation of the Angelina County & Cities Health District, and support therefor from CHI St. Luke's Health Memorial and Woodland Heights Medical Center for stronger measures, warrant the further amendment of the Amended Regulations Order; and

WHEREAS, given the current state of disaster and its devastating effects, the following extraordinary measures are warranted.

THEREFORE, PURSUANT TO THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, ANGELINA COUNTY JUDGE DON LYMBERY ORDERS;

SECTION 1. Publicity and Filing. That this Amended Emergency Regulations Stay Home – Stay Safe Order (Amended Order) under Declaration of Local State of Emergency Due to Public Health Emergency shall be given prompt and general publicity and shall be filed promptly with the County Clerk

SECTION 2. Household Isolation Required with COVID-19. That, regardless of any other provision of this Amended Order, if a person residing in Angelina County is being tested or has tested positive for COVID-19 (“COVID -19 Patient”) or is a Person Under Investigation (“PUI”), that person plus all other individuals living at the same address of a COVID-19 Patient or PUI are ordered to isolate at home until testing shows the COVID-19 Patient or PUI has either (i) tested negative (ii) is released back to work by a medical doctor, or (iii) is no longer an active PUI according to written confirmation by the Angelina County & Cities Health District, whichever occurs first. Individuals identified in this paragraph shall not go to work, school, or any other community function. Nothing in this paragraph shall prevent any individual from seeking health care services or treatment for themselves or assisting any family member.

SECTION 3. Countywide Curfew Established. That no person, without proper authority, may be upon the public streets or rights-of-way located within Angelina County (including both unincorporated and incorporated areas) between the hours of 10:00 P.M. and 6:00 A.M. the next morning. The Angelina County Sheriff is hereby authorized to designate other areas and to restrict access, ingress and egress to those areas, as warranted by circumstances.

SECTION 4. Stay at Home or Place of Residence. That all persons currently living within Angelina County (including both unincorporated and incorporated areas) are ordered to **STAY AT HOME** at their place of residence, except as allowed by this Amended Order. For the purposes of this Amended 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 maintain social distancing of at least six feet from any other person when they are outside their residence. No persons may leave their residences except only for “Essential Activities,” or to operate an “Essential Business,” as those terms are defined below in Section 10.

SECTION 5. Non-Essential Businesses Must Close.

- A. All businesses operating within Angelina County, except essential businesses, are required to cease all activities at facilities located within the County. These non-essential businesses may only continue operations that consist exclusively of employees or contractors performing activities at their own residences (i.e. working from home).
- B. All essential businesses must identify essential staff necessary to operate and send all non-essential staff to their respective homes. To the greatest extent possible, essential businesses shall comply with Social Distancing Requirements as defined below in Section 7, including but not limited to when customers stand in lines to enter and exit, and while customers are within the Essential Business facilities.

SECTION 6. Other Prohibited Activities. All public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited, except for the limited purposes as expressly permitted by this Amended Order. Nothing in this Amended Order prohibits the gathering of members of a household or dwelling unit.

- A. 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.
- B. Religious and worship services should only be provided by remote audio, video and teleconference, unless said services cannot be provided by such means. In the event said services cannot be so provided, preparations for and conduct of said services may not exceed ten (10) asymptomatic people in one location, provided all comply with Social Distancing Requirements of Section 7 below. Pursuant to the Joint Guidance Memorandum issued by the Office of the Attorney General and the Office of the Governor for houses of worship, regarding the effect of Executive Order GA 14 (issued by the Texas Governor on March 31, 2020), the following alternative services are also allowed, provided all participants comply with the Social Distancing Requirements of Section 7 below:
 - 1. Parking lot services with attendees remaining in their cars (windows down), parked in every other parking spot, with the minister using amplification or radio transmission to preach; or
 - 2. Communion or a blessing may be provided through a drive-up or drive-through service with attendees remaining in their cars.
- C. All elective medical, surgical, and dental procedures are prohibited anywhere in Angelina 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.
- D. Funeral services may only be conducted graveside and are restricted to immediate asymptomatic family members, provided social distancing of six feet per person is maintained to the greatest extent possible. An immediate family member is defined as a parent; sibling; child by blood, adoption, or marriage; spouse; grandparent or grandchild.

SECTION 7. Social Distancing Requirements. For purposes of this Amended Order Social Distancing Requirements include maintaining at least a six-foot distance from other individuals, washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

SECTION 8. Travel is Prohibited.

- A. All means of travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, are prohibited except for purposes of performing

Essential Activities or going to work in an Essential Business, as those terms are defined in Section 10 below.

- B. All persons traveling for the purpose of going to work in an Essential Business must have on their persons, and produce upon request of the sheriff, a deputy sheriff, a constable or any other peace officer, a letter of documentation from their employers, as required in Section 11 below.

SECTION 9. Prior Regulations in Declaration of March 19, 2020, Amended Declaration of March 24, 2020 and Amended Declaration and Emergency Regulations Order of March 29, 2020. That the findings and recitations set out in the preamble to the March 19, 2020 Declaration, Amended Declaration of March 24, 2020 and Amended Declaration and Emergency Regulations Order (“Order”) of March 29, 2020, are found to be true and correct and they are hereby adopted by the County Judge or and made a part hereof for all purposes. This Amended Order rescinds and replaces the regulations and orders in the previous Declarations, Amended Declarations and Orders.

SECTION 10. Definitions and Exemptions.

- A. **Essential Activities.** For purposes of this Amended Order, individuals may leave their residence only to perform any of the following “Essential Activities”:
 - 1. 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);
 - 2. 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 supplies, and any other household consumer products, products necessary to maintain the safety, sanitation, and essential operation of residences, and to engage in religious services that cannot be conducted by telecommunications);
 - 3. To engage in outdoor activities, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, or running in parks, or elsewhere);
 - 4. To perform work providing essential products and services at an Essential Business;
 - 5. To care for a family member or pet in another household;
 - 6. To engage in the work of an Essential Business; or
 - 7. To conduct the school-related activities of any public, private, or charter school, or any home school association, including without limitation the delivery or pick-up of meals, services to special needs students, supplies, or homework assignments,

provided such activities comply with Social Distancing Requirements as defined in Section 7 above.

NOTWITHSTANDING THE FOREGOING PERMITTED ACTIVITIES, PEOPLE AT HIGH RISK OF SEVERE ILLNESS FROM COVID-19 AND PEOPLE WHO ARE SICK ARE URGED TO STAY IN THEIR RESIDENCE TO THE EXTENT POSSIBLE EXCEPT AS NECESSARY TO SEEK MEDICAL CARE.

B. Essential Businesses. For purposes of this Amended Order, “Essential Businesses” means the following, provided business activities are performed in compliance with Social Distancing Requirements in Section 7 above:

1. **Healthcare Operations.** This category includes 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, or any related and/or ancillary healthcare services. Healthcare Operations does not include fitness and exercise gyms and similar facilities;
2. **Food and Agriculture Operations.** This category includes grocery stores, supermarkets, big-box stores (that sell groceries), farmers’ markets, food banks, convenience stores and other such establishments engaged in the retail (or wholesale, if selling directly to the public) sale of canned food, dry goods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that also sell, in addition to groceries, other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences. This category also includes food cultivation, such as farming, livestock and fishing;
3. **Home-based Care for Seniors, Adults and Children.** This category includes home-based and residential-based care for seniors, adults, or children;
4. **Animal Care.** This category 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 health care;
5. **Mortuary Services.** This category includes the necessary responsibilities related to preparing the deceased for a funeral, including embalming, cremation, burial, cemetery preparation, and related services, provided that entities and employees providing such services comply with CDC standard precautions for funeral workers available at <https://www.cdc.gov/coronavirus/2019-ncov/faq.html>. *It is the responsibility of funeral homes and directors to ensure compliance with Section 6, Subsection D. above;*

6. **Governmental Functions.** This category includes 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. Further, nothing in this order shall prohibit any individual from performing or accessing Governmental Functions. All Governmental Functions shall be performed in compliance with Social Distancing Requirements of six feet, to the extent possible;
7. **Critical Infrastructure.** This category includes work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, 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, defense and national security-related operations, essential manufacturing operations, provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible.
8. **Public Safety Operations.** This category includes the activities of any first responder, emergency management personnel, emergency dispatcher, detention officer, court personnel, or law enforcement personnel;
9. **Essential Retail.** In addition to the Food and Agriculture Operations above, certain retail service providers are considered Essential Businesses, including big-box stores that sell plumbing and/or electrical supplies, gas stations, convenience stores, businesses that ship or deliver groceries, goods or services directly to residences, restaurants and other facilities that prepare and serve food for delivery or carry out, cafes and restaurants located within hospital and medical facilities, laundromats, dry cleaners, and laundry service providers, auto-supply, auto and bicycle repair, hardware stores, firearms and ammunition manufacturer, sales, or repair, and related facilities;
10. **Essential Services Necessary to Maintain Essential Operations of Residences or Essential Businesses.** This category includes 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. Plumbers, electricians, exterminators, supply stores, lawncare services, and other service providers that provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and essential businesses;
11. **Professional Services.** This category includes legal, accounting, insurance, engineering, architectural, and real estate services (including appraisal, survey, and title services) when engaging in work necessary to assist in compliance with legally mandated activities;

The written plan of the Essential Business must be presented for immediate inspection to the sheriff, a deputy sheriff, a constable or any other peace officer who requests it.

SECTION 13. Essential Businesses Must Screen for COVID-19 Symptoms. All Essential Business employers within Angelina County must screen, prior to the beginning of a workday or shift, each of their employees for the following symptoms common to COVID-19: fever, dry cough, shortness of breath. Only asymptomatic employees (those having none of the previous symptoms) may be allowed to remain at work. Employees who have any of the symptoms noted above must be sent home immediately and not allowed to return until they are free of such symptoms.

SECTION 14. Nursing Homes' Non-Essential Visitors Prohibited. Nursing homes, retirement, and long-term care facilities are instructed by this Amended Order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.

SECTION 15. Directive to Public Health Care Providers and Authorities. Under a Declaration of a Local Disaster Due to a Public Health Emergency, it is imperative that local emergency management officials have timely access to information that may expose first responders and local residents to danger. Therefore, pursuant to the authority provided under Texas Government Code Section 418.108, every hospital, physician, health care provider, public health authority, or other individual or entity with information shall, immediately, but no less than within four (4) hours of learning of a suspected (PUI) or positive case of COVID-19, report same to Angelina County Emergency Management Operations Center, directed to the Emergency Management Coordinator at emc@angelinacounty.net Such report shall, at a minimum, include the PUI's or confirmed individual's name, address, age, current location, and information relating to whether such individual had recently traveled outside of Angelina County, Texas.

THE HIPAA PRIVACY RULE PERMITS A COVERED ENTITY TO DISCLOSE PHI OF AN INDIVIDUAL WHO HAS BEEN INFECTED WITH, OR EXPOSED TO, COVID-19, WITH LAW ENFORCEMENT, PARAMEDICS, OTHER FIRST RESPONDERS, AND PUBLIC HEALTH AUTHORITIES WITHOUT THE INDIVIDUAL'S HIPAA AUTHORIZATION. THIS IS PARTICULARLY THE CASE WHEN, AS IN THE CURRENT CIRCUMSTANCES, TIMELY DISCLOSURE OF PHI TO FIRST RESPONDERS WHO MAY BE CALLED UPON TO TREAT THOSE WHO HAVE PREVIOUSLY COME INTO CONTACT WITH AN INFECTED PATIENT IS NECESSARY TO PREVENT OR LESSEN A SERIOUS AND IMMINENT THREAT TO THE HEALTH AND SAFETY OF A PERSON OR THE PUBLIC.

SECTION 16. All provisions of this Amended Order should be interpreted to effectuate its intent. If any subsection, sentence, clause, phrase, or word of this Amended 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 Amended Order.

12. **News Media Services.** This category includes newspapers, television, radio, and other media services;
13. **Childcare Services.** This category includes childcare facilities providing services that enable employees exempted in this Amended Order to work as permitted;
14. **Social Services.** This category includes businesses that provide food, shelter, and social services, as well as other necessities of life for economically disadvantaged or otherwise indigent persons; and
15. **Education and Research.** This category includes the work of educators or other personnel supporting public and private K-12 schools, colleges, and universities, *only* for purposes of facilitating distance learning or performing other functions in support of Essential Business.

SECTION 11. Essential Businesses Must Provide Documentation of Employees. All essential businesses in Angelina County must provide employees either with a company identification badge or a letter on company letterhead identifying the persons as employees of the company. The letter must also indicate the Essential Business category from Section 10, Subsection B above.

SECTION 12. Essential Businesses Open to the Public Must Enforce Certain Requirements.

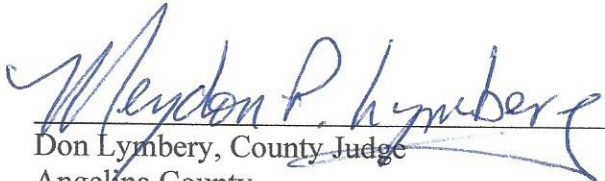
- A. Any Essential Business in Angelina County open to the public must limit the number of people who may be in the business at one time to no more than one patron per 1,000 square feet under roof. Only one member of a household may enter the following establishments at one time, unless an individual is handicapped and requires caregiver assistance, or is a parent, guardian or caregiver of a child for whom there is no alternative care. This requirement applies to the following retail/wholesale establishments: (1) grocery stores; (2) warehouse stores; (3) big-box stores; (4) hardware stores, household supply stores, convenience stores, office supply and electronics/appliance stores, and farmers' markets;
- B. Essential businesses open to the public must develop a written plan for enforcement of the requirements in this Section during the hours such business is open to the public;
- C. Essential businesses open to the public must include in their plans procedures for limiting the number of patrons in the business at one time, and for maintaining at least a six-foot distance between patrons, including outside the immediate entrance of the business, as well as inside the building;
- D. Essential businesses open to the public must include procedures for ensuring the regular cleaning of high-touch surfaces within the business; and
- E. Essential businesses open to the public must include procedures the business will use to enforce such requirements.

SECTION 17. Penalties.

- A. This Amended Emergency Regulations and Stay Home – Stay Safe Order shall have the effect of and constitute an order adopted by the Angelina County Judge, under the local emergency management plan, when duly filed with the Angelina County Clerk. This Amended Order is adopted in accordance with the authority vested in the Angelina County Judge by Chapter 418 of the Texas Government Code.
- B. Failure to comply with any of the provisions of this Amended Order constitutes an imminent threat to public health. The penalty for violating this Amended Order, in accordance with Texas Government Code, Section 418.173, shall be a fine of no more than One Thousand Dollars (\$1,000.00), confinement in the county jail for a term up to 180 days, or both such fine and confinement.
- C. Any orders, ordinances or regulations that conflict with these regulations are suspended or modified as necessary to make these regulations effective.
- D. Suspension or modification of the orders, ordinances and regulations shall remain in effect until this Amended Order is terminated or until the Declaration of Local State of Disaster Due to Public Health Emergency is rescinded, whichever is sooner.

SECTION 18. That this Amended Emergency Regulations and Stay Home – Stay Safe Order shall take effect at 11:59 p.m. on April 3, 2020, and shall remain in effect until it is either rescinded, superseded, or amended, or until it expires pursuant to applicable law.

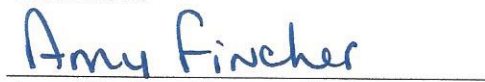
ORDERED this 2 day of April, 2020.

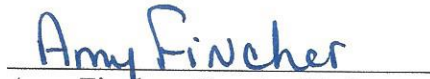


 Don Lymbery, County Judge
 Angelina County

Filed this 2nd day of April 2020 at 10:52 a.m.



ATTEST:


 Amy Fincher, County Clerk
 Angelina County, Texas


 Amy Fincher, County Clerk

 By Deputy Clerk

FILED AT 10:52 O'CLOCK A.M.

APR 02 2020

AMY FINCHER
 County Clerk, County Court at Law
 Angelina County, Texas
 By 