



REVISED

**ORDER NUMBER 4
BY
THE MAYOR OF GOLIAD, TEXAS**

WHEREAS, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Abbott to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

WHEREAS, On March 18, 2020, a Declaration of Local Disaster was issued by the Mayor to allow the City of Goliad to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Goliad residents utilizing state and federal resources made available with this declaration; and

WHEREAS, the CDC and other respected health organizations recommends following the social distancing actions attached to this Order, including cancelling, postponing, or not attending events or community gatherings with more than 10 people. In addition, it is urged that individuals who are at the highest risk from COVID-19, as determined and defined by the CDC, to not attend and to avoid community gatherings or events that will have or will likely have more than 10 people.

WHEREAS, on March 20, 2020, Governor Abbott issued four orders to support his initial declaration, including avoiding social gatherings in groups of more than 10 people; avoiding eating and drinking in bars, restaurants and food courts, or visiting gyms or massage parlors (drive-thrus and deliveries excepted); not allowing visits to nursing homes or retirement or long term care facilities; and closing of schools. These orders will be effective on a statewide basis starting at 11:59 PM on March 20, 2020 and will end at 11:59 PM on April 3, 2020, subject to extension thereafter based on the status of COVID-19 in Texas and the recommendations of the CDC.

WHEREAS, on March 31, 2020, Governor Abbott issued an additional Executive Order No. GA-14, that supersedes his order GA-08 and extends the social distancing until April 30, 2020 and closure of the schools until May 4, 2020, and requires that all individuals except where required to provide those essential services identified by TDEM or U.S. Department of Homeland Security to minimize social gatherings and in-person contact; those who are required to provide essential services shall follow the President's and CDC's hygiene guidelines and are encouraged where able, to provide such services remotely; that all individuals shall avoid eating out, but may have take-out or drive-thru; shall stay away from nursing homes; but may access essential services while practicing the necessary precautions.

WHEREAS, on April 8, 2020, Mayor Trudia Preston issued Order No. 3 that modified and added to prior orders to encourage specific hygiene guidelines, shelter in place, curfew and dealt with city employees. Since that time, information and guidance has been provided that require such Order be modified further in the areas of hygiene as well as penalties.

NOW THEREFORE, I, TRUDIA PRESTON, MAYOR FOR THE CITY OF GOLIAD, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:

SECTION 1. That the findings and recitations set out in the preamble to this ORDER are found to be true and correct and they are hereby adopted by the Mayor and made a part hereof for all purposes.

SECTION 2. Effective as of 9:00 p.m. on Wednesday, April 15, 2020, and continuing until May 13, 2020, unless terminated or modified by the City Council, the Mayor of the City of Goliad, Texas, deems it in the public interest to *require* residents of and visitors to the extent applicable to the City of Goliad to:

- a. Stay in Place, except for Essential Businesses, those who are performing Essential Services or Essential Governmental Functions;
- b. Wear masks or other face coverings that cover the nose and mouth when in public;
- c. Respect a citywide curfew from 10 p.m. to 4 a.m. unless an individual is an Essential Business employee, performing Essential Services or Essential Governmental Functions; and
- d. Practice and adhere to federal social distancing guidelines.

SECTION 3. Definitions and Exemptions:

A. For purposes of this 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 (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they 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 such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
3. To engage in outdoor activity, such as, by way of example and without limitation, walking, hiking, running or riding a bicycle. Except for members of a residence who are sheltering together, all individuals shall comply with Social Distancing Requirements as defined in this Section;
4. To perform work providing Essential Products and Services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations; and

5. To care for a family member or pet in another household.

But 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. For purposes of this Order, individuals may leave their residence to work for or obtain services at any Healthcare Operations including hospitals, clinics, dentists, pharmacies, pharmaceutical, and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. "Healthcare Operations" does not include fitness and exercise gyms and similar facilities.

C. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," which is defined as the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Security Agency (CISA), including, but not limited to, 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, and essential manufacturing operations, provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.

D. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others who need to perform essential services are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing "Essential Governmental Functions," as determined by the governmental entity performing those functions. Each governmental entity shall identify and designate appropriate employees or contractors to continue providing and carrying out any Essential Governmental Functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, to the extent possible.

E. For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.

F. For the purpose of this Order, "Essential Businesses" means:

1. Healthcare Operations and Essential Infrastructure;

2. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products), and liquor stores. This includes stores that sell groceries and

also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;

3. Food cultivation, including farming, livestock, and fishing;
4. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
5. Newspapers, television, radio, and other media services;
6. Gas stations and auto-supply, auto-repair, and related facilities;
7. Banks and related financial institutions;
8. Hardware and construction supply stores;
9. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
10. Businesses providing mailing and shipping services, including post office boxes;
11. Laundromats, drycleaners, and laundry service providers;
12. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up or take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
13. Businesses that supply products needed for people to work from home;
14. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
15. Businesses that ship or deliver groceries, food, goods or services directly to residences;
16. Airplanes or other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
17. Home-based care for seniors, adults or children;
18. Residential facilities and shelters for seniors, adults and/or children;
19. Professional services: legal, accounting, insurance, real estate services (including appraisal, survey, and title services);

20. Childcare facilities providing services that enable employees exempted in this Order to work as permitted;

21. Utilities, telecommunications, trash collection and disposal, law enforcement, EMS/ambulance, corrections, dispatch, animal shelters, governmental employees who have not been specifically deemed non-essential and sent home by the government entity;

22. Janitorial and maintenance services, funeral industry, defense industry, space and technology industry, technology support, and scientific research; and

23. Religious services provided in residences, Healthcare Operations, at funerals, or provided online while being broadcast from a religious facility.

G. For the purposes of this Order, "Minimum Basic Operations" include the following, provided that employees comply with Social Distancing Requirements as defined in this Section, to the extent possible while carrying out such operations;

1. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions; and

2. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

H. For the purposes of this Order, "Essential Travel" includes travel for any of the following purposes:

1. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations;

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; or

6. Travel required for non-residents to return to their place of residence outside the City. Individuals are strongly encouraged to verify that their transportation out of the City remains available and functional prior to commencing such travel.

Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.

I. For purposes of this Order, residences include hotels, motels, shared rental units, and similar facilities.

J. For purposes of this Order, "Social Distancing Requirements" includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands or with a paper tissue or cloth), regularly cleaning high-touch surfaces, and not shaking hands.

1. Non-essential businesses shall shut down except for maintaining Minimum Basic Operations as defined herein. Essential Businesses exempted from shut-down are encouraged to determine staff who are essential to operations and to send nonessential staff home.

2. When people need to leave their places of residence, whether to obtain or perform vital services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times reasonably possible comply with Social Distancing Requirements as defined herein.

3. A general local curfew is hereby instituted throughout the City of Goliad. The curfew will be in effect daily from 10:00 p.m. to 4:00 a.m. and shall include but not be limited to the prohibition on pedestrian and vehicular movement, standing, and parking. The following exceptions shall apply within the City of Goliad:

- Provision of essential state, county and City of Goliad emergency services and hospital services such as fire, emergency management, police, hospital, including transportation of patients thereto;
- Utility emergency repairs
- Emergency calls by physicians
- Food delivery and third party food delivery services
- Walking of dogs within 250 feet of the owner's residence;
- Travel through the City of Goliad on State and County roadways, specifically Highways 183 and 59, by individuals not residing within the City; and
- Travel to and from work by employees of Essential Businesses as defined herein.

SECTION 4. Enforcement of this Order is partially reliant on self-regulation and a community commitment to public health and safety under the threat of the novel COVID-19 virus; however, any peace officer, as well as the City's Code Enforcement Officer is hereby authorized to use their discretion (issuance of warning or citation) in enforcing this Order. A violation of the declaration, ordinance, or this or any other order issued by the Mayor may be punishable through criminal enforcement and a criminal violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000.00 by filing a probable cause affidavit alleging the violation with the appropriate court or by issuing a citation to the person allegedly violating the Order, that contains written notice of the time and place the person must appear before a magistrate of this state, the name and address of the person charged, and the offense charged.

SECTION 5. If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons

or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

SECTION 6. Goliad will post this Order on its 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.

SO ORDERED this the 16th day of April, 2020, in the City of Goliad, Texas.

ATTEST:



Kandi Hubert, City Secretary
City of Goliad, Texas



Trudia Preston, Mayor
City of Goliad, Texas

