

County of Live Oak

Mayor Andy Garza
City Mayor
George West
406 Nueces Street
George West, Texas 78022



Mayor Felipe Martinez
City Mayor
Three Rivers
105 Harborth Avenue
Three Rivers, Texas 78071

Judge Jim Huff
County Judge
Live Oak County Courthouse
301 Houston Street
George West, Texas 78022

APRIL 14, 2020

FIRST AMENDED JOINT ORDER OF LIVE OAK COUNTY, CITY OF GEORGE WEST AND CITY OF THREE RIVERS TO

ORDER TO STAY AT HOME

WHEREAS, pursuant to Texas Government Code Section 418.108, Live Oak County Judge Jim Huff issued a Declaration of Local Disaster for Public Health Emergency on March 16, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and

WHEREAS, pursuant to Texas Government Code Section 418.108, City of George West Mayor Andy Garza issued a Declaration of Local Disaster for Public Health Emergency on March 15, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and

WHEREAS, pursuant to Texas Government Code Section 418.108, City of Three Rivers Mayor Felipe Martinez issued a Declaration of Local Disaster for Public Health Emergency on March 16, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and

WHEREAS, the Honorable Greg Abbott, Governor of the State of Texas, on March 13, 2020 certified that COVID-19 posed an imminent threat of disaster for all counties in Texas in accordance with the authority vested to the Governor in Section 418.014 of the Texas Government Code; and

WHEREAS, the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16, 2020, call upon Americans to slow the spread of COVID-19 by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps; and

WHEREAS, the Texas Department of State Health Services has now determined that, as of March 19, 2020 COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, Greg Abbott, Governor of Texas, issued Executive Order GA08 relating to COVID-19 preparedness and mitigation on March 19, 2020, further restricting the assembly of people in groups larger than 10, restricting the public from entering certain enumerated establishments, and restricting visitations to certain facilities in most circumstances; 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; and

WHEREAS, this disaster, this worldwide pandemic, requires emergency measures to be taken to mitigate and prevent the spread of and control the risk of COVID-19 in order to protect and promote the public health, safety and welfare of all residents of The City of George West, The City of Three Rivers, and The County of Live Oak County; and

WHEREAS, given the ongoing evaluation of circumstances related to the COVID-19 virus, the updated recommendations of the CDC and the Texas Department of State Health Services ("TXDSHS"), and the substantial risks posed by the COVID-19 virus to all residents of The City of George West, The City of Three Rivers, and The County of Live Oak County, the following extraordinary and immediate measures are hereby declared.

NOW THEREFORE, UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, THE MAYOR OF THE CITY OF GEORGE WEST, THE MAYOR OF THE CITY OF THREE RIVERS AND THE COUNTY JUDGE OF LIVE OAK COUNTY, TEXAS, JOINTLY ORDER:

This First Amended Order to Stay at Home supersedes the prior, joint orders issued by the Live Oak County Judge, City of George West Mayor, and The City of Three Rivers Mayor, and with respect to applicable jurisdictional boundaries, this First Amended Order is in addition to any previous orders issued.

I. Effective immediately, and continuing until 11:59 p.m. on April 30, 2020:

- (a) All individuals currently living within Live Oak County are ordered to shelter at their place of residence. For the purposes of this Order, residences include homes, condominiums, townhomes, apartments, duplexes, hotels, 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 2.
- (b) All business operating within Live Oak County, except Essential Businesses as defined below in Section 2, are required to cease all activities at facilities located within Live Oak 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, 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 and microbreweries, and micro-distilleries may only provide take out, delivery, or drive-thru 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 Live Oak 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. Elective surgeries and procedures that are designed to reduce risk to patients or treat painful or potentially disabling conditions may be continued.

2. Definitions:

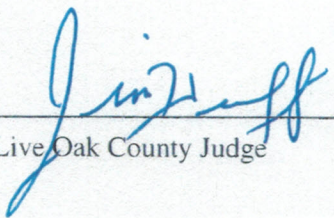
- a. For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities":
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining 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, running, boating, wading, or surfing). All public waterfront recreational areas within the geographic boundaries of Live Oak County are open for regular hours of operation but with an 8 p.m. curfew, although access to such areas may be monitored and/or limited. All city and county public parks within the geographic boundaries of Live Oak County are open 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, laboratory services, physical therapy (physical therapy should only be performed with a medical doctor's order), 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 requirement of six (6) feet, to the extent possible.

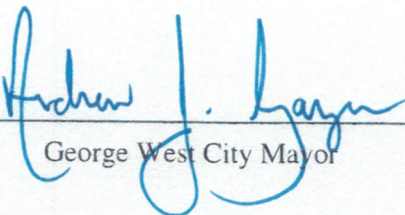
- iii. **Essential Critical Infrastructure.** Work necessary to the operations and maintenance of any of the sixteen (16) critical infrastructure sectors, including suppliers and distributors, as identified by the National Cybersecurity and Infrastructure Agency (including, but not **limited to** the 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. 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 airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- iv. **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. 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.
- v. **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.
- vi. **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.

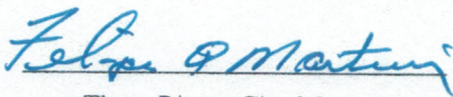
- vii. News Media. Newspapers, television, radio, and other media services.
- viii. Childcare Services. Childcare facilities providing services that enable employees exempted in this Order to work as permitted.
- ix. Child Visitation and Custody. Nothing in this Order affects judicial orders or agreements regarding child-related visitation or custody arrangements.
- x. Essential Healthcare Operations. Healthcare operations do not include fitness and exercise gyms and similar facilities intended to use for any type of training, martial arts, sport or recreation.
- xi. Education and Research. Educators, teachers or other personnel supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other functions in support of Essential Activities or Essential Businesses.
- xii. Transportation Providers. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities or Essential Businesses.
- xiii. Adult Care Services. License childcare or adult care facilities, organizations or individuals providing services.
- xiv. Appeal Process. Any industry or business that is not an Essential Business may apply for an exemption from the requirement imposed by this Order by contacting the County Judge. To be eligible for an exemption, the industry or business must provide evidence that continuing the operations of their industry or business are essential to promote general welfare of the County during the COVID-19 response.

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 Live Oak County Judge hereby advises the Live Oak 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 Live Oak County Judge hereby advises the Live Oak 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 Health Department. 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 Live Oak County Judge and the Health Authority 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 pm. on April 30, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.**
9. The County of Live Oak must promptly provide copies of this Order by posting on the Live Oak County website and the City of George West and The City of Three Rivers 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 Live Oak County (including all of Live Oak County's incorporated and unincorporated areas) shall remain open and accessible, except to the extent specifically limited by Section 2.a.iii of this Order to Stay at Home.
11. This Order of County Judge Jim Huff, applies to all incorporated and unincorporated areas of Live Oak County. To the extent of a conflict between decisions of Live Oak County Judge Jim Huff and a mayor of any city within the geographic boundaries of Live Oak County, the decisions set forth in this Order prevail (to the fullest extent allowed by law pursuant to Texas Government Code Section 418.108(h)).
12. A violation of this Order to Stay at Home is a violation of the emergency management plans of Live Oak County. A violation by any person of any provision of this Order to Stay at Home is punishable by a fine of up to \$500 per violation and separate day of violation, and additional amount as authorized by law. A second offense after warning in which intent to commit all elements of an act prohibited herein is proven may result in a fine of up to \$1,000 per violation or separate day of violation or up to 180 days in jail.
13. This order shall continue for a period of not more than 14 days from the date of this order unless it is continued or renewed by Live Oak County Judge Jim Huff. Pursuant to Chapter 418 of the government code, follows the emergency management plan as adopted by Live Oak County through the interjurisdictional agreement between the City of George West, City of Three Rivers and Live Oak County.


Live Oak County Judge


George West City Mayor


Three Rivers City Mayor