



**New Declaration of Local Disaster and Public Health Emergency Related to Communicable Disease**

WHEREAS, on March 26, 2020, I, Terri Brown, as Mayor of the City of Marshall, Texas, issued a declaration of local disaster and public health emergency for the City of Marshall resulting from the global pandemic of the novel coronavirus designated SARS-CoV2 which causes the disease COVID-19; and,

WHEREAS, on April 1, 2020, the City Commission for the City of Marshall confirmed the emergency declaration; and,

WHEREAS, on March 31, 2020, I, Terri Brown, Mayor of the City of Marshall, issued a Stay-at-Home Order; and,

WHEREAS, on April 27, 2020, Texas Governor Greg Abbott issued Executive Order GA-18 to take effect upon the expiration of Executive Order GA-16 at 11:59 p.m. on April 30, 2020, and set forth a strategic plan to Open Texas as of May 1, 2020 at 12:01 a.m.

NOW, THEREFORE, BE IT PROCLAIMED AND ORDERED BY TERRI BROWN, MAYOR OF THE CITY OF MARSHALL, TEXAS:

1. The previous Declaration of a Public Health Emergency Related to Communicable Disease for the City of Marshall, Texas remains in effect.
2. The declaration of local disaster and public health emergency shall continue in effect until the Marshall City Commission terminates its consent to the continuation of this declaration or until this declaration is terminated by order of the Mayor, whichever occurs first.
3. Pursuant to §418.108(d) of the Texas Government Code, this amendment of the aforesaid declaration of local disaster and public health emergency continues to activate the Marshall Emergency Management Plan.
4. The Mayor is authorized to exercise any powers, take any actions and issue any orders authorized by law, including but not limited to, any measures authorized by Chapter 418 of the Texas Government Code, including without limitation §418.108 and §418.1015 of said chapter.

Every person in Marshall, Texas shall, except where necessary to provide or obtain essential services or reopened services, minimize social gatherings and minimize in-person contact with people who are not in the same household. People over the age of 65, however, are strongly encouraged to stay at home as much as possible; to maintain appropriate distance from any member of the household who has been out of the residence in the previous 14 days; and, if leaving the home, to implement social distancing and to practice good hygiene, environmental cleanliness, and sanitation.

"Essential services" shall consist of everything listed by the U.S. Department of Homeland Security (DHS) in its Guidance on the Essential Critical Infrastructure Workforce, Version 3.0 or any subsequent version, plus religious services conducted in churches, congregations, and houses of worship. Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM). TDEM shall maintain an online list of essential services, as specified in this order and any approved additions. Requests for additions should be directed to TDEM at [EssentialServices@tdem.texas.gov](mailto:EssentialServices@tdem.texas.gov) or by visiting the TDEM website at [www.tdem.texas.gov/essentialservices](http://www.tdem.texas.gov/essentialservices).

"Reopened services" shall consist of the following to the extent they are not already "essential services:"

1. Retail services that may be provided through pickup, delivery by mail, or delivery by mail, or delivery to the customer's doorstep.
2. Starting at 12:01 a.m. on Friday, May 1, 2020:
  - a) In-store retail services, for retail establishments that operate at up to 25 percent of the total listed occupancy of the retail establishment.
  - b) Dine-in restaurant services, for restaurants that operate at up to 25 percent of the total listed occupancy of the restaurant; provided, however, that (a) this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages and are therefore not required to post the 51 percent sign required by Texas law as determined by the Texas Alcoholic Beverage Commission, and (b) valet services are prohibited except for vehicles with placards or plates for disabled parking.
  - c) Movie theaters that operate at up to 25 percent of the total listed occupancy of any individual theater for any screening.
  - d) Shopping malls that operate at up to 25 percent of the total listed occupancy of the shopping mall; provided, however, that within shopping malls, the food-court dining areas, play areas, and interactive displays and settings must remain closed.
  - e) Museums and libraries that operate at up to 25 percent of the total listed occupancy; provided, however, that (a) local public museums and local public libraries may so operate only if permitted by the local government, and (b) any components of museums or libraries that have interactive functions or exhibits, including child play areas, must remain closed.
  - f) Services provided by an individual working alone in an office.
  - g) Golf course operations.

- h) Local government operations, including county and municipal governmental operations relating to permitting, recordation, and document-filing services, as determined by the local government.
- i) Such additional services as may be enumerated by future orders or proclamations by the mayor.

The conditions and limitation set forth above for reopened services shall not apply to essential services.

3. In providing or obtaining essential services or reopened services, people and businesses should follow the minimum standard health protocols recommended by DSHS, found at [www.dshs.texas.gov/coronavirus](http://www.dshs.texas.gov/coronavirus), and should implement social distancing, work from home if possible, and practice good hygiene, environmental cleanliness, and sanitation. This includes also following, to the extent not inconsistent with the DSHS minimum standards, the Guidelines from the President and the CDC, as well as other CDC recommendations. Individuals are encouraged to wear appropriate face coverings, but no jurisdiction can impose a civil or criminal penalty for failure to wear a face covering.
4. Religious services should be conducted in accordance with the joint guidance issued and updated by the attorney general and governor.
5. People shall avoid visiting bars, gyms, public swimming pools, interactive amusement venues such as bowling alleys and video arcades, massage establishments, tattoo studios, piercing studios, or cosmetology salons. The use of drive-thru, pickup, or delivery options for food and drinks remains allowed and highly encouraged throughout the limited duration of this order.
6. This order does not prohibit people from accessing essential or reopened services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential or reopened services, visiting parks, hunting or fishing, or engaging in physical activity like jogging, bicycling, or other outdoor sports, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household.
7. In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission (HHSC). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities whenever possible.
8. In accordance with the Guidelines from the President and the CDC, schools shall remain temporarily closed to in-person classroom attendance by students and shall not recommence before the end of the 2019-2020 school year. Public education teachers and staff are encouraged to continue to work remotely from home if possible, but may return to schools to conduct remote video instruction, as well as perform administrative duties, under the strict terms required by the Texas Education Agency. Private schools and institutions of higher education should establish similar terms to allow teachers and staff

to return to schools to conduct remote video instruction and perform administrative duties when it is not possible to do so remotely from home.

9. This category also includes retail establishments able to operate as “Retail-to-Go” as delineated in the Texas Governor’s Executive Order GA-16, effective April 24, 2020.
10. Food establishments are required to have all employees wear a face mask at all times. Cash handing functions and food serving functions are required to be handled by separate employees.
11. Citizens are urged to follow the following Centers for Disease Control’s (CDC) national guidelines, Executive Orders by Governor Greg Abbott and the City of Marshall Third Amended Declaration of Local Disaster and Public Health Emergency Related to Communicable Disease;
  - a) Restrict physical contact and publicly used areas.
  - b) Maintain Social Distancing with a safe distance of six (6’) feet between individuals.
  - c) Every person shall avoid large gatherings in groups of 10.
  - d) Residents should not visit nursing homes, retirement, or long-term care facilities unless to provide critical assistance.
  - e) Regularly wash hands with warm soap and water for at least 20 seconds.
  - f) Avoid touching eyes, nose, or mouth.
  - g) If soap is not available, use at least a 60% alcohol-based hand sanitizer.
  - h) Avoid close contact with people who are sick. All persons should remain in the home if one person in the home exhibits symptoms.
12. All provisions of this Order should be interpreted to effectuate its intent.
13. Failure to comply with any of the provisions of this Order constitutes an imminent threat to public health.
14. Physicians and/or medical providers shall report all lab confirmed positive cases to the Texas Department of State Health Services at 866-310-9698 immediately.
15. In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates this Order commits an offense punishable by a fine up to \$1,000.00 and/or confinement in jail for a term that does not exceed 180 days, and each day or portion of a day that such a violation continues shall constitute a separate offense.
16. The City of Marshall shall promptly provide copies of this Order by posting it on the City of Marshall 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.
17. 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.

18. Except as expressly provided otherwise herein, this Order shall take effect immediately from and after its issuance and remain in place until further notice. This Order supersedes any and all prior orders or portions of prior orders by the Mayor that are in conflict with it.

PROCLAIMED and ORDERED this 29<sup>th</sup> day of April 2020.

  
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Terri Brown, Mayor