

McCULLOCH COUNTY PUBLIC HEALTH EMERGENCY DECLARATION

Stay Home Stay Safe

WHEREAS, on March 16, 2020, President 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 20, 2020, Governor Abbott issued the following executive order relating to the COVID-19 pandemic:

Order No 1: In accordance with the Guidelines from the President and the CDC, every person in Texas shall avoid social gatherings in groups of more than 10 people.

Order No 2: In accordance with the Guidelines from the President and the CDC, people shall avoid eating or drinking at bars, restaurant, and food courts, or visiting gyms or massage parlors; provided, however, that the use drive-thru, pickup, or delivery options is allowed and highly encouraged throughout the limited duration of this executive order.

Order No 3: In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance.

Order No 4: In accordance with the Guidelines from the President and the CDC, schools shall temporarily close.

WHEREAS, pursuant to Texas Government Code Section 418.108, McCulloch County Judge Bill Spiller issued a Declaration of Local Disaster for Public Health Emergency on March 23, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and,

WHEREAS, on March 23, 2020, McCulloch County Judge Bill Spiller issued an order for McCulloch County residents to:

- Restrict gatherings in groups of more than 10

WHEREAS, on March 31, 2020, Governor Abbott issued Executive Order GA-14 relating to the COVID-19 pandemic stating that every person in Texas shall, except where necessary to provide or obtain essential services, minimize social gatherings and minimize in-person contact with people who are not in the same household. A list of Essential Services pursuant to Executive Order GA-14 is attached hereto and incorporated herein by reference;

WHEREAS, current information from the CDC, the President, Governor, CDC and local emergency planning committee indicate an increased seriousness for McCulloch County, based on the confirmation of citizens of McCulloch County testing positive for COVID-19;

WHEREAS, on April 10, 2020, McCulloch County Judge Bill Spiller issued a Shelter in Place Order to be distributed immediately and effective April 11, 2020 to provide a local policy consistent with the most recent Executive Orders from the Governor;

SUMMARY OF ORDER

Summary: The virus that causes Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals anywhere in McCulloch County to shelter in place - that is, stay at home - except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This Order takes effect at noon on April 11, 2020 and will continue through midnight on April 30, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below. This Directive may be extended if circumstances warrant such.

UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108,
MCCULLOCH COUNTY JUDGE ORDERS:

1. Effective as of noon on April 11, 2020, and continuing until midnight on April 30, 2020:

- (a) All individuals currently living within McCulloch County are hereby ordered to shelter at their place of residence. For purposes of this 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 as reasonably possible maintain Social Distancing of at least six (6) feet from any other person when they are outside their residence. Persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, as further defined in this Directive.
- (b) All businesses operating within McCulloch County, except Essential Businesses as defined below in Section 2, are required to cease all activities at facilities located within the County except at minimum basic operation. 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, including maintaining six (6) foot Social Distancing for both employees and the general public, including but not limited to, when customers are standing in line.
- (c) All public or private gatherings of more than 10 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, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.
- (e) Religious and worship services may only be provided by video and teleconference **or** where and when the service can be held in compliance with Social/Physical Distancing of all service providers and participants. When preparing or conducting video or teleconference services, Religious institutions must follow the Social/Physical

distancing guidelines. Drive-In Services in compliance with social distancing guidelines are both allowed and encouraged.

- (f) All elective medical, surgical, and dental procedures are prohibited anywhere in McCulloch 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.
- (g) All Essential Businesses shall limit the occupancy of their business by the public to 50% of the approved occupancy at any time.
- (h) Minors under the age of 17 should remain in the home, unless obtaining Essential Services, these also include educational, medical or religious activities.
- (i) It is strongly advised that protective facial coverings be used by the public during Essential Activities.
- (j) It is strongly advised that only one (1) member from each household perform any Essential Activities at one time.

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 need 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 Social Distancing requirements of six feet (for example, walking, biking, hiking or running).
- 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 or pet in another household.

(b) For purposes of this Order, "Essential Businesses" means:

- i. Essential Healthcare Operations. Healthcare operations, including hospitals, clinics, dentist, 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. 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 political subdivisions of the State needed to ensure the continuing operation of those agencies to provide for the health, safety, education, and welfare of the public. 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 feet, to the extent possible.

iii. Essential Critical Infrastructure & Activities. Work that is necessary to the operations and maintenance of the 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,

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 that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free services to students or members 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, automobile sales, auto-supply, auto and bicycle repair, hardware stores, construction supply stores, and related facilities. Businesses that supply products needed for people to work from home.

v. Providers of Basic Necessities to Economically Disadvantaged Populations. Businesses 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 collections, processing and disposal, mail and shipping services, building cleaning and maintenance, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, and other services providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting

services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with the support of supplies needed to operate.

vii. News Media. Newspapers, television, radio, and other media services.

viii. Childcare Services. Childcare facilities may continue to operate; however, to the extent possible, it is recommended that groups consist of no more than 10 and be kept separate.

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.

4. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in McCulloch County for the next 30 days.

5. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home and follow the directives from their health care provider. Members of the household cannot go to work, school, or any other community function, provided that workers included in Essential Healthcare Operations may continue to work in accordance with CDC guidance. All persons are encouraged to take advantage of telehealth services offered by healthcare providers, including expanded telehealth services now available to Medicare patients.

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. These facilities are also required to institute temperature checking of all staff entering the facility at least twice per day and limit physical contact between residents in the facility wherever possible.

7. For individuals who are 65 and older and individuals with compromised immune systems or underlying health conditions, the following recommendations are made:

- a. Remain indoors
- b. Outdoor exercise activities should be solitary
- c. Prescreen all essential visitors
- d. Do not visit homes or places with more than one person
- e. Ask all visitors to wear masks
- f. Follow Social Distancing guidelines
- g. Do not use public transit except in emergency

8. Daycare facilities may continue to operate but it is recommended that groups in the facility consist of 10 or fewer in those settings and kept separate to the extent possible.

9. This Order shall be effective until midnight on April 30, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.

10. McCulloch County shall provide copies of this Order by posting on the McCulloch County website, by filing with the McCulloch County Clerk, and dissemination through the LEPC and local media outlets. 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 requesting 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.

11. In accordance with Texas Government Code § 418.173, a person who knowingly or intentionally violates this declaration 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.

12. All peace officers within McCulloch County are given the authority to educate the public and to enforce this Order when necessary.

IT IS SO ORDERED THIS THE 10th DAY OF APRIL 2020:


Bill Spiller
McCulloch County Judge