

**STATE OF TEXAS**                   §  
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**COUNTY OF ROCKWALL**       §

**FIRST SUPPLEMENTAL ORDER TO THE MARCH 24, 2020 ORDER OF COUNTY JUDGE DAVID SWEET RELATED TO “COVID-19”**

FIRST SUPPLEMENTAL ORDER ISSUED: April 14, 2020

WHEREAS, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Abbott in order 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 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; and

WHEREAS, on March 17, 2020, pursuant to Texas Government Code Section 418.108, Rockwall County Judge David Sweet issued a Declaration of Local Disaster for Public Health Emergency, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and

WHEREAS, on March 20, 2020, Judge Sweet issued a subsequent Declaration of Local Disaster for Public Health Emergency, superseding his declaration of March 17, 2020, in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus; and

WHEREAS, on March 24, 2020, Rockwall County Commissioners Court issued an Order Extending Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Rockwall County Emergency Management Plan and extends the Declaration of Local Disaster until rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, Judge Sweet issued an Order, effective as of 11:59 PM on March 24, 2020, restricting certain gatherings and business operations in further effort to slow the spread of the virus;

WHEREAS, the Governor has issued a total of fourteen (14) Executive Orders in order to combat the spread of COVID-19 throughout the state, including Executive Order GA-14 relating to statewide restrictions on non-essential businesses and activities, and continuity of essential services through April 30, 2020, unless later extended or rescinded; and

WHEREAS, Governor’s Executive Order GA-14 mandates that every Texan shall minimize social gatherings and in-person contact with people who are not in the same household, except where necessary to obtain essential services; and

WHEREAS, the Governor has defined “Essential Services” to include those listed by the U.S. Department of Homeland Security in its Guidance on Essential Critical Infrastructure Workforce,

Version 2.0 (CISA Sectors), plus religious services conducted in churches, congregations, and houses of worship; and

WHEREAS, this Supplemental Order is issued based on evidence of increasing occurrence of COVID-19 within Rockwall County and throughout the state, scientific evidence and best practices regarding the most effective approaches to slow the transmission of COVID-19, and evidence that the age, condition, and health of a significant portion of the population of Rockwall County places its citizens at risk for serious health complications, including death, from COVID-19; and

WHEREAS, Rockwall County Judge David Sweet deems the following Order is necessary to protect the safety and welfare of the public.

**NOW THEREFORE, BE IT ORDERED BY ROCKWALL COUNTY JUDGE DAVID SWEET, PURSUANT TO THE AUTHORITY GRANTED IN ACCORDANCE WITH THE DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH DATED MARCH 20, 2020, AND BY CHAPTER 418 OF THE TEXAS LOCAL GOVERNMENT CODE THAT:**

SECTION 1. FINDINGS. The findings and recitations set out in the preamble to this Supplemental Order are found to be true and correct and are hereby adopted by Rockwall County Judge, David Sweet, and made a part of this Supplemental Order for all purposes.

SECTION 2. DECLARATION. The Declaration of Local Disaster for Public Health Emergency issued March 20, 2020, and extended March 24, 2020 by the Rockwall County Commissioners Court remains in effect.

SECTION 3. SUPPLEMENTAL ORDER. Effective immediately upon execution of this Supplemental Order, the March 24, 2020 Order of Rockwall County Judge, David Sweet, is supplemented as follows:

- A. Pursuant to Governor's Executive Order GA-14 issued on March 31, 2020, every person within Rockwall County shall minimize social gatherings and minimize in-person contact with people who are not in the same household, except where necessary to provide or obtain essential services.
- B. "Essential Businesses" as defined in the March 24, 2020 Order of Rockwall County Judge David Sweet is amended to include the term "Essential Services", in accordance with the Governor's Executive Order GA-14, and in subsequent Orders from the Governor. Any prior restrictions in conflict with Executive Order GA-14 or subsequent Executive Orders from the Governor that would apply to "Essential Services" are hereby rescinded to the extent they are in conflict. "Essential Services" are defined by the Texas Department of Emergency Management and include CISA Sectors identified by the National Cybersecurity and Infrastructure Agency (CISA). These are outlined at:

[https://www.cisa.gov/sites/default/files/publications/CISA\\_Guidance\\_on\\_the\\_Essential\\_Critical\\_Infrastructure\\_Workforce\\_Version\\_2.0\\_Updated.pdf](https://www.cisa.gov/sites/default/files/publications/CISA_Guidance_on_the_Essential_Critical_Infrastructure_Workforce_Version_2.0_Updated.pdf); and  
<https://tdem.texas.gov/essentialservices/>

- C. The term “Essential Services” includes all businesses and operations necessary to the operation and maintenance of critical infrastructures as outlined above, as well as religious services conducted in churches, congregations, and houses of worship.
- D. In accordance with the Governor’s Executive Order GA-14, to the extent possible, businesses should not remain open to the public unless it is necessary to conduct an Essential Service. In providing Essential Services, providers are required to follow the guidelines from the President and the Center for Disease Control (“CDC”) by practicing good hygiene, environmental cleanliness, and sanitation, and implement social distancing. All services should be provided through remote telework from home unless they are Essential Services that cannot be provided through remote telework. If religious services cannot be conducted from home or through remote services, they must be conducted consistent with the guidelines from the President and the CDC referenced in this paragraph to prevent the spread of COVID-19.
- E. Under this Supplemental Order, no person shall sell any of the following goods or services for more than the regular retail price the person charged, or would reasonably have charged, for the goods or services on March 16, 2020, except where, and to the extent that, an increased retail price is the result of increased supplier costs:
  - a. Groceries, beverages, toilet articles, and ice;
  - b. Restaurant, cafeteria, and boarding-house meals; and
  - c. Medicine, pharmaceutical and medical equipment and supplies.

SECTION 4. PREVIOUS TERMS, CONDITIONS AND RESTRICTIONS. All other terms, conditions, and restrictions contained in Judge Sweet’s March 24, 2020 Order that are not superseded by the Governor’s Executive Order GA-14, or subsequent Orders from the Governor, or amended by this Order, shall remain in full force and effect.

SECTION 5. CONFLICT OF ORDERS. For clarity, in instances where local Orders are more restrictive than the Governor’s Orders when applied to Essential Services, then the Governor’s Order applies. In instances where local Orders are less restrictive than the Governor’s Orders when applied to non-essential services, then the Governor’s Order applies.

SECTION 6. DURATION OF SUPPLEMENTAL ORDER. This Supplemental Order shall take effect immediately upon its execution and extends the local March 24<sup>th</sup> Order, in its amended form, until April 30, 2020, or until it is superseded, amended, or terminated.

SECTION 7. ENFORCEMENT. Pursuant to Executive Order GA-14, local officials are authorized to enforce the Governor’s Executive Order as well as local restrictions that are consistent with Executive Order GA-14. All law enforcement agencies within Rockwall County are hereby authorized to enforce this Supplemental Order as well as Executive Order GA-14.

SECTION 8. PENALTIES. In accordance with Chapter 418 of the Texas Local Government Code and Executive Order GA-14, failure to comply with any provision of this Supplemental Order, including any provision of Executive Order GA-14 incorporated herein, shall be punishable by a fine not to exceed \$1,000, confinement in jail for a term not to exceed 180 days, or both fine and confinement.

SECTION 9. PUBLIC NOTICE. This Supplemental Notice shall be posted on Rockwall County's website.

SECTION 10. SEVERABILITY. If any section, paragraph, sentence, clause, phrase, or word contained in this Supplemental Order is held invalid or unconstitutional by a court of competent jurisdiction, then such decision will not affect the validity of the remaining provisions of this Supplemental Order.

**ORDERED** on this the 14 day of April 2020.

  
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David Sweet  
Rockwall County Judge

Filed with the Rockwall County Clerk on this the 14<sup>th</sup> day of April, 2020.

  
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Shelli Miller

Rockwall County Clerk

  
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Deputy Clerk