

**ORDER CONTINUING DECLARATION of DISASTER DUE TO  
PUBLIC HEALTH EMERGENCY  
FOR  
THE CITY OF SAN ANGELO, TEXAS**

**WHEREAS**, on March 16, 2020 the Mayor of the City of San Angelo, Texas declared a local disaster under Section 418.108 of the Texas Government Code (the Declaration) and enacted the municipal powers to protect health of the community under §122.006 of the Texas Health and Safety Code due to a public health emergency due to the COVID-19 coronavirus; and

**WHEREAS**, in accordance with Texas Government Code Section 418.108(b), the Declaration of disaster may not be continued or renewed for a period of more than seven (7) days except with the consent of the San Angelo City Council; and

**WHEREAS**, the requirements adopted in the Declaration related to Chapter 122.006 of the Texas Health and Safety Code shall remain in place; and

**WHEREAS**, since the Declaration was issued the Center for Disease Control has issued more restrictive requirements than were recommended at the time of the Declaration; and

**WHEREAS**, since March 16, 2020 it has become clear that there is community spread of the COVID-19 virus within the State of Texas; and

**WHEREAS**, on March 19, 2020 the Governor of the State of Texas made a statewide Declaration that has more restrictive requirements than the Declaration; and

**WHEREAS**, on March 19, 2020, the City Council extended the emergency declaration of March 16, 2020 until April 3, 2020 and placed additional requirements on the citizens of San Angelo, and

**WHEREAS**, since the March 19, 2020 declaration, the situation in San Angelo has received test results showing positive cases of COVID-19 related to travel as well as community spread; and

**WHEREAS**, the Mayor and Council of the City of San Angelo have determined that further measures must be taken to protect the health, safety and welfare of the citizens of the City of San Angelo and the health systems which serve those citizens; and

**WHEREAS**, the City Council of the City of San Angelo, Texas, pursuant to Texas Government Code Section 418.108(b), has consented to continue the declaration of local state of medical emergency for the City of San Angelo.

**NOW THEREFORE, BE IT DECLARED BY THE MAYOR OF THE CITY OF SAN ANGELO, that:**

- 1.) The Declaration of state of public health emergency for the City of San Angelo resulting from the COVID-19 coronavirus is hereby continued and amended as follows. All provisions of the March 19, 2020 declaration, not otherwise amended by this declaration shall remain in place.
- 2.) Pursuant to the authority granted to the City under §122.006 of the Health and Safety Code the following additional prohibitions on public or private Community Gatherings is hereby enacted:

### **Section 1. Stay at Home or Place of Residence.**

All individuals living within the City of San Angelo shall remain in their place of residence except as allowed by this Declaration. To the extent that individuals are using shared or outdoor spaces, they shall, to the greatest extent feasible, maintain social distancing of at least six feet from any other person. All persons may only leave their residences to perform Essential Activities or to report to work or engage in personal business with Essential Business or in Critical Infrastructure.

**Section 2. All Non-Essential Businesses/Recreational Facilities Must Close.** This includes all gyms, massage services, nail services and salons, hair services and salons, tattoo services, piercing services, and face or body waxing services and all businesses in which person to person contact is required in the performance of the service and not included in the Critical Infrastructure and Essential Businesses as listed in Sections 6 and 7. All malls shall also close.

The following private or public recreational or entertainment facilities must be closed, this includes but is not limited to all theatres, sexually oriented businesses, skating rinks, bowling alleys, swimming pools, dance studios, playgrounds, basketball courts, tennis courts, beaches, and camping areas.

Congregating at parks, docks or boat ramps is strictly prohibited.

**Section 3. Prohibited Gatherings.** All public and private gatherings of any number of people occurring outside of a single household or dwelling unit are prohibited. Nothing prohibits members of a household or dwelling unit from gathering inside the dwelling unit or in an enclosed space or defined yard outside.

Household means any persons living together in the same house as a family unit or under a shared lease.

**Section 4. Travel.** To the largest extent possible, people on public transit shall comply with Social Distancing Requirements and sit at least six feet apart.

**Section 5. Essential Activities.** Persons may leave their residences to perform any of the following "Essential Activities".

- a. **For Health and Safety.** Individuals may engage in activities or perform tasks essential to their health and safety, or to the health and safety of their household members including pets, to work for or obtain services at any Healthcare Facility.
- b. **For Necessary Supplies and Services.** Individuals may obtain necessary services or supplies for themselves and their family or household members, or to deliver those supplies to others, such as groceries and food, pet supplies and food, supplies needed to work from home, household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
- c. **For Outdoor Activity.** Individuals may engage in limited outdoor activity such as walking, hiking, bicycling, or running provided individuals comply with Social Distancing requirements and remain at least six feet from persons that are not part of their household.
- d. **Types of Work.** Individuals may perform work providing essential products and services listed as Critical Infrastructure or Essential Businesses.
- e. **To Take Care of Others.** Individuals may care for a family member or pet in another household or church staff/clergy may travel for the purpose of remote delivery of religious services or other ministerial duties requiring travel.

**Section 6. Critical Infrastructure.** Critical Infrastructure shall be defined as the following:

- a. Banking and financial institutions
- b. Transit and transit facilities, transportation and logistics
- c. Power, water, telecommunication, natural gas, and public utilities
- d. Critical manufacturing including components for primary metals, machinery, electoral equipment and components, health and safety products and equipment, and transportation equipment including the sales and service of automobiles.
- e. Information and communication including the press
- f. Emergency services
- g. Fire and law enforcement
- h. Public health and medical services and suppliers
- i. Public works
- j. Agriculture and food
- k. Airport facilities and operations
- l. Sanitation services
- m. Government services as designated by the City Manager
- n. Construction including construction of public works, housing, social services, and commercial facilities
- o. Personnel and industries not otherwise listed but identified in the US. Department of Homeland Security Cyber and Infrastructure Security Agency's memorandum found 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 businesses allowed under Texas Executive Order GA-14 found at <http://tdem.texas.gov/essentialservices/>.

Critical Infrastructure should to the largest extent possible maintain social distancing guidelines and perform services remotely whenever possible.

**Section 7. Essential Business** shall include:

- a. **Healthcare Operations.** Includes caregivers, hospital and laboratory personnel, pharmacy employees, hospitals, clinics, dentist, pharmacies, healthcare suppliers, home healthcare service providers, mental health providers, and related retail sales and/or ancillary healthcare services. This also includes veterinary services. This **does not include** fitness and exercise gyms or other similar facilities and does not include retail outlets that sell electronic cigarette products or cannabidiol products.
- b. **Stores that Sell Groceries or Other Essentials.** This includes grocery stores, supermarkets, farmers markets, food banks, convenience stores, liquor stores, and other establishments in the retail sale of canned food, dry goods, fresh fruits and vegetables, fresh meat, fish and poultry, and any other household consumer products such as cleaning and personal care products. This includes stores that sell other non-grocery items and items necessary to maintaining the safety, sanitation, and essential operations of residences.

These stores shall not allow more than 100 people or half of the approved occupancy to be present in the store at any one time and must maintain at least six feet between customers, including those waiting to get in. All common surfaces must be cleaned frequently and any sick employees must be sent home.

There shall be one controlled entrance manned by someone who is limiting access to no more than 100 at a time and who is ensuring social distancing outside.

- c. **Food Cultivation** including farming and livestock.
- d. **Social Services and Charitable Organizations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.

These services shall operate remotely to the largest extent possible and maintain social distancing requirements as feasible.

- e. **News Media.**
- f. **Gas Station, Auto Dealerships, and Auto Repair or Supply Stores.**

These facilities may not allow more than ten persons in a room at a time while maintaining proper social distancing. All common surfaces must be cleaned frequently.

- g. **Financial Institutions** including banks, consumer lenders, sales and finance lenders, credit unions, appraisers, title companies, pawnshops, entities that issue bonds, insurance companies, underwriters, agents, brokers and related insurance claims and agents.

These services shall be performed remotely or without direct contact with the customer to the amount that is feasible. All common surfaces must be cleaned frequently and no more than 10 people shall be in a room allowing six feet of space between each person.

- h. **Hardware/Building Supply Stores.** Stores that sell electrical, plumbing, and other building repair items.

These stores shall not allow more than 100 people or half of the approved occupancy to be present in the store at any one time and must maintain at least six feet between customers, including those waiting to get in. All common surfaces must be cleaned frequently and any sick employees must be sent home.

There shall be one controlled entrance manned by someone who is limiting access to no more than 100 at a time and who is ensuring social distancing outside.

- i. **Critical Trades** including plumbers, electricians, exterminators, and pool cleaners must to the fullest extent keep six feet from others and workers should limit as much as possible, access to interior areas of private residences in the performance of this work.

- j. **Mail and Package Delivery Services.**

These businesses shall be operated in such a way to minimize in person interaction with customers. Sorting facilities shall make all attempts to allow for proper social distancing of employees.

k. **Laundry Services and Facilities.**

These facilities shall not allow more than 10 people in a room with six feet between each person. All common surfaces must be cleaned frequently. Any sick employees must be sent home immediately.

l. **Restaurants/Bars for Consumption off Premises (Carryout and Delivery Only).**

These facilities shall close no later than 10 PM and shall require enhanced cleaning of surfaces and handwashing of all employees. Direct contact with customers shall be limited as much as is feasible.

m. **Businesses that Supply Items Necessary to Work from Home.**

These facilities shall not allow more than 10 people in a room with six feet between each person. All common surfaces must be cleaned frequently. Any sick employees must be sent home immediately.

This includes businesses that sell primarily arts and crafts supplies and recreational equipment.

n. **Business that Supply Computers, Audio and Visual Electronics, Microelectronics, Semiconductors, or Components.**

These facilities shall not allow more than 10 people in a room with six feet between each person. All common surfaces must be cleaned frequently. Any sick employees must be sent home immediately.

o. **Food Delivery Services.**

These businesses shall be operated in such a way to minimize in person interaction with customers.

p. **Transportation** including taxis, Uber, and Lyft drivers.

Vehicles must be sanitized after every customer. Drivers shall not perform services if they are demonstrating symptoms of illness.

q. **Home Based Care** services for seniors, adults or children.

r. **Residential Facilities and Shelters.**

Shall be operated in compliance with CDC guidelines for these types of facilities. Sick employees shall be sent home immediately.

s. **Professional Services** including legal, accounting, insurance, real estate if necessary to meet an essential business or government need.

These services shall be performed remotely or without direct contact with the customer to the amount that is feasible. These facilities shall not allow more than 10 people in a room with six feet between each person. All common surfaces must be cleaned frequently. Any sick employees must be sent home immediately.

t. **Information Technology Services and Essential Service Vendors** including telecommunications services, internet services, and broadband services.

These services shall be performed remotely or without direct contact with the customer to the amount that is feasible. These facilities shall not allow more than 10 people in a room with six



feet between each person. All common surfaces must be cleaned frequently. Any sick employees must be sent home immediately.

u. **Hotels and Motels.**

These facilities shall use enhanced cleaning measures and to the extent possible avoid direct contact with customers. All common surfaces must be cleaned frequently. Any sick employees must be sent home immediately.

v. **Funeral Services.**

All efforts shall be made to limit the number of persons gathered to less than 10 with proper social distancing.

w. **Educational Institutions.**

x. **Childcare Facilities.**

These facilities shall operate in compliance with State of Texas rules.

3.) In addition to the above, the following actions are hereby enacted:

- a. No itinerant or temporary health permits shall be issued by the City of San Angelo.
- b. All fee increases to take place in Fiscal Year 2020/2021 under the adopted San Angelo Budget Policy are hereby postponed and will be re-evaluated in accordance with the policy in preparation for the Fiscal Year 2021/2022 annual Budget.
- c. The City Manager is authorized to enter into any agreements necessary to provide shelter or basic needs related to this declaration.
- d. Hillside Drive and Gun Club Trail, otherwise known as the KOA trail, shall be closed to pedestrian traffic.
- e. Late fees assessed by the water utility from April 1, 2020 through April 30, 2020 shall be waived.

4.) This Declaration continues to activate the City's Emergency Management Plan;

5.) This Declaration continues to activate all applicable local or inter-jurisdictional emergency management plans and authorizes the furnishing of aid and assistance under the Declaration.

6.) This Declaration continuing a local disaster and public health emergency shall be effective 12:01 a.m. April 2, 2020 through 11:59 p.m. April 30, 2020, provided however that this declaration may be continued or renewed beyond that date only with the consent of the City Council of the City of San Angelo, Texas. In the event of a conflict between this Declaration and Texas Governor Executive Order GA-14 with regards to restriction of essential services, then the Executive Order of the Governor shall control.

7.) The sections, paragraphs, sentences, clauses and phrases of this Declaration are severable and if any phrase, clause, sentence, paragraph or section of this Declaration should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Declaration that can be given effect without the invalid provision, and to this

end the provisions of this Order are severable. Any provision of the Declaration issued on March 19, 2020, not herein amended shall remain in full force and effect.

- 8.) This Declaration shall be given prompt and general publicity and shall be filed promptly with the City of San Angelo City Clerk; and

It is hereby ORDERED, this 1<sup>st</sup> day of April, 2020.

  
Brenda Gunter, Mayor

Approved as to Form:

  
Theresa James, City Attorney

Attest:

  
Julia Antilley, City Clerk