

SAN PATRICIO COUNTY



**EXECUTIVE ORDER DK-03
OF THE HONORABLE JUDGE DAVID R. KREBS
ISSUED MAY 4, 2020 IN RESPONSE TO NOVEL CORONAVIRUS**

WHEREAS, the novel coronavirus (COVID-19) is recognized globally as a contagious respiratory virus and on March 11, 2020, was declared a pandemic by the World Health Organization; 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, for the first time since 1901, Dr. John Hellerstedt, the Commissioner Texas Department of State Health Services declared a public health disaster in Texas on March 19, 2020 because COVID-19 “has created an immediate threat, poses a high risk of death to a large number of people and creates a substantial risk of public exposure because of the disease’s method of transmission and evidence that there is community spread in Texas;” and

WHEREAS, pursuant to Texas Government Code Section 418.108 and due to the imminent threat arising from COVID-19, San Patricio County Judge David R. Krebs declared a local state of disaster on March 16, 2020 followed by the First Amended Declaration of Local State of Disaster Due to Novel Coronavirus which was declared and later consented to by the Commissioners Court on March 19, 2020; and

WHEREAS, in accordance with Texas Government Code Section 418.108(b), on April 13, 2020 the San Patricio County Commissioners Court approved the Order Continuing Declaration of Local State of Disaster for San Patricio County (hereafter, the “Order of Continuation of Declaration”); and

WHEREAS, the Order of Continuation of Declaration further reserves all other authority and powers conferred by or under the laws of the State of Texas and authorized the San Patricio County

Judge to continue to exercise the powers granted by the Texas Disaster Act of 1975 for the period specified in the Order of Continuing Declaration; and

WHEREAS, with the approval of the Commissioners Court to take such actions as are necessary in order to protect the health, safety and welfare of the citizens of San Patricio County, the County Judge has determined that extraordinary measures must be taken to prepare for, respond to, and mitigate the spread of COVID-19; and

WHEREAS, this Order implementing emergency powers is issued pursuant to Texas Government Code Chapter 418 to include authorizing the County Judge to control, among other things, the ingress, egress, movement, and occupancy of premises on an appropriate local scale in accordance with Section 418.108(g) and his authority as Emergency Management Director; and

WHEREAS, it is the intent of this Executive Order to remain as consistent with and to harmonize, to the extent possible, the executive orders of Governor Abbott and the mandates contained therein (as extended or modified); and

WHEREAS, Executive Order DK-02 is subject to expiration at 11:59 p.m. on May 4, 2020, absent further action by the County Judge; and

WHEREAS, by the authority vested in me as San Patricio County Judge and as the Emergency Management Director for the County of San Patricio to continue to protect the health and safety of the community and address developing and rapidly changing circumstances when presented by COVID-19 public health emergency, I hereby rescind my previous Executive Order DK-02 and issue this revised Executive Order DK-03 in its place.

PURSUANT TO THE TEXAS DISASTER ACT OF 1975, SAN PATRICIO COUNTY JUDGE DAVID R. KREBS HEREBY ISSUES THIS EXECUTIVE ORDER AS FOLLOWS:

SECTION I

Effective as of 11:59 p.m. on Monday, May 4, 2020, and continuing through 11:59 p.m. on May 26, 2020, unless extended, terminated early by San Patricio County Judge David R. Krebs or otherwise indicated below:

1. **Stay Home Work Safe Measures**. Subject to the definitions and further guidance set out in Subsection (a)-(e) below, that all persons currently residing within the incorporated and unincorporated territory of San Patricio County are hereafter directed to stay at home ("Stay Home Work Safe Measures"). All persons may leave their residences to engage in allowable activities which shall include *Essential Services* or *Reopen Services* as those two terms are defined by Texas Governor Abbotts' Executive Order(s), as amended, and *Outdoor Activity*. All persons in San Patricio County, Texas shall, except where necessary to provide or obtain essential services, reopened services or outdoor activity, minimize social gatherings and minimize in-person contact with people who are not in the same

household. Nothing in this Executive Order prohibits the gathering of members within a household.

- a. People over the age of 65 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.
 - b. Reopened Services. Reopened Services are required to follow the specific sector guidance in the Governor's Report to Reopen Texas and shall conspicuously post the applicable maximum occupancy required under the Governor's Order.
 - c. Health Protocols for Essential or Reopened Services. In providing or obtaining essential services or reopened services, people and businesses shall follow the minimum standard health protocols recommended by the Texas Department of State Health Services (DSHS), as amended, found at www.dshs.texas.gov/coronavirus, and shall 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.
 - d. Other Essential Services. Those services added to a list of essential services by approval of the Texas Division of Emergency Management (TDEM). TDEM shall maintain an online list of essential services, as specified in the executive order of Governor Greg Abbott and in any approved additions and those deemed as essential services by TDEM shall automatically be incorporated in this Executive Order DK-03.
 - e. Outdoor Activity. Means those outdoor activities that are consistent with Executive Order GA-18 issued by the Texas Governor Abbott. Individuals may engage outdoor activity and sports provided that the activities do not include contact with other participants and no more than four (4) participants engage in the activity together "Outdoor Activity". In support of this measure, all county-owned recreational areas where social distancing and sanitizing requirements are difficult or impossible to meet, shall remain closed for the duration of this Executive Order DK-03.
2. That San Patricio County rental property owners temporarily suspend evictions for at least the next 30 days to prevent renters from being displaced due to the public health emergency.
 3. That foreclosure proceedings within San Patricio County be temporarily suspended for at least the next 30 days to prevent the displacement of occupants during the public health emergency.

4. That residents of San Patricio County conduct essential San Patricio County business online or via regular mail to avoid visiting any San Patricio County facilities unless absolutely necessary until Tuesday, May 26, 2020.
5. That as of the date of this Executive Order and continuing for the remainder of the period set out in the Twelfth Emergency Order of the Supreme Court of Texas in Misc. Docket No. 20-9059, all courts within San Patricio County restrict non-essential in person proceedings in accordance with Twelfth Emergency Order of the Supreme Court of Texas, as amended.
6. That people who are sick should stay at home and not engage in any activity outside of their residence unless related to treatment or health care. If someone in a household has tested positive for COVID-19, then they must follow the isolation and quarantine measures proscribed by local, state, or federal health authorities. If someone in a household has tested positive for COVID-19, then other members of the household shall consider themselves positive if they become symptomatic and must follow the current policies and procedures in place for isolation and quarantine proscribed by local, state, or federal health authorities.
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.
8. **ENFORCEMENT:** Pursuant to Sec. 418.173, Texas Government Code, the failure to comply to a rule, order, or ordinance adopted under the Texas Disaster Act of 1975, is an offense punishable by a fine not to exceed \$1,000, or confinement in jail for a term not exceeding 180 days, or both a fine and confinement. That any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Executive Order in accordance with the authority granted under the Texas Disaster Act. A citation issued under this Order must state the name of the person cited, the violation charged, and the time and place the person is required to appear in court. If a person who receives a citation under this subsection fails to appear on the return date of the citation, the court may issue a warrant for the person's arrest for the violation described in the citation. A violation under this Order is punishable by a fine up to \$500.00 for the first violation and \$1,000 for each violation thereafter; or confinement in jail for term not to exceed 180 days, or both fine and confinement.
9. The sections, paragraphs, sentences, clauses and phrases of this Executive Order are severable and if any phrase, clause, sentence, paragraph or section of this Executive Order 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 that can be given effect without the invalid provision, and to this end, the provisions of this Executive Order are severable.

Section II

To the greatest extent possible, this Executive Order shall be interpreted as consistent with and supplemental to any executive order issued by the Texas Governor. All provisions of the executive orders of the Texas Governor either existing or as, if and when issued, which are made applicable to all jurisdictions by law shall be automatically incorporated into and constitute terms of this Executive Order, enforceable as if set forth herein without necessity for the issuance of any further orders.

DECLARED and **ORDERED** this the 4th day of May, 2020.

David R. Krebs
David R. Krebs
San Patricio County Judge

State of Texas, County of San Patricio

I hereby Certify that this instrument was FILED on this date and time stamped hereon by me and was duly RECORDED in the Official Public Records of San Patricio County, Texas on:

05-04-2020 (Date)
Gracie Alaniz-Gonzales
Gracie Alaniz-Gonzales
County Clerk

