



MARY JAYNE
VILLARREAL-BONAN
COUNTY CLERK

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ZAPATA COUNTY TEXAS

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OFFICE

SECOND AMENDED SHELTER IN PLACE
STAY AT HOME/WORK
ZAPATA COUNTY JUDGE AND COMMISSIONERS COURT
CONTINUING EMERGENCY MEASURES
DUE TO A PUBLIC HEALTH EMERGENCY
CORONAVIRUS DISEASE (COVID-19)
EMERGENCY ORDER

APRIL 14, 2020

WHEREAS, the President of the United States has declared COVID-19 a National Emergency; and

WHEREAS, the Governor of the State of Texas has declared the State of disaster; and

WHEREAS, said state of disaster requires that certain emergency measures be taken pursuant to the Executive Order of the Governor relating to Emergency Management; and

WHEREAS, by declaration issued March 16, 2020, the County Judge declared a state of disaster for Zapata County resulting from

Coronavirus disease, also referred to as COVID-19 has not yet been confirmed in Zapata County, but an abundance of caution has been taken by Zapata County. Therefore, it is necessary to take action to prevent further opportunity for COVID-19 to spread in our community.

WHEREAS, on March 31, 2020 the Commissioners Court of Zapata County continued the state of disaster for Zapata County; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the County Judge designated as the Emergency Management Director of the County of Zapata, and may exercise the powers granted to the governor on appropriate local scale; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, request assistance from the governor of state resources, and access funds available for disaster relief and reimbursement at the state and federal level; and

WHEREAS, additional restrictions are warranted; and

NOW THEREFORE, I, Joseph Rathmell, County Judge for the County of Zapata, do hereby certify that COVID-19 has created a disaster and have further determined that extraordinary and immediate measures must be taken to further respond, prevent and alleviate the further spread of COVID-19; and

DO HEREBY, PURSUANT TO THE AUTHORITY GRANTED BY THE TEXAS GOVERNEMENT CODE, CHAPTER 418, ORDER:

STAY AT HOME/WORK SAFE

SECTION 1. Stay at Home or Place of Residence. All individuals currently living within Zapata County, are ORDERED to shelter at their place of residence except as allowed by this Order. All persons may leave their residences only to perform certain Essential Activities, or to perform or obtain services from Essential Businesses, Government Functions or services, or Critical Infrastructure as defined below. It is in the public interest to issue this Order and it is effective as of 12:00 a.m. on April 14, 2020, and continuing until 11:59 p.m. April 28, 2020, unless terminated earlier, modified or extended by applicable law or subsequent Order.

SECTION 2. Non-Essential Business operations must cease. All businesses or operations with facilities in Zapata County, except Essential Businesses as defined herein, are required to cease all activities within the County except for Minimum Basic Operations. For purposes of this order, Minimum Basic Operations is the following provided that employees comply with the minimum six (6) feet social distancing requirements to the extent possible: (1) the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences; and/or (2) the minimum necessary activities to maintain the value of the business' inventory, ensure security, process payroll and employee benefits, or for related functions. NOTHING HEREIN SHALL PROHIBIT ANY NON ESSENTIAL RETAIL STORE FROM TAKING ON-LINE OR TELEPHONE MERCHANDISE ORDERS TO BE FULFILLED BY THE RETAIL VIA CURBSIDE OR HOME DELIVERY PROVIDED THAT PROTECTIVE GEAR SUCH AS MASKS AND GLOVES ARE WORN AND NO MORE THAN TEN (10) EMPLOYEES ARE WORKING INSIDE THE STORE.

SECTION 3. Essential Businesses, Government Services, and Critical Infrastructure. Essential Businesses, Government Services, and Critical Infrastructure may and are strongly encouraged to remain open in accordance with the requirements.

SECTION 4. Prohibited Activities. All public and private gatherings of any number of people occurring outside a single household or dwelling unit are prohibited, except for the Essential Activities or to perform or obtain services from an Essential Business, Government Function or services, or Critical Infrastructure, as defined below. Nothing in this Order prohibits gatherings of members of a household within the household within the household's dwelling unit.

SECTION 5. Curfew. A curfew for all persons aged 18 and over is to be imposed from 10:00 PM to 4:00 AM, unless that person is engaging, performing, or in route to engage or perform in an essential service or activity as provided herein.

SECTION 6. Travel. All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit is prohibited, except for purposes of Essential Activities or to

perform or obtain services from an Essential Business, Government Function, or Service, or Critical Infrastructure, as defined below. To the greatest extent feasible, people riding on public transit shall comply with all requirements set forth herein.

SECTION 7. Covering of Nose and Mouth. Except as provided herein, all persons over the age of five (5) are required to wear some form of covering (such as a homemade mask, scarf, bandana, or handkerchief) over their nose and mouth **at all times** except:

- A. When engaging in a permissible outside physical activity (such as running, jogging, walking dog);
- B. When riding in a personal vehicle;
- C. When alone in a separate single space;
- D. When no one but their shelter group (household members) is present;
- E. When necessary for purposes of a health emergency;
- F. When necessary for consumption purposes;
- G. When necessary for any other health & safety reason, the validity and reasonableness of which shall be solely determined by Zapata County.

SECTION 8. Minor Children. Parents and guardians are prohibited from taking minor children 16 years and younger to any grocery store, convenience store, or hardware store, unless doing so is necessary because of a lack of alternative childcare.

SECTION 9. Prior Orders. This Order is issued in accordance with and incorporates by reference declarations, findings, and recitations set out in the preamble to this Order and prior Orders issued by the Zapata County Judge except that where any such previous Orders or Declarations are in conflict with this Order, this Order prevails.

SECTION 10. Exemption. Individuals experiencing homelessness are exempt from this Order except that, to the extent individuals are using shared or outdoor spaces, they shall, to the greatest extent feasible, maintain the Social Distancing Requirement. Individuals experiencing homelessness are strongly urged to obtain shelter. Governmental and other entities are strongly urged to obtain shelter. Governmental and other entities are strongly urged to make shelter available as soon as possible and the maximum extent practicable and to use COVID-19 risk mitigation practices in their operation.

SECTION 11. Essential Activities. For purposes of this Order, individuals may leave their residence only to perform any of the “Essential Activities” listed herein. However, people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible, except as necessary to seek medical care.

- a) **For Health and Safety.** 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 (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medications, or visiting a health care professional;

- b) **For Necessary Supplies and Services.** To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, including pet supplies and food, supplies they need to work from home, household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;
- c) **For Outdoor Activity.** To engage in outdoor activity, such as, by way of example and without limitation, walking, hiking, or running provided the individuals comply with social distancing requirements;
- d) **For Certain Types of Work.** To perform work providing essential products and services at an Essential Business, Government Service, or Critical Infrastructure, or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations; or
- e) **To Take Care of Others.** To care for a family member or pet in another household;
- f) **To perform or obtain services from an Essential Business, Government Function or Service, or Critical Infrastructure,** as defined in this Order.
- g) **To return home from or to another jurisdiction.**

SECTION 12. Essential Government Functions. “Essential Government Functions” means all services, including necessary administrative and support services, needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public. Zapata County shall determine its Essential Government Functions and identify employees and/or contractors necessary to the performance of those functions. To the extent feasible, all Essential Governmental Functions shall be performed in compliance with social distancing requirements.

SECTION 13. Essential Critical Infrastructure. Essential Critical Infrastructure means all public and private facilities and assets, including both physical and cyber systems, and other functions and sectors vital to the security, governance, public health, safety, and economic continuity of Zapata County, including public works construction, residential and commercial construction provided that they carry out those services or that work in compliance with social distancing requirement of six (6) feet and use protective gear (for example face masks.)

SECTION 14. Essential Businesses. For the purposes of this Order, “Essential Businesses” means:

- a) **Healthcare Operations.** Healthcare operations, including clinics, dentists, pharmacies, other healthcare facilities, mental health providers, substance abuse service providers, laboratory services, physical therapy, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered 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 and dental procedures. Any medical surgical procedures intended to treat ongoing moderate/severe acute or chronic pain, any emergent orthopedic procedures, or any other necessary procedures that can be performed safely in properly equipped physician’s office, ambulatory surgery center, or urgent care facility MAY be performed with the goal of relieving overstressed hospital emergency departments from non-COVID-19 urgent healthcare. Physicians SHALL document medical necessity in patient medical record, procedure or surgical note.
- b) **Stores that sell Groceries and Certain Other Essential Supplies.** Grocery stores, liquor stores, gas stations and convenience stores, farmers’ markets that sell food products and household staples (such as cleaning and personal care products). This includes stores that

sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences. To the greatest extent possible, essential retail establishments shall adhere to the following guidelines:

- i. Designated shopping times for a risk people;
 - ii. Limit the amount of people in a store at once so that social distancing is possible;
 - iii. Implement an organized system where people are spaced a minimum of 6 feet apart;
 - iv. Implement purchase limits on high-demand items (toilet paper, eggs, milk, etc.);
 - v. Open as many cashiers boxes as feasible to allow for quick service and exit;
 - vi. Convenience Stores may remain open, provided that no more than 10 people, excluding employees, are present in a single space and social distancing of six (6) feet per person is maintained to the greatest extent possible.
 - vii. Larger grocery stores, Lowes and Riverview Family Center are to allow no more than 30 patrons at more than one time. This limit does not include employees of said establishment.
- c) **Food cultivation.** 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.
- e) **News Media.** Newspapers, radio, and other media services.
- f) **Gas Stations and Businesses Needed for Transportation.** Gas Stations, automobile dealerships, auto-supply, auto and bicycle repair, and other related facilities.
- g) **Financial Institutions.** Banks and related financial institutions, consumer lenders, sales and finance lenders, credit unions, appraisers, title companies;
- h) **Hardware and Supply Stores.** Hardware stores and businesses that sell electrical, plumbing, landscaping, and related facilities. Businesses that supply products needed to support Essential Businesses, Critical Infrastructure, and Essential Government Functions;
- i) **Critical Trades.** Plumbers, electricians, roofers, exterminators, air conditioner repair, appliance repair, equipment repair, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences, Essential Businesses, Essential Government Services, and Critical Infrastructure, including but not limited to utilities such as electricity, gas, water and wastewater, and other public works. Critical Trades does not include discretionary maintenance or improvements.
- j) **Mail and Delivery Services.** Businesses providing mailing and shipping services, including post office boxes;
- k) **Educational Institutions.** Educational institutions-including public and private K-12 schools and those facilitating distance learning or performing critical research or essential functions. Provided social distancing requirements are maintained to the greatest extent possible.
- l) **Religious Institutions.** Religious and worship services may be provided by video and teleconference. Institutions must limit in-person staff or volunteers to 10 people or less in the same room when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Guidelines (including the social distancing guideline of six (6) feet);
- m) **Restaurants for Consumption Off-Premises.** Restaurants and other facilities and conveyances that prepare and serve food, but only for delivery or carry out and must adhere to strictest standards of food preparation including covering the face and mouth to the greatest extent possible. Schools and other entities that typically provide free

- services to students or member of the public on a pick-up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- n) **Supplies to Work from Home.** Businesses that supply products needed for people to work from home;
 - o) **Supplies and Services for Essential Businesses, Critical Infrastructure and Essential Government Functions.** Businesses or services that supply other Essential Businesses, Critical Infrastructure, and Essential Government Functions with the support or supplies necessary to operate; including but not limited to janitorial services laundry services, computers, audio and video electronics, hardware, paint, electrical and plumbing material, sanitary equipment, medical equipment, and food and beverages and must comply with the social distancing requirements;
 - p) **Firearm and ammunition retailers.** These, for purposes of safety and security, may remain open provided that no more than 10 people are present in a single space including employees and customers, and social distancing of six (6) feet per person is maintained to the great extent possible.
 - q) **Food Delivery Services.** Businesses that ship or deliver groceries, food, goods or services directly to residences;
 - r) **Transportation.** Transportation services necessary for the performance of essential activities and those of Essential Businesses, Critical Infrastructure, and Essential Government Functions
 - s) **Home-Based Care and Services.** Home-based care for seniors, adults, or children, including caregivers who may travel to provide care;
 - t) **Residential Facilities and Shelters.** Residential facilities and shelters for seniors, adults, children and animals;
 - u) **Professional Services.** Professional services, such as legal or accounting services, insurance services, and real estate services when necessary to assist in compliance with legally mandated activities and only to the extent that service can be provided with Minimum Basic Operations as defined in Section 2;
 - v) **Information Technology Services and Telecommunications Services.** These services and their essential services vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, web-based services, and critical manufacturing, as well as telecommunications services, internet access and broadband/communications services;
 - w) **Childcare Facilities.** Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions;
 - i. Childcare must be carried out in stable groups of 10 or fewer (“stable means that the same 10 or fewer children are in the same group all day.)
 - ii. Children shall not change from one group to another
 - iii. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.
 - iv. Childcare providers shall remain solely with one group of children.
 - x) **Moving Supply Services.** Businesses that provide residential and/or commercial moving services and necessary moving supplies;
 - y) **Hotels and Motels.** Hotels and motels, to the extent used for lodging or delivery or carry-out food services;
 - z) **Funeral Services.** Funeral, mortuary, cremation, burial, cemetery, and related services, provided that no more than 10 people are present in a single space including visitors and

employees/staff and social distancing of six (6) feet per person is maintained to the greatest extent possible.

SECTION 15. If someone in the household has tested positive for coronavirus, the household is ordered to isolate at home for a period of at least 14 days after the person has tested negative for coronavirus or left the household or such longer period as determined by the City of Laredo Health Department. Members of the household cannot go to work, school, or any other community function.

SECTION 16. Nursing homes, retirement, and long-term care facilities are instructed by this order is prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.

SECTION 17. All Public and Private boat ramps accessing Falcon Lake are closed until further notice. No bank fishing will be allowed for the duration of this order.

SECTION 18. Additionally, the Office of the Zapata County Judge instructs all employees to remain at home if sick, and to promptly communicate with an appropriate health care profession

SECTION 19. Zapata County must promptly provide copies of this Order by posting on the Zapata County 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. 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 the Order.

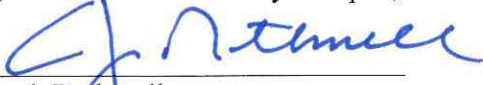
SECTION 20. All typical route of ingress and egress (roads and streets, county roads, state and other highways) throughout Zapata County shall remain open and accessible, except as otherwise provided herein.

SECTION 21. It is additionally **ORDERED** that the social distancing requirement of 6 feet shall be followed at all times.

SECTION 22. This Order of County Judge Joseph Rathmell applies to all areas of Zapata County.

SECTION 23. Pursuant to Texas Government section 418.173, failure to comply with this Order is an offense punishable by a fine of up to \$1000 confinement in jail for a term not to exceed 180 days, or both fine and confinement.

Signed on this the 14th day of April, 2020.



Joseph Rathmell
Zapata County Judge

ATTEST:



Mary Jayne Villarreal-Bonoan
Zapata County Clerk

By 

