



FILED FOR RECORD
AT 3:57 O'CLOCK P. M.
DATE 6/18/2020
ZONIA G. MORALES
CLERK COUNTY COURT JIM HOGG CO. TEXAS
BY Rae Gutierrez DEPUTY

**JIM HOGG COUNTY SUPPLEMENTAL EMERGENCY ORDER
RELATED TO THE COVID-19 PUBLIC HEALTH EMERGENCY
ADDITIONAL GUIDELINES**

WHEREAS, pursuant to Texas Government Code Section 418.108, Jim Hogg County Judge Juan Carlos Guerra issued a Declaration of Local Disaster for Public Health Emergency on March 18, 2020, due to the imminent threat arising from the Coronavirus (COVID-19); and,

WHEREAS, on March 25, 2020, in accordance with Texas Government Code Section 418.108(b), the Commissioners Court of Jim Hogg County issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Jim Hogg County Emergency Management Plan and extends the Declaration of Local Disaster; and,

WHEREAS, in accordance with Texas Government Code Section 418.108(b), the consent of the Commissioners Court authorizes the Jim Hogg County Judge to continue to exercise powers granted under the Texas Disaster Act of 1975; and,

WHEREAS, Judge Juan Carlos Guerra has previously issued Amended Emergency Orders related to the Coronavirus Disease (COVID-19) Public Health Emergency, in furtherance of his authority under Chapter 418 of the Texas Government Code to protect the overall health, safety and welfare of the public by slowing the spread of the virus; and,

WHEREAS, Jim Hogg County has seen an increase in the number of cases related to COVID-19 and has not shown a downward trajectory since Governor Abbott issued Executive Order GA-026 on June 03, 2020; and

WHEREAS, the Health Resources and Services Administration, an agency of the U.S. Department of Health and Human Services, has designated Jim Hogg County as a medically underserved area; and

WHEREAS, the Texas Department of State Health Services has designated Jim Hogg County as having a shortage of health professionals; and

WHEREAS, The Texas Department of State Health Services reports that Jim Hogg County is situated within Texas Trauma Service Area "T"; and

WHEREAS, the estimated population of Texas Trauma Service Area "T" is 300,996; and

WHEREAS, the Texas Department of State Health Services reports that there are ninety-five (95) available hospital beds thirteen (13) available ICU beds within Texas Trauma Service Area "T"; and

WHEREAS, the U.S. Census Bureau reports that approximately 20% of the Jim Hogg County population is 65 years of age or older; and

WHEREAS, the CDC has found that persons 65 years old and older are at a higher risk of severe illness from COVID-19; and

WHEREAS, the State of Texas and the County of Jim Hogg must protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical and business leaders; and,

WHEREAS, Jim Hogg County has determined that additional hygiene measures are necessary to stop the continued spread of COVID-19; and

WHEREAS, the ongoing evaluation of circumstances involving the moderate potential spread of the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the Order to be amended; and,

WHEREAS, the County Judge has determined that extraordinary emergency measures are necessary to be taken to continue with the mitigation of this public health emergency, facilitate a cooperative response amongst the citizens of Jim Hogg County, and reopen the aforementioned business and industrial aspects of the County of Jim Hogg; and,

WHEREAS, in accordance with Executive Order GA-26, failure to comply with any of Governor Abbott's executive orders issued during the COVID-19 disaster is an offense punishable under Section 418.173 by a fine not to exceed \$1,000.00 and may be subject to regulatory enforcement;

THEREFORE, PURSUANT TO THE AUTHORITY OF THE TEXAS DISASTER ACT of 1975, Jim Hogg County Judge Juan Carlos Guerra hereby issues this AMENDED ORDER as follows:

EFFECTIVE AS OF 12:01 A.M. ON JUNE 20, 2020.

MOVEMENT OF PEOPLE AND OCCUPANCY OF PREMISES:

- I. **Face Coverings-General Public.** That all persons over the age of three (3) shall wear some form of covering over their mouth and nose, such as a homemade mask, scarf, bandana, or handkerchief, when obtaining or providing covered services. It is highly encouraged and recommended that all persons, when in a public place where it is difficult to keep six feet away from other people or working in areas that are in close proximity with other coworkers; when on parking lots; when using public transportation, taxis, ride services; when pumping gas; when providing take-out, curbside, or drive-thru services.

This recommendation shall not apply to persons that are: engaging in a permissible outside physical activity (unless within six feet of another person; persons driving or riding in a personal vehicle during essential or reopened activities; persons that are alone in a separate single room or office space; persons that are with their own residence, including household members; persons with medical conditions that when covering the nose and mouth may pose a greater health, safety or security risk; persons that are not covering for consumption of food and beverage. Consistent with Executive Order GA-26 issued by Governor Abbott, no civil or criminal penalty may be imposed against a person for failure to wear a face covering.

NOTE: MEDICAL GRADE MASKS ARE NOT REQUIRED AND ARE DISCOURAGED TO THE EXTENT THAT SUCH USE MAY DISRUPT THE SUPPLY OF MEDICAL GRADE MASKS FOR THE BENEFIT OF ESSENTIAL WORK FORCE. COVERING NOSE AND MOUTH CAN ONLY DIMINISH THE CHANCE OF EXPOSURE AND PARTIALLY PREVENT ASYMPTOMATIC PERSONS WITH COVID-19 FROM UNKNOWINGLY EXPOSING AND OR SPREADING THE DISEASE.

It is highly encouraged and recommended that all persons shelter at home, unless obtaining or providing for essential or reopened services as defined herein. All persons shall minimize social gatherings; minimize in-person contact with people who are not in the same household. Individuals should conduct personal activities in compliance with recommended guidelines including maintaining six feet physical distancing; washing hands with soap and water for at least twenty seconds or using hand sanitizer; covering coughs or sneezes; cleaning high-touch surfaces; not shaking hands; and covering mouth and nose.

- II. **Health and Safety Policy-Commercial Entities.** All commercial "Covered Services", as enumerated in Judge Guerra's Amended Order (20-008), that are not CISA services or

religious services, and that are providing goods and services directly to the public must develop and implement "Health and Safety Practices" that require employees and customers to follow additional hygiene measures. **The Health and Safety Practices must require, at a minimum, that all employees or customers to the commercial Covered entity's business premises or other facilities wear some form of covering over their mouth and nose, such as a homemade mask, scarf, bandana, or handkerchief, when in an area or performing an activity which will necessarily involve close contact or proximity to co-workers or to customers where six feet of separation is not feasible.** The Health and Safety Practices required to be developed and implemented by this Order may also include additional mitigating measures designed to control and reduce the transmission of COVID-19, such as temperature checks or health screenings. Commercial Covered entities must post the Health and Safety Practices required by this Order in a conspicuous location sufficient to provide notice to employees and customers of the Health and Safety requirements. **Failure to develop and implement Health and Safety Practices as required by this Order at 12:01 a.m. on Saturday June 20, 2020 may result in a fine against the commercial covered entity, not to exceed \$1,000 dollars for each violation.**

- III. **Age 65 and Over; Assisted Living Facilities.** In accordance with the Guidelines from the President, the CDC, and Governor Abbott's Executive Order GA-26, people over the age of 65, are strongly encouraged to stay home as much as possible; to maintain appropriate physical distance from any member of the household who has been out of the residence in the previous fourteen (14) days; and, if leaving the home, to implement physical distancing and to practice good hygiene, environmental cleanliness, and sanitation. 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 (HHSC). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities as appropriate.
- IV. **Effect.** This Order shall remain in full force and effect unless it is modified, rescinded, superseded, or amended pursuant to applicable law, the status of COVID-19 in the County of Jim Hogg County, Texas, and/or recommendations of the Governor's Strike Force to Open Texas. This Order supersedes prior Orders, and in the event of a conflict or apparent conflict between the Orders, this Order shall be in control. The County of Jim Hogg must promptly provide copies of this Order by posting on the Jim Hogg 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.
- V. **Severability.** 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.

- VI. Interpretation and Additional Terms.** 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.
- VII. Enforcement.** In accordance with the limitations contained in the executive orders of Governor Greg Abbott, 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 of 1975.

ORDERED this 18th day of June 2020.



Juan Carlos Guerra, Jim Hogg County Judge

ATTEST:



Zonia Morales, Jim Hogg County Clerk