

**COUNTY OF VAL VERDE
STATE OF TEXAS
OFFICE OF THE COUNTY JUDGE
400 Pecan Street
Del Rio, Texas 78840**

EXECUTIVE ORDER

SUPPLEMENT TO

**SECOND AMENDED
DECLARATION OF LOCAL DISASTER FOR
PUBLIC HEALTH EMERGENCY**

Stay Home • Stay Safe

WHEREAS, pursuant to Texas Government Code §418.108, Val Verde County Judge Lewis G. Owens, Jr. issued a Declaration of Local Disaster for Public Health Emergency on March 16, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and,

WHEREAS, Judge Owens, under the authority granted to the Governor pursuant to Section 418.016 of the Texas Government Code, may use all available local government resources to respond to the disaster and temporarily suspend statutes and rules, including those relating to purchasing and contracting, if compliance would hinder or delay actions necessary to cope with a disaster; and

WHEREAS, on March 16, 2020, Judge Owens issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus; and,

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 16, 2020 Order of County Judge Lewis G. Owens, Jr. be amended;

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 ten (10) people;

WHEREAS, on March 18, 2020, the Val Verde County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Val Verde County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 6, 2020, unless rescinded by order of the Commissioners Court;

WHEREAS, on April 2, 2020, Judge Owens issued an Executive Order NUNC PRO TUNC First Amended Declaration of Local Disaster for Public Health Emergency and a Supplement and Amendment to First Amended Declaration of Local Disaster for Public Health Emergency; and

WHEREAS, Val Verde County Judge Lewis G. Owens, Jr. with authority granted him by the Val Verde County Commissioners Court on March 18, 2020, issued a **Second Amended Declaration of Local Disaster for Public Health Emergency that takes effect on April 7, 2020, at 12:00 midnight and expires at 11:59 p.m. on April 20, 2020**, unless rescinded by order of the Commissioners Court.

WHEREAS, Val Verde County Judge Lewis G. Owens, Jr. with authority granted him by the Val Verde County Commissioners Court on March 18, 2020, issued a Supplement to Second Amended Declaration of Local Disaster for Public Health Emergency that **supplements, BUT DOES NOT REVOKE, the Second Amendment Declaration of Local Disaster that expires at 11:59 p.m. on April 20, 2020**, unless rescinded by order of the Commissioners Court.

NOW, THEREFORE, BE IT PROCLAIMED BY THE COUNTY JUDGE OF VAL VERDE COUNTY, TEXAS:

Under the authority of Texas Government Code §418.108, Val Verde County Judge Lewis G. Owens, JR. ORDERS that the present order supplements and replaces the Executive Order Second Amended Declaration of Local Disaster for Public Health Emergency issued on April 6, 2020 which is incorporated in its entirety with the addition of Section 3(b)(vii) and Section 8 and the renumbering of the Order thereafter.

1. NOW, THEREFORE, BE IT PROCLAIMED BY THE COUNTY JUDGE OF VAL VERDE COUNTY, TEXAS: The April 6, 2020, order of County Judge Lewis G. Owens, Jr. is hereby AMENDED as follows below.

2. Effective immediately and continuing until 11:59 p.m. on April 20, 2020:

- a. All individuals currently living within Val Verde County are ordered to shelter at their place of residence. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 2.
- b. All businesses operating within Val Verde County, except Essential Businesses as defined in below in Section 3, are required to cease all activities at facilities located within the County. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines attached, including maintaining six foot social distancing for both employees and the general public.
- c. All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit.
- d. Restaurants with or without drive-in or drive-through services may only provide take out, delivery, or drive-through services as allowed by law.
- e. Religious and worship services may only be provided by video and teleconference. Religious institutions must limit in-person staff to ten (10) people or less when preparing for or conducting video or teleconference services. If religious services cannot be conducted from home or through remote services, they should be conducted consistent with the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, and sanitation, and by implementing social distancing to prevent the spread of COVID-19 which includes the six foot social distancing provision.
- f. All elective medical, surgical, and dental procedures are prohibited anywhere in Val Verde County. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures

can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response.

3. Definitions:

- a. For purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities”:
 - i. 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 (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home).
 - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, or running).
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
 - v. To care for a family member or pet in another household.
- b. For purposes of this Order, “Essential Businesses” means:
 - i. Essential Healthcare Operations. Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare 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, surgical, and dental procedures as established in accordance with Subsection 1(f) of this Order.

- ii. Essential Government Functions. All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Further, nothing in this order shall prohibit any individual from performing or accessing “Essential Government Functions.” All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible.
- iii. Essential Critical Infrastructure. Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached.
- iv. Essential Retail. Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, gas stations and convenience stores, farmers’ markets that sell food products and household staples. Food cultivation, including farming, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Liquor stores but only by drive through service, Schools and other entities that typically provide free services to

students or members of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas stations, auto-supply, auto and bicycle repair, hardware stores, and related facilities. Businesses that supply products needed for people to work from home.

- v. Providers of Basic Necessities to Economically Disadvantaged Populations. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
 - vi. Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses. Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with support or supplies needed to operate.
 - vii. *Automotive Sales. Automotive dealerships may continue online sales; showrooms must remain closed. Appointments for necessary paperwork may be arranged and conducted while practicing social distancing. Virtual test drives in lieu of traditional test drives.*
 - viii. News Media. Newspapers, television, radio, and other media services.
 - ix. Childcare Services. Childcare facilities providing services that enable employees exempted in this Order to work as permitted.
4. Any manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing ventilators may apply for an “essential business” exemption under this Order.
 5. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of

products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Val Verde County for the next 60 days.

6. Due to increased traffic in grocery stores and supermarkets and any retailer that stocks household items for essential use, and to ensure the public health and safety, the establishment of the following routine is hereby ORDERED to:
 - a. Establish controls to require a minimum distance of six feet or more between patrons in lines queuing in front of and inside the establishment, using controls that may include, but are not limited to, a requirement that each person in the que possess a shopping cart or by placing markers to control the movement of patrons.
 - b. Establish controls that require reasonable supervision of minors by the adults accompanying them that include, but are not limited to, appropriate social distancing, restricting access to products and inventory, and appropriate hygiene like covering one's mouth when coughing or sneezing and using germ killing products whenever possible as outlined in the attachment hereto.
 - c. Limit shopping to individuals aged 65 and over during a specified date and time that will be widely publicized by the establishment to give notice to the public that these hours are in place, and **the establishment shall give notice of the designated date and time to the County of Val Verde and the City of Del Rio**, as well as any other news releasing entity such as newspapers, radio, or social media.
 - d. Limit the number of patrons (excluding employees) as follows:
 - i. HEB located at 200 Veterans Blvd, Walmart located at 2410 Dodson Ave, as well as other qualified establishments that are the same size or larger, shall limit the number of patrons to 75 at any given time.

- ii. HEB located at 500 Pecan Street as well other as well as other qualified establishments that are the same size or larger, shall limit the number of patrons to 25 at any given time.
 - iii. All other qualified establishments shall limit the number of patrons to 10 at any given time.
 - e. Require all employees who have face to face contact with the publics to wear Personal Protective Equipment. PPE include face masks and gloves and any other PPE appropriate to prevent spread of the virus.
7. Due to increased demand for bath or toilet tissue resulting from stock up buying and individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted until the supply chain meets the demand or two weeks, whichever comes first. All sales of bath or toilet tissue occurring in Val Verde County are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase.
8. *Due to concern over the spread of the COVIC-19 virus, all business establishments shall require all employees who have face to face contact with the publics to wear Personal Protective Equipment. PPE include face masks and gloves and any other PPE appropriate to prevent spread of the virus. Additionally, any lawful gathering must comply with social distancing rules and shall be limited to ten (10) or fewer people except as provided in Section 6d.*
9. Due to the public health emergency, the Office of the Val Verde County Judge hereby advises the Val Verde County Justices of the Peace to **suspend eviction hearings and writs of possession** for at least the next 60 days to prevent renters from being displaced.
10. If someone in a household has tested positive for coronavirus, **the household is ordered to isolate at home**. Members of the household cannot go to work, school, any community function or out in public until cleared by the Texas State Department of Health or a local health authority.
11. Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.

12. Public and private schools and institutions of higher education are instructed by this order to **provide a safety plan** to the Val Verde County Emergency Management Office 72 hours **before** students return to a classroom setting.
13. A 24-hour curfew shall be imposed on individuals who are 17 years or younger who:
- a. are not in school;
 - b. are not accompanied by school personnel, a parent or guardian; or
 - c. are not going directly to his/her place of employment or returning from his/her place of employment.
14. This City of Del Rio ordinance that prohibits camping in city parks is hereby adopted as part of this declaration. Camping in county parks is hereby prohibited. Possession of any alcoholic beverage in city and county parks is hereby prohibited from 10:01 p.m. on Thursday, April 9, 2020 until 5:59 a.m. on Monday, April 13, 2020. Use of the playground equipment in city and county parks is hereby prohibited. Social distancing guidelines shall be observed in any public space including city and county parks. The city ordinance addressing parks is attached as Exhibit "A."
15. The Office of the Val Verde County Judge and the Health Authority instructs all non-essential and sick employees to remain at home. Employees of private businesses and nonprofits with six or more employees in the County of Val Verde can use their paid sick leave when they are sick or to care for sick family members. Val Verde County department heads are instructed to maintain a minimum number of employees to conduct essential business while all others shall be sent home on administrative leave with pay. The Office of the Val Verde County Judge and the Health Authority instruct all sick Val Verde County employees to remain at home.
- 16. Texas Commissioned Peace Officers are hereby authorized to enforce this Order. A violation of this Order may be punishable through criminal or civil enforcement. A violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000 or confinement in jail for a term not to exceed 180 days. A violation of this Order is enforceable by the filing of a probable cause affidavit alleging the criminal violation with the appropriate court, or by issuing a citation to the person violating the Order. The citation must contain written notice of the time and place the person must appear before a*

magistrate of this state, the name and address of the person charged, and the offense charged.

17. The County of Val Verde must promptly provide copies of this Order by posting on the Val Verde 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 this Order.

In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates this order commits an offense, punishable by a fine up to \$1,000 or confinement in jail for a term that does not exceed 180 days.

THE PURPOSE OF THIS ORDER IS FOR EMERGENCY PROTECTIVE MEASURES, MITIGATION PROCEDURES AND RESPONSE PLANS TO THIS PUBLIC HEALTH EMERGENCY.

IN TESTIMONY, WHEREOF, I have hereunto signed my name and have officially caused the county seal to be affixed at my office in the City of Del Rio, Texas, this the 8th day of April, 2020.

Attested by:

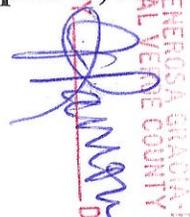


Hon. Lewis G. Owens, Jr.
Val Verde County Judge



Hon. Generosa G. Ramon
Val Verde County Clerk

Filed with the Clerk of Val Verde County on April 8, 2020.



DEPUTY
GENEROSA GRACIA RAMON
VAL VERDE COUNTY CLERK

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**ATTACHMENT TO AMENDMENT AND SUPPLEMENT
TO FIRST AMENDED DECLARATION OF
LOCAL DISASTER FOR
PUBLIC HEALTH
EMERGENCY DCHHS
Social Distancing Recommendations**

1. Vulnerable Populations: Limit Outings

- Vulnerable populations include people who are:
 - 60 years old and older.
 - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

2. Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Ensure employees practice social distancing and do not work within six feet of one another.
- Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Maximize telecommuting options.
- Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.

3. Cancel Non-essential Events

- Cancel non-essential events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:


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DEPUTY
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VAL VERDE COUNTY CLERK
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- Having hand washing capabilities, hand sanitizers and tissues available.
- Frequently cleaning high touch surface areas like counter tops and hand rails.
- Finding ways to implement social distancing.

4. Schools: Safety First

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for further closures.

5. Transit: Cleaning and Protection

- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
- Ensure social distancing practices are implemented to the full extent possible.

6. Health Care Settings: Avoid as possible, protect the vulnerable

- Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Follow guidance and directions of all facilities.

7. Everyone: Do your part

The best way for all Val Verde County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.

You can also prepare for the disruption caused by an outbreak. Preparedness actions include:

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a child care plan if you or a caregiver are sick.
- Make arrangements about how your family will manage school closures.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.

**City of Del Rio Ordinances
Relating to Use of City Parks**

Sec. 19.5-21. - Alcoholic beverages—Prohibited in certain areas.

It shall be unlawful for any person to knowingly or willfully sell, possess with the intent to sell, possess, consume or possess with the intent to consume any alcoholic beverage in the following areas:

(1) Within the fenced, enclosed areas surrounding any swimming pool, wading pool or spray pool within any park of the city or if no fence surrounds such pool, then within one hundred (100) feet of the said public swimming pool, wading pool or spray pool;

(2) On the play area of any athletic field or in the dugout area of any baseball field as listed and defined herein;

(3) Within any school district property or parking area adjacent to a school district facility;

(4) *Within any area of a park or playground that has been officially designated by the city manager as being an area in which alcohol consumption, sale or possession shall be prohibited and has been so*

designated by legible signs indicating such prohibition.

This ordinance is amended by the declaration attached by prohibiting Possession of any alcoholic beverage in city and county parks is hereby prohibited from 10:01 p.m. on Thursday, April 9, 2020 until 5:59 a.m. on Monday, April 13, 2020

Sec. 19.5-46. - Camping prohibited.

Unless otherwise authorized in writing by the city manager, it shall be unlawful for any person in a park to camp in any area of such park or to otherwise set up tents, shacks or any other temporary shelter for the purpose of such camping.

Camping remains prohibited. City Manager Matt Wojnowski must authorize camping in writing and he has not authorized camping as required by the following ordinance.

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GENEROSA GRACIA-RANON
VAL VERDE COUNTY CLERK
BY  DEPUTY

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