

2:30 P.M.

LIBERTY COUNTY
EXECUTIVE ORDER
April 24, 2020

APR 24 2020
J. Chambers

EXECUTIVE ORDER OF LIBERTY COUNTY JUDGE
EMERGENCY MEASURES

WHEREAS, the COVID-19 virus is contagious and spreads through person-to-person contact, especially in group settings; and

WHEREAS, the COVID-19 virus poses a threat to the health of large number of Americans, Texans and Liberty County residents; and

WHEREAS, to protect the public health and safety of Liberty County residents, local emergency management and healthcare leaders have recommended that an imposition of an order that Liberty County residents stay at home unless traveling within the community is essential; and

WHEREAS, on March 13, 2020, Liberty County Judge Jay Knight signed a Declaration of Disaster for the Liberty County, Texas related to COVID-19 pursuant to § 418.108(a) of the Texas Government Code; and

WHEREAS, Governor Greg Abbott issued an Executive Order on Thursday, March 19, 2020 issuing orders for Texas to adhere to certain control measures and mitigation strategies; and

WHEREAS, on March 20, 2020, the Commissioners Court of Liberty County voted unanimously to continue the Declaration of a Local Disaster related to COVID-19 until April 19, 2020, and further extensions are possible; and

WHEREAS, on March 24, 2020, Liberty County Judge Jay Knight issued an Executive Order requiring Liberty County residents to remain at home unless obtaining or providing certain essential activities; and

WHEREAS, on March 28, 2020, Liberty County Judge Jay Knight amended his Executive Order dated March 24, 2020, clarifying said order; and

WHEREAS, on March 31, 2020, Governor Greg Abbott issued executive order GA-14 which clarified the role of his executive orders in relationship to county and city executive orders and expanded the definition of critical infrastructure and essential services; and

WHEREAS, Texas Government Code § 418.018(c) states the governor may control ingress and egress to and from a disaster area and the movement of persons and the occupancy of premises in the area; and

WHEREAS, Texas Government Code § 418.1015 states:

- (a) The presiding officer of the governing body of an incorporated city or a county or the chief administrative officer of a joint board is designated as the emergency management director for the officer's political subdivision.
- (b) An emergency management director serves as the governor's designated agent in the administration and supervision of duties under this chapter. An emergency management director may exercise the powers granted to the governor under this chapter on an appropriate local scale.

WHEREAS, by the terms of the Governor's Order GA-14, the Governor's Executive Order

"shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts essential services allowed by this executive order or allows gatherings prohibited by this executive order"; and

WHEREAS, by the terms of the Governor's order GA-14, the Governor's Executive Order

"suspend[s] Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order";

WHEREAS, by the terms of the Governor's Order GA-16, citizens are permitted to obtain and vendors are allowed to provide certain non-essential "reopened services", in hopes of mitigating economic damage resulting from the COVID-19 disaster.

BE IT THEREFORE ORDERED BY THE COUNTY JUDGE OF LIBERTY COUNTY:

1. **Effective Date.** This Order shall be effective as of 12:00 a.m., April 25, 2020, and continue until 11:59 p.m. on April 30, 2020.
2. **Definitions.**
 - a. "Essential Services" shall consist of everything listed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, plus religious services conducted in churches, congregations, and houses of worship. Other essential services may be added to this list with the approval of the Texas Division of Emergency Management (TDEM). TDEM shall maintain an online list of essential services, as specified in this executive order and in any approved additions. Requests for additions

should be directed to TDEM at EssentialServices@tdem.texas.gov or by visiting www.tdem.texas.gov/essentialservices.

- b. "Reopened services" shall consist of:
 - i. Starting at 12:00 a.m. on Friday, April 25, 2020, retail services that are not "essential services," but that may be provided through pickup, delivery by mail, or delivery to the customer's doorstep in strict compliance with the terms required by DSHS. The DSHS requirements may be found at www.dshs.texas.gov/coronavirus.
 - ii. Such additional services as may be enumerated by future executive orders or proclamations by the governor.
3. **Remain at Home.** Individuals living within Liberty County are ordered to remain 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 of their residence. All persons may leave their residences only to provide or obtain Essential Services or Reopened Services as otherwise provided herein.
4. **One Shopper.** Unless an individual requires assistance due to physical or medical needs, or is a parent of a child for whom there is no alternative care, it is recommended that only one member of a household enter establishments in order to obtain Essential Services.
5. **On-Premises Consumption Prohibited.** In accordance with the Guidelines from the President and the CDC, people shall be prohibited from eating or drinking at bars, restaurants, and food courts, or visiting gyms, massage establishments, tattoo studios, piercing studios, game rooms, personal care services, festivals, movie theaters, indoor or outdoor flea markets and swap meets, or cosmetology salons; provided, however, that the use of drive-thru, pickup, or delivery options for food and drinks is allowed and highly encouraged throughout the limited duration of this executive order.
6. **Face Coverings.** All citizens are strongly encouraged to wear face coverings over their mouth and nose when in the presence of others who do not reside in the same household. For further information, please see <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>.
7. **Maximum Occupancy of Essential Services.** Any building which provides the public access to Essential Services, excluding Childcare Services, is hereby restricted from being occupied by more than 20% of the Maximum Occupancy requirements as set forth by the International Building Code (IBC), excluding staff and employees of the Essential Service. Maximum Occupancy signs shall be prominently displayed to

show this reduced number in these places. Persons must adhere to social distancing by keeping a minimum of 6 (six) feet separation from each other.

8. **Protected Activities.** This executive order does not prohibit people from accessing essential services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential services, visiting parks, hunting or fishing, or engaging in physical activity like jogging or bicycling, so long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household. Nothing in this order should be interpreted as a limitation on an individual's right:
 - a. 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
 - b. To care for a family member or pet in another household.
 - c. To obtain or provide childcare services that enable employees exempted in this Order to work as permitted.
 - d. To obtain a firearm sold by a licensed gun dealer as otherwise allowed by state and federal law.

9. **Pharmacies and Clinics.** The safety of medical and pharmaceutical professionals and staff is of paramount importance in limiting the spread of COVID-19. As such, all pharmacies which have the capability to provide services on a drive-through basis are encouraged to do so. If a pharmacy is unable to provide drive-through services, they may continue to provide services in-person, so long as they adhere to the social distancing guidelines provided by the CDC. All healthcare providers are encouraged to conduct patient visits, where medically appropriate, through telemedicine. Each provider, pharmacist and their staffs shall have the discretion to use personal protective equipment (PPE) where appropriate.

10. **Amusement Machines.** No business located in Liberty County may allow continued operation of electronic amusement machines on their premises. Electronic amusement machines are to be unplugged and unavailable for use by any patron of the business. This order applies to video rental machines. This order does not prohibit the use of stamp vending machines, food vending machines, and beverage vending machines.

11. **Nursing Homes and Assisted Living.** 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.

12. **County Offices.** County offices are operating with restricted access. Only personnel pre-authorized by the County Judge, in consultation with the Liberty County Office of

Emergency Management and the Liberty County Attorney's Office, are allowed in the County Courthouse, Emergency Operations Center, or other county buildings and facilities.

13. **CDC Guidelines.** In providing or obtaining essential services, people and businesses should follow the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, and sanitation, implementing social distancing, and working from home if possible. In particular, all services should be provided through remote telework from home unless they are essential services that cannot be provided through remote telework. 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. We strongly encourage any church with the ability to do so to conduct religious services remotely.

14. **Self-Isolation.** All members of a household or living unit are ordered to isolate at home for 14 days or until otherwise directed by the Local Health Authority if:
 - a. Someone in the household or living unit has tested positive for COVID-19;
 - b. Someone in the household or living unit has been ordered by a healthcare provider to self-isolate; or
 - c. Someone in the household or living unit has been tested for COVID-19 and is awaiting results.

15. **School Closings.** In accordance with the Guidelines from the President and the CDC, schools shall remain temporarily closed to in-person classroom attendance by students and shall not recommence before the end of the 2019-2020 school year. Public education teachers and staff are encouraged to continue to work remotely from home, if possible, but may return to schools to conduct remote video instruction, as well as perform administrative duties, under the strict terms required by the Texas Education Agency. Private schools and institutions of higher education should establish similar terms to allow teachers and staff to return to schools to conduct remote video instruction and perform administrative duties when it is not possible to do so remotely from home. Parents or caregivers of children may obtain food or educational materials distributed by schools on a take-away or drive-through basis.

16. **Price Gouging.**
 - a. A person shall not sell any of the following goods or services for more than the price the person charged for the goods or services on March 12, 2020 in any area within Liberty County:

- i. groceries, beverages, toilet articles, ice;
- ii. construction and building materials and supplies, and earthmoving equipment and machinery;
- iii. electrical and gas generating and transmission equipment, parts and accessories;
- iv. charcoal briquettes, matches, candles, lamp illumination and heat unit carbides, dry batteries, light bulbs, flashlights, and hand lanterns;
- v. hand tools (manual and power), hardware and household supplies, and equipment rental;
- vi. automotive parts, supplies, and accessories;
- vii. plumbing and electrical tools and supplies;
- viii. apartment, duplex, multi-family dwelling, rooming house, hotel and motel rental;
- ix. gasoline, diesel oil, motor oil, kerosene, grease, and automotive lubricants;
- x. restaurant, cafeteria, and boarding-house meals;
- xi. services of roofing and building contractors, plumbers, electricians, mechanics, tree surgeons, and automobile wrecker companies;
- xii. medicine, pharmaceutical, and medical equipment and supplies;
- xiii. blankets, quilts, bedspreads, bed linens, mattresses, bedsprings, bedsteads, towels, and toilet paper; and
- xiv. furniture and clothing.

b. Complaints of price gouging can be directed to the Attorney General's Office at (800) 621-0508 or by filing a complaint online at <https://www.texasattorneygeneral.gov/consumer-protection/file-consumer-complaint>.

17. Penalties. According to Texas Government Code § 418.173, failure to comply with the County Emergency Operations plan or with a rule, order, or ordinance adopted under the plan is an offense. Punishment for the offense is a fine up to \$1,000 and confinement in jail up to 180 days.

18. Supersedes Prior Orders. This Order rescinds and/or supersedes any prior orders issued by the County Judge of Liberty County during the current or extended Declarations of Disaster.

19. Public Posting. The County of Liberty must promptly provide copies of this Order by posting copies for public viewing in the same manner as publicly posted Commissioners Court agendas. 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.

20. Savings. If any subsection, sentence, clause, phrase, or word of this circumstances 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.

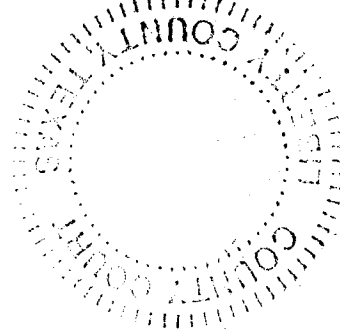
ORDERED THIS 24th DAY OF April, 2020.



Jay Knight
Liberty County Judge



Attest: Lee Chambers
Liberty County Clerk



Distancing Recommendations

1) Vulnerable Populations: Limit Outings

For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick. 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.

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:

- 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.

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 Liberty 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.

Further Information. For further information, please navigate to:

- https://www.whitehouse.gov/wp-content/uploads/2020/03/03.16.20_coronavirus-guidance_8.5x11_315PM.pdf
- https://www.cisa.gov/sites/default/files/publications/CISA_Guidance_on_the_Essential_Critical_Infrastructure_Workforce_Version_2.0_Updated.pdf