



Duval County Executive Order

Stay Home Stay Safe

REVISED ORDER ISSUED: April 24, 2020

(First Amended Order - Supersedes Prior Order)

FILED FOR RECORD
AT 1:35 O'CLOCK P.M.

APR 24 2020

ELODIA M. GARZA
CLERK COUNTY COURT, DUVAL COUNTY, TEXAS
BY *Rosalind G. Baker* DEPUTY

WHEREAS, pursuant to Texas Government Code Section 418.108, on March 19, 2020, Duval County Judge Gilbert N. Saenz issued a Declaration of Local Disaster for Public Health Emergency due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 19, 2020, the Duval County Commissioners Court ratified the Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Duval County Emergency Management Plan and extended the Declaration of Local Disaster until rescinded by order of the County Judge;

WHEREAS, the Duval County Judge has issued two Orders (Stay Home Stay Safe Order and Order to Wear Face Coverings) since the Disaster Declaration based on recommendations of the Centers for Disease Control and Prevention ("CDC") and the Texas Department of State Health Services ("DSHS"), under the authority of Section 418.108(g) of the Texas Government Code that authorizes the County Judge "to control ingress and egress to and from a disaster area and the movement of persons and the occupancy of premises in the area;"

WHEREAS, the Governor of Texas, Governor Greg Abbott has issued an Executive Order GA-15 related to hospital capacity during the COVID-19 disaster;

WHEREAS, Governor Abbott, has issued Executive Order GA-16 related to strategic reopening of select services, extending social distancing, reaffirming declaration of religious services as essential services, closure of in person school classes for the remainder of the 2019-2020 school year and other orders and recommendations;

WHEREAS, the County's Stay Home Stay Safe Order is amended to be consistent with the Governor's Executive Orders and CDC Guidelines and supersedes the previous Stay Home Stay Safe Order; and

WHEREAS, the on-going evaluation of circumstances related to the coronavirus and the continuously updated recommendations of the CDC and DSHS warrant extension and modification of this Order.

NOW THEREFORE, UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DUVAL COUNTY JUDGE ORDERS:

1. Effective as of 11:59 p.m. on **April 24, 2020**, and continuing until **June 1, 2020**, or until it is either rescinded, superseded, or amended pursuant to applicable law:
 - a. **General Order.** All individuals currently living within Duval County are ordered to Stay at Home at their place of residence. For the purposes of this Order, residences include homes, ranch homes, townhomes, apartments, duplexes, hotels, motels, shared rentals, recreational vehicles, motor homes, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonable as possible maintain social distancing of at least six (6) feet from any other person when they are outside their residence. All persons may leave their residences or enter or leave the territorial limits of

this County only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 2.

- b. **Religious.** Religious and worship services conducted in churches, congregations, and houses of worship are considered Highly Essential Services. Subject to the Governor's Executive Orders and any future orders, all churches and religious institutions in Duval County shall have the discretion to operate in accordance within their own best judgment and should be conducted consistent with the Guidelines from the CDC by practicing good hygiene, environmental cleanliness, and sanitation, everyone wearing face coverings, and by implementing social distancing to prevent the spread of COVID-19.
- c. **Businesses.** Essential Businesses as defined below in Section 2 are allowed to operate. Subject to and as described in Governor's Executive Order GA-16 and future orders, retail services are allowed to operate. Effective 12:01 a.m. on Friday, April 24, 2020 retail services may operate to the extent that services are provided through pickup, delivery by mail, or delivery to the 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. 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 as Exhibit "A" and incorporated in its entirety, including maintaining six (6) feet social distancing for both employees and the general public.
- d. **Gatherings.** 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.
- e. **Elective Medical/Dental.** All elective medical and dental procedures anywhere in Duval County are subject to Governor's Executive Order GA-15.
- f. **Restaurants, Bars, Gyms, Massage and Cosmetology salons.** In accordance with Governor Executive Order GA-16, people shall avoid eating or drinking at bars, restaurants and food courts, or visiting gyms, massage establishments, tattoo studios, piercing studios or cosmetology salons; provided however, that the use of drive-thru or delivery options for food and drinks is allowed.

2. **Definitions:**

- a. For purposes of this Order, individuals may leave their residence only to perform any of the following "**Essential Activities**":
 - i. **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 (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies needed to work from home).
 - ii. **Necessities.** 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. **Outdoor Activity.** To engage in outdoor activities, provided the individuals comply with the social distancing requirement of six (6) feet (for example, walking, biking, hiking, fishing, hunting or running). All city and county public parks within the geographic boundaries of Duval County are open only if the activity involves and the participants practice safe social distancing at all times; however, a city or school may decide to close parks and courts.
 - iv. **Essential Work.** To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
 - v. **Family Care.** To care for a family member(s) or a pet(s) in an individual's household or another household.
- b. For purposes of this Order, "**Essential Businesses**" mean:
- i. **Essential Healthcare Operations.** Healthcare operations, including clinics, dentists, pharmacies, other healthcare facilities, mental health providers, substance abuse service providers, blood banks, 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.
 - 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, including any local government entities that are required by law to furnish medical and hospital care for the indigent and needy persons residing in the County. 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 (6) feet, to the extent possible.
 - iii. **Essential Critical Infrastructure.** Work necessary to the operations and maintenance of any of the sixteen (16) critical infrastructure sectors, including suppliers and distributors, as identified by the National Cybersecurity and Infrastructure Agency including the list by the U S. Department of Homeland Security ("DHS") in its guidance on Essential Critical Infrastructure Workforce, Version 2.0 or any subsequent version (including, but not limited to the following sectors: chemical, commercial facilities, communications, critical manufacturing, dams, defense industrial base, emergency services, energy, financial services, food & agriculture, government facilities, healthcare & public health, information technology, nuclear reactors, materials & waste, transportation systems, water & wastewater systems), public works construction, residential and commercial

construction, airport operations, water, sewer, gas, electrical, oil and gas industry, crude oil storage and transport facilities, refining processes, oil and gas/industry disposal facilities, roads and highways, public transportation, automobile repair, 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, bail bond sureties, defense and national security-related operations, warehouses, essential manufacturing operations, provided that they carry out those services or that work in compliance with social distancing requirement of six (6) 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 the Social Distancing Guidelines attached. Essential Businesses also include businesses that supply Essential Businesses with the services, support, storage, repairs, equipment or supplies necessary or useful to operate or function effectively. Essential Businesses also include other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;

- iv. **Essential Retail.** Food service providers, including grocery stores, gas stations and convenience stores, and household staples. Food cultivation, including farming and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities and conveyances that prepare and serve food, but only for delivery, drive-thru or carry out. Schools and other nutritional entities that typically provide free services to students or member of the public on a pick-up and take-away basis only. Laundromats and laundry service providers. Gas Stations, auto-supply, auto and bicycle repair, hardware stores, landscaping, and related facilities. Businesses that supply products needed for people to work from home.

Retail establishments shall follow the following guidelines:

1. Designate shopping times preference for at-risk populations (such as seniors, pregnant people, people with underlying health conditions, and the disabled) for at least 2 hours each day.
2. Limit the amount of people in a store at once so that social distancing is possible;
3. Implement an organized line system where people are spaced at least a few feet apart (ideally 6 feet);
4. Implement purchase limits on high-demand items (toilet paper, hand sanitizers, bottled water, and soaps);
5. Offer pickup or delivery of grocery items.

- v. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Business 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, hotels and motels, recreational vehicles parks, and public storage facilities. 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 and Essential Businesses. Professional services, such as insurance, title, real estate, legal or accounting services when necessary to assist in compliance with legally mandated, prohibited, or necessary activities, including the entry of contracts for Essential Businesses or support thereof. Automobile, large truck, and RV dealerships (sales and services centers) in support of transportation. Businesses that supply other essential businesses with support or supplies needed to operate.
 - vii. **News Media.** Newspapers, television, radio, and other media services.
 - viii. **Childcare Services.** Childcare facilities providing services that enable employees exempted in this Order to work as permitted.
 - ix. **Other Essential Services.** Services as maybe outlined in Texas Governor Executive Order GA-16 and any future Executive Order or proclamation and as maybe added upon request and approval by Texas Division of Emergency Management (“TDEM”).
4. Due to the public health emergency, the Office of the Duval County Judge hereby advises the Duval County Justices of the Peace to suspend eviction hearing and writs of possession until at June 1, 2020, to prevent renters from being displaced, except as otherwise authorized by the Texas Supreme Court Order of March 19, 2020. Moreover, as authorized by the issuing court the Office of the Duval County Judge hereby advises the Duval County Sheriff to suspend all extraditions for at least the next sixty (60) days to further deter the spread of the virus.
 5. 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.
 6. **Work Site Plans.** Any business or organization that continues to operate under this Order must implement and enforce distancing, sanitation, face coverings, and hygiene practices.
 7. Additionally, the Office of the Duval County Judge and the Department of State Health Services instructs all employees to remain at home if sick, and to promptly communicate with an appropriate health care professional. When seeking medical care such persons should call their doctor or health care facility before arriving. If someone in a household has tested positive for coronavirus, the household members are ordered to isolate at home and self-quarantine 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 Department of State Health Services. Members of the household cannot go to work, school, or any other community function.

8. Curfew. All persons shall stay within their dwellings between the hours of 10:00 p.m. and 5:00 a.m. unless they are performing or traveling to or from essential work, business, or activities as defined in this Order.
9. This Order shall be effective 11:59 p.m. **April 24, 2020** and continue until 11:59 p.m. on **June 1, 2020**, or until it is either rescinded, superseded, or amended pursuant to applicable law.
10. The County of Duval must promptly provide copies of this Order by posting on the Duval 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.
11. All typical routes of ingress and egress (roads and streets, county roads, state and other highways, Interstate highways) throughout Duval County (including all of Duval County's incorporated and unincorporated areas) shall remain open and accessible except to the extent specifically limited by the sections of this Order to Stay at Home.
12. This Order of County Judge Gilbert N. Saenz applies to all incorporated and unincorporated areas of Duval County. To the extent of a conflict between decisions of Duval County Judge Gilbert N. Saenz and a mayor of any city within the geographic boundaries of Duval County, the decisions set forth in this Order prevail to the fullest extent allowed by law pursuant to Texas Government Code Section 418.108(h).
13. The Duval County Sheriff's Office and other peace officers (City Police or Constable) are hereby authorized to enforce this Order. A violation by any person of any provision of this Order to Stay at Home may be punishable by a fine of up to \$500 per violation. Any repeated, intentional, or deliberate violation by any person of this Order if proven may result in a fine of up to \$1,000 per violation or separate day of violation or up to 180 days in jail.

IT IS SO ORDERED on this the 24th day of April, 2020.



ATTEST:

Elodia M. Garza

Elodia M. Garza, County Clerk

By: Rosalinda G. Scales, Deputy


Gilbert N. Saenz, County Judge

FILED FOR RECORD
AT 1:35 O'CLOCK P.M.

APR 24 2020

ELODIA M. GARZA
CLERK COUNTY COURT, DUVAL COUNTY, TEXAS
BY *Rosalinda G. Scales* DEPUTY



Duval County

Social Distancing and Sanitation Guidelines

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; maximize sanitation supplies are accessible and available.
- 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.
- No "get-togethers" BBQs, or parties with family or friends who do not live in your household.

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.
- If in session, 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 school closures if not already done so, 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 Duval 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.

8. Preparation. 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.
- 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.