

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

2020 JUL -2 P 4: 21
GENEROSA GRACIA-RAMON
VAL VERDE COUNTY CLERK
BY MA DEPUTY

FILED

EXECUTIVE ORDER
LGO-O7-03-2020

FIRST EXTENSION AND SUPPLEMENT OF FIFTH AMENDED
DECLARATION OF LOCAL DISASTER FOR
PUBLIC HEALTH EMERGENCY

- Stay Home • Mask Up •
- 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, Val Verde County Judge Owens, under the authority granted to 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, Val Verde County 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 and/or supplemented;

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Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 6, 2020, unless rescinded by order of the Commissioners Court;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, Val Verde County 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 took effect on April 7, 2020, at 12:00 midnight and expired at 11:59 p.m. on April 20, 2020.

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 supplemented, BUT DID NOT REVOKE, the Second Amendment Declaration of Local Disaster that expired at 11:59 p.m. on April 20, 2020.

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 Clarifying Order to the Supplement and Addendum to the Second Amended Declaration of Local Disaster for Public Health Emergency that added to and supplemented the Supplement and Addendum to the Second Amended Declaration of Local Disaster for Public Health Emergency that expired at 11:59 p.m. on April 20, 2020.

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 Temporary Amendment to Standing Declaration of Local Disaster on April 17, 2020 that took effect at 12:00 midnight on April 21, 2020 and expired upon entry of the Third Amended Declaration of Local Disaster for Public Health Emergency executed by Val Verde County Judge Lewis G. Owens, Jr.

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 Third Amended Declaration of Local Disaster for Public Health Emergency that took effect at 12:00 midnight on April 21, 2020 and expires on 11:59 p.m. on May 5, 2020.

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 Fourth Amended Declaration of Local Disaster for Public Health Emergency on April 30, 2020 that takes effect at 12:00 midnight on May 1, 2020 and expires on 11:59 p.m. on May 14, 2020.

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 First Extension and Supplement of Fifth Amended Declaration of Local Disaster for Public Health Emergency on April 30, 2020 that takes effect at 12:00 midnight on May 1, 2020 and expires on 11:59 p.m. on May 14, 2020.

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 supersedes the Executive Order - Fifth Amended Declaration of Local Disaster for Public Health Emergency. The findings and recitations set out in the preamble to this Order are found to be true and correct and they are hereby adopted by the County Judge effective Saturday, July 04, 2020 at 12:00 a.m. and continuing until 11:59 p.m. on Friday, July 10, 2020 unless extended, modified, or terminated early by Val Verde County Judge Lewis G. Owens, Jr.:

1. **Public Health Emergency.** That this Executive Order shall continue the local disaster declaration and public health emergency for Val Verde County, Texas for the period specified in this Executive Order and shall incorporate and adopt the most recent Executive Order GA-26 issued by Governor Greg Abbott on June 3, 2020, and any subsequent orders by the Governor relating to the expanded opening of Texas in response to the COVID-19 disaster.
2. **Health and Safety Policy – Commercial Entities.** All commercial entities in Val Verde County providing goods or services directly to the public must develop and implement a health and safety (“Health and Safety Policy”). The

Health and Safety Policy must require, at a minimum, that all employees or visitors to the commercial entity's business premises or other facilities wear face coverings when in an area or performing an activity which will necessarily involve close contact or close proximity to co-workers or the public where six feet of separation is not feasible. The Health and Safety Policy required to be developed and implemented by this Executive Order may also include the implementation of other mitigating measures designed to control and reduce transmission of COVID-19 such as temperature checks or health screenings. Commercial entities must post the Health and Safety Policy required by this Executive Order in a conspicuous location sufficient to provide notice to employees and visitors of all health and safety requirements. Failure to develop and implement the Health and Safety Policy required by this Executive Order may result in a fine not to exceed \$1,000 for each violation.

3. **Face Coverings – General Public.** Since the CDC advises face coverings for people two (02) years or older, all people two years or older shall wear a face covering over their nose and mouth when in a public place where it is difficult to keep six feet away from other people or working in areas that involve close proximity with other co-workers. Face coverings may include homemade masks, scarfs, bandanas, or a handkerchief. Val Verde County residents should continue to maintain social distancing of at least six feet while outside their home. Val Verde County Employees are also required to wear face coverings under the same circumstances as the general public.

IT IS STRONGLY RECOMMENDED THAT YOU NOT OBTAIN OR WEAR MEDICAL MASKS OR N-95 RESPIRATORS AS THEY ARE A NEEDED RESOURCE FOR HEALTH CARE PROVIDERES AND FIRST RESPONDERS.

Our healthcare workers and first responders on the front-line combating COVID-19 must have priority access to medical masks or other personal protective equipment (“PPE”).

a. FACE COVERING REQUIREMENTS

- i. The face covering can be scarves (dense fabric, without holes), bandanas, neck, gaiter, or other fabric face coverings.

- ii. The face covering must be large enough to cover the nose and mouth of the wearer so as to assure the inhale or exhale of oxygen through the mask or covering.
- iii. The face covering must be worn each time a person leaves his place of residence and remain in place until he returns.
- iv. As per CDC recommendations, try to avoid purchasing medical grade masks if a shortage of supply exists in Val Verde County to allow health professionals and law enforcement officers access to appropriate Personal Protection Equipment.

b. YOU DO NOT NEED TO WEAR A MASK IF:

- i. the only people you anticipate to come in contact with or be in close proximity are members of your own household;
- ii. you are exercising outdoors you are either alone or with members of your household, and you respect the social distancing requirements upon the unexpected approach of a member of the public who is not a member of your household;
- iii. you are in your own home or on your own property;
- iv. you are alone in your office; you are alone or with members of your household in your vehicle;
- v. not wearing a face covering is necessary for purposes of a health emergency or for identification purposes;
- vi. wearing one poses a greater mental or physical health, safety, or security risk;
- vii. you are pumping gas or operation outdoor equipment;
- viii. not wearing a face covering is necessary for consumption purposes;
- ix. you are in a building or engaging in an activity that requires security surveillance or screening; or
- x. you are law enforcement or a first responder who shall utilize their standard operation procedures for the use of this equipment in conformance with policy and practice and as authorized by their agencies.

c. EFFECTIVE USE OF MASK

- i. Each should be worn for only a short period of time and regularly replaced with new ones because of the increased possibility of microscopic holes.

- ii. Face coverings must FULLY COVER both the mouth and the nose.
 - iii. Face coverings must be worn consistently and as early as possible.
 - iv. Frequent hand washing and other hygienic measures should also be utilized.
 - v. Six foot distancing should be utilized, in addition to the requirements set above, whenever possible.
4. **Task Force.** Val Verde County Judge Lewis G. Owens, Jr. shall establish as task force to serve under his direction for the purpose of enforcing Governor Greg Abbott's Executive Order GA-18 and GA-19 as well as Val Verde County's current Declaration of Disaster for Public Health Authority.
5. **Enforcement.** With the exception of Section 3, a violation of this Order may be punishable through criminal or civil enforcement. Pursuant to Texas Health and Safety Code § 418.173, failure to comply with this order is an offense punishable by a fine not to exceed \$1,000, and/or a term of imprisonment not to exceed 180 days in jail. This order may be subject to regulatory enforcement which may result in a penalty not to exceed \$1,000 per violation. Texas Commissioned Peace Officers are hereby authorized to enforce this Order through criminal enforcement. Local health inspectors are hereby authorized to enforce this Order through civil enforcement.
6. **Notice.** 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.
7. **Severability.** The sections, paragraphs, sentences, clauses, and phrases of this Executive Order are severable and if any section, paragraph, sentence, clauses and phrase of this Executive Order should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses,

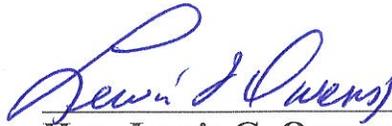
and phrases that can be given effect without the invalid provision, and to this end, the provisions of this Executive Order are severable.

8. **Interpretation and Additional Terms.** To the greatest possible, this Executive Order shall be interpreted as consistent with and supplemental to any executive order issues 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.

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 2nd day of July, 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 July 2nd, 2020.

BY MA DEPUTY

GENEROSA GRACIA RAMON
VAL VERDE COUNTY CLERK

2020 JUL -2 P 4: 21

FILED