

File for Record  
at 3:32 o'clock p.M.

APR 10 2020

Elvaray B. Silvas  
County Clerk, Brooks County, Texas  
By: [Signature], Deputy

## Brooks County Disaster Declaration

### Stay Home Stay Safe

DATE AMENDED ORDER & DIRECTIVE ISSUED: March 28, 2020

### ORDER TO STAY AT HOME

WHEREAS, pursuant to Texas Government Code Section 418.108, Brooks County Judge Eric Ramos issued a Declaration of Local Disaster related to the COVID-19 Global Health Crisis on March 18, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 16, 2020, President Donald 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 10 people;

WHEREAS, on March 21, 2020, the Brooks County Commissioners Court issued an Extension of Declaration of Local related to the COVID-19 Global Health Crisis that affirmed the activation of the Brooks County Emergency Management Plan and extends the Declaration of Local Disaster until rescinded by order of the Commissioners' Court; and

WHEREAS, the on-going evaluation of circumstances related to the coronavirus and the updated recommendation of the Centers for Disease Control and the Texas Department of State Health Services warrant further Order.

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

1. Effective as of 10:00 p.m. on March 29, 2020, and continuing until 11:59 p.m. on June 1, 2020:
  - (a) All individuals currently living within Brooks County are encouraged to stay at their place of residence. For the purposes of this Order, residences include homes, townhomes, apartments, duplexes, 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 3.
  - (b) All business operating within Brooks County, except Essential Businesses as defined below in Section 3, are required to cease all activities at facilities located within Brooks 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 as Exhibit "A" and incorporated in its entirety, including maintaining six (6) feet 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 in such manner consistent with Texas Governor Greg Abbott's waiver.
- (e) Religious and worship services may be provided by video and teleconference. Institutions must limit in person staff to 10 people or less in the same room when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Guidelines (including the social distancing guideline of six (6) feet).
- (f) All elective medical, surgical, and dental procedures are prohibited anywhere in Brooks County. All medical facilities, including dental offices 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. Elective surgeries and procedures that are designed to reduce risk to patients or treat painful or potentially disabling conditions may be continued.

## 2. Additional Restrictions

- (a) Restriction on numbers of adults entering public and private establishments:
  - i 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, only one member of a household can enter the following retail/wholesale establishments at one time. This applies to the following retailers Grocery stores, warehouse stores, big-box stores, liquor stores, gas stations, and convenience stores.
  - ii All retailers, wholesalers, and customers of the above listed retail/wholesale outlets are immediately put on notice: Pursuant to Texas Government Code, Section 418.173, Peace officers are hereby authorized to enforce the current Order. Any retailer, wholesaler or customer who violates any provision of these regulations, upon conviction, is punishable by a fine of not more than One-Thousand (\$1,000.00) dollars, or up to 180 days confinement in jail.
- (b) Curfew Hours:
  - i A curfew is hereby established for all areas of Brooks County, Texas from 10:00 PM until 5:00 AM daily. All individuals shall remain in or on personal property and avoid traveling on any public road or highway during this period of curfew. Individuals who are traveling to or from a place of employment, assisting with emergency operations at the request of the Emergency Management Coordinator or his designee, traveling through Brooks County, Texas or otherwise unable to comply due to an emergency necessity are exempt from the requirements of this order. This order shall also not apply to a licensed food establishment providing food and other consumable to others, a facility approved by the County Judge

providing food and other consumables as part of the pandemic relief effort, or individuals who are traveling to and from a licensed food establishment or approved disaster relief facility to obtain food or other consumables and any other establishment to at provides food and other emergency relief supplies.

ii All individuals living in Brooks are immediately put on notice: Pursuant to Texas Government Code, Section 418.173, Peace officers are hereby authorized to enforce the current Order. Any individual who violates any provision of these regulations, upon conviction, is punishable by a fine of not more than One-Thousand (\$1,000.00) dollars, or up to 180 days confinement in jail.

### 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 needed 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 the social distancing requirement of six (6) feet (for example, walking, biking, hiking, fishing or running). All city and county public parks within the geographic boundaries of Brooks County are open for regular hours of operation.
  - 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(s) or a pet (or pets) 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, physical therapy, 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, 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, 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, warehouse stores, big-box stores, bodegas, liquor stores, 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 and conveyances that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free services to students or member 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, landscaping, and related facilities. Businesses that supply products needed for people to work from home.

- 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.
3. 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. Application for exemption shall be made with the County Judge.
  4. Due to the public health emergency, the Office of the Brooks County Judge hereby advises the Brooks County Justices of the Peace to suspend eviction hearing and writs of possession for at least the next sixty (60) days 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 Brooks County Judge hereby advises the Brooks County Sheriff to suspend all extraditions for at least the next thirty (30) days to further deter the spread of the virus.
  5. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home 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.
  6. 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.
  7. Additionally, the Office of the Brooks 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.
  8. This Order shall be effective until 10 p.m. on April 11, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
  9. The County of Brooks must promptly provide copies of this Order by posting on the Brooks 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.

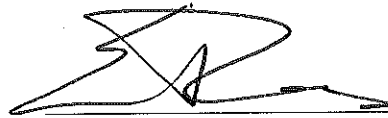
10. All typical routes of ingress and egress (roads and streets, county roads, state and other highways, Interstate highways) throughout Brooks County (including all of Brooks County's incorporated and unincorporated areas) shall remain open and accessible, except to the extent specifically limited by Section 3.a.iii of this Order to Stay At Home.

11. This Order of County Judge Eric Ramos applies to all incorporated and unincorporated areas of Brooks County. To the extent of a conflict between decisions of Brooks County Judge Eric Ramos and a mayor of any city within the geographic boundaries of Brooks 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).

12. A violation of this Order to Stay at Home is a violation of the emergency management plans of Brooks County. All individuals living in Brooks are immediately put on notice: Pursuant to Texas Government Code, Section 418.173, Peace officers are hereby authorized to enforce the current Order. Any individual who violates any provision of these regulations, upon conviction, is punishable by a fine of not more than One-Thousand (\$1,000.00) dollars, or up to 180 days confinement in jail.

13. .

**IT IS SO ORDERED.**



Eric Ramos, COUNTY JUDGE

Attest :

Elva Ray Silvas, By: Diana Cantu  
Elva Ray Silvas, County Clerk



## **Brooks County Social Distancing Recommendations**

### **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.

### **Workplace and Businesses: Minimize Exposure**

- Suspend nonessential employee travel.
- Review and determine who are essential and non-essential workers and allow nonessential workers to stay home.
- 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 benefits to the community must take stops in their workplace to minimize risk.

### **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 handrails.
  - Finding ways to implement social distancing.

### **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.
- School 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.

### **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.

### **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 head 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.

### **Everyone: Do your part**

The best way for all Brooks County residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-10:

- 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.