STEPHENS COUNTY & CITY OF BRECKENRIDGE

AMENDED ORDER OF
COUNTY JUDGE MICHAEL ROACH & MAYOR BOB SIMS

Stay Home Stay Safe
DATE AMENDED ORDER ISSUED: March 23, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Stephens County Michael C. Roach and Mayor Bob Sims issued a Declaration of Local Disaster for Public Health Emergency on March 11, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and,

WHEREAS, on March 11, 2020, Stephens County Michael C. Roach and Mayor Bob Sims issued an Order in furtherance of their 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 11, 2020 Order of Stephens County Michael C. Roach and Mayor Bob Sims 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 10 people;

WHEREAS, on March 23, 2020, the Stephens County Commissioners Court & Breckenridge City Commission issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Stephens County Emergency Management Plan and extends the Declaration of Local Disaster indefinitely unless rescinded by order of the Commissioners Court & City Commission.

THEREFORE, the March 11, 2020, Order of Stephens County Michael C. Roach and Mayor Bob Sims is hereby AMENDED as follows:

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals anywhere in Stephens County & the City of Breckenridge to shelter in place – that is, stay at home
– except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing. This Order takes effect at 11:59 p.m. on March 23, 2020 and will continue until further Order of the Commissioner Court and City Commission, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

STEPHENS COUNTY & CITY OF BRECKENRIDGE

UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, STEPHENS COUNTY JUDGE MICHAEL C. ROACH AND MAYOR BOB SIMS ORDERS:

1. Effective as of 11:59 p.m. on March 23, 2020, and continuing until further Order of the Commissioner Court and City Commission:
   (a) All individuals currently living within STEPHENS COUNTY AND THE CITY OF BRECKENRIDGE 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 STEPHENS COUNTY AND THE CITY OF BRECKENRIDGE except Essential Businesses, as defined below in Section 2, are required to cease all activities at facilities located within the County or City. 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 and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.

   (e) Religious and worship services may be provided by video and teleconference, a "drive in" service that avoids contact of individuals and remaining in their vehicle, or compliance with 10 or less in the same venue and churches are required to maintain social distancing. Religious institutions must limit in-person staff to ten (10) people or less when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Guidelines including the six foot social distancing.

   (f) All elective medical, surgical, and dental procedures are prohibited anywhere in Stephens County & City of Breckenridge. 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.
2. 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 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(g) 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.** It is ordered that all of the following businesses and retailers shall enforce social distancing. Food service providers, including grocery stores, (however, United Food Store shall be limited to 50 customers at any period of time and Wal-Mart shall be limited to 100 customers at any time, CVS shall be limited to 15 customers at any time, all other retailers who sell groceries shall be limited to 10 customers at any time. Further, retailers shall require and enforce only one family member inside the store at any time unless that individual requires assistance or child care is not available), warehouse stores, big-box stores, bodegas, boutiques, barbershops (1 customer per barber unless the customer needs assistance), beauty shops (1 customer per operator unless the customer needs assistance), automotive repair and sales, furniture, appliance, appliance repairs, gun sales, gun repairs, bait and tackle, 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 that prepare and serve food, but only for delivery or carry out. 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 and maintenance, 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 the support of 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.
4. 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 STEPHENS COUNTY AND THE CITY OF BRECKENRIDGE for the next 60 days.
5. 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 STEPHENS COUNTY AND THE CITY OF BRECKENRIDGE are limited to the greater of: (a) twelve (12) rolls per purchase or (b) one (1) package per purchase, 1 container of hand sanitizer per purchase, 1 box of tissue per purchase, 1 package of baby wipes or sanitizing wipes per purchase.
6. 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, or any other community function.
7. 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.
8. Additionally, the Office of the STEPHENS COUNTY AND THE CITY OF BRECKENRIDGE the Health Authority instructs all employees to remain at home if sick. Employees of private businesses and nonprofits with six or more employees in the STEPHENS COUNTY AND THE CITY OF BRECKENRIDGE can use their paid sick leave when they are sick or to care for sick family members.
9. This Order shall be effective until such time as this order is rescinded by the STEPHENS COUNTY COMMISSIONERS COURT AND THE CITY COMMISSION OF BRECKENRIDGE, or until it is either rescinded, superseded, or amended pursuant to applicable law.
10. STEPHENS COUNTY AND THE CITY OF BRECKENRIDGE must promptly provide copies of this Order by posting on the STEPHENS COUNTY AND CITY OF BRECKENRIDGE websites. 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.

PENALTIES FOR VIOLATING THIS ORDER

418.173. PENALTY FOR VIOLATION OF EMERGENCY MANAGEMENT PLAN. (a) A state, local, or interjurisdictional emergency management plan may provide that failure to comply with the plan or with a rule, order, or ordinance adopted under the plan is an offense.

(b) The plan may prescribe a punishment for the offense but may not prescribe a fine that exceeds $1,000 or confinement in jail for a term that exceeds 180 days.

IT IS SO ORDERED

MICHAEL C. ROACH
STEPHENS COUNTY JUDGE

BOB SIMS
MAYOR – CITY OF BRECKENRIDGE

STEPHENS COUNTY & CITY OF BRECKENRIDGE

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:
  - 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 or any daycare 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 canceling 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 STEPHENS COUNTY AND THE CITY OF BRECKENRIDGE 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.