

COMMISSIONERS'

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STATE OF TEXAS

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COUNTY OF TAYLOR

RESOLUTION

RESOLUTION OF THE COMMISSIONERS' COURT OF TAYLOR COUNTY, TEXAS, FURTHER MODIFYING ITS DECLARATION OF DISASTER ISSUED ON MARCH 26, 2020 AND EXTENDED ON MARCH 31, 2020 AND APRIL 28, 2020.

WHEREAS, on March 26, 2020, the County Judge of Taylor County Texas, by Resolution, issued a Declaration of Local Disaster; and

WHEREAS, on March 31, 2020, the Commissioners' Court of Taylor County issued its Resolution of Commissioners' Court of Taylor County, Texas Modifying its Declaration of Disaster Issued on March 26, 2020; and

WHEREAS, on April 27, 2020, the Governor of the State of Texas issued his Executive Order GA-18, effective until May 15, 2020, which expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and

WHEREAS, on April 28, 2020, the Commissioners' Court of Taylor County issued its Continuation of Declaration Disaster for a period of (30) days; and

WHEREAS, the City of Abilene has requested to be removed from the applicability of this Resolution and Declaration, and, on April 30, 2020, issued its own Resolution further Modifying its Extension of Declaration of Disaster Issued on April 13, 2020, effective on April 30, 2020 at 11:59 p.m.; and

WHEREAS, because of the continuing risk of the rapid spread of the COVID-19 virus, the need to protect the most vulnerable members of the community, the intent to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services and commerce to continue, and the desire to slow the spread of COVID-19 to maximum extent possible, this Order is required; and

WHEREAS, this Order is issued based on evidence of increasing occurrences of COVID-19 within the City of Abilene, Taylor County, West Texas and the Big Country areas, and scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically; and

WHEREAS, the Commissioners' Court of Taylor County, Texas has determined that extraordinary and immediate measures must be taken to respond quickly to prevent and slow down community spread of COVID-19 in Taylor County, Texas; and

WHEREAS, the Commissioners' Court of Taylor County, Texas finds that it is in the public interest to authorize additional authority as described herein pursuant to the Texas Disaster Act of 1975, as amended, Texas Government Code, and provide rules to protect the health of persons in Taylor County, pursuant to the Texas Government Code and Texas Health and Safety Code; and

WHEREAS, the Commissioners' Court of Taylor County finds that the Declaration of Disaster issued on March 26, 2020, and extended on March 31, 2020 and April 28, 2020 should be extended for thirty (30) days.

NOW THEREFORE, IT IS HEREBY RESOLVED AND DECLARED BY THE COMMISSIONERS' COURT OF TAYLOR COUNTY, TEXAS:

1. The foregoing recitals are incorporated herein and made findings of fact.
2. That the Commissioners' Court hereby renews and continues the local state of disaster for Taylor County, Texas, pursuant to Section 418.108(b) of the Texas Government Code.
3. As requested by the City of Abilene, this Resolution and Declaration does not apply to properties and places located within the city limits of the City of Abilene. **The City of Abilene's Resolution No. 87-2020 issued on April 30, 2020, further Modifying Its Extension of Declaration of Disaster Issued on April 13, 2020, applies to persons, places, and activities within the city limits of Abilene.**
4. Pursuant to Section 418.108(c) of the Government Code, this renewal and continuation of the declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk.
5. Pursuant to Section 418.108(d) of the Government Code, this renewal and continuation of the declaration of a local state of disaster continues activation of the emergency management plan for Taylor County. The furnishing of aid and assistance under the declaration is hereby authorized. The appropriate preparedness and response aspects of the plan are continued.
6. The use of all available resources of Taylor County that are reasonably necessary to cope with this disaster are hereby authorized.
7. Pursuant to Section 418.108(g) of the Government Code, Taylor County may control ingress to and egress from a disaster area within Taylor County and control the movement of persons and the occupancy of premises in that area.
8. The intent of this Order is to protect the physical health and well-being of Taylor County residents, to protect the financial health and well-being of Taylor County residents and

businesses, and to slow the spread of COVID-19 to the maximum extent possible while safeguarding the Constitutional liberties of Taylor County residents by utilizing the least restrictive means possible and encouraging the highest level of personal responsibility.

9. Persons who are sick and currently experiencing common COVID-19 symptoms have a responsibility to take actions necessary to protect the physical health and well-being of others.

Any person who is sick or currently experiencing common COVID-19 symptoms, including fever, cough, or shortness of breath, is hereby ORDERED to stay home until such time that:

- (a) he or she has had no fever for at least 72 hours without the use of medicine that reduces fevers; and
- (b) his or her other symptoms have improved (for example, when the cough or shortness of breath has improved); and
- (c) at least 14 days have passed since the symptoms first appeared.

This order does not prohibit any person from leaving his or her home to seek necessary medical or emergency care. Persons are encouraged to call ahead to their medical providers to let them know they are coming.

If any person in a household has tested positive for COVID-19, all persons in the household should follow CDC recommended guidelines to protect themselves from exposure and to protect the public from further community spread.

10. People over the age of 65 and people who are at higher risk for severe illness are strongly encouraged to stay at home as much as possible; to maintain appropriate distance from any member of the household who has been out of the residence in the previous 14 days; and, if leaving the home, to implement social distancing and to practice good hygiene, environmental cleanliness, and sanitation.

This order does not prohibit any person from leaving his or her home to seek necessary medical or emergency care. Persons are encouraged to call ahead to their medical providers to let them know they are coming.

11. To protect the financial health and well-being of Taylor County residents, including those who are the most economically vulnerable and disadvantaged, we have a shared responsibility to take actions necessary to prevent the spread of COVID-19, as well as to protect and promote the ability of all persons to provide for their own financial and material needs, including food, shelter, clothing, and healthcare.

Personal responsibility is of paramount importance in attempting to prevent the spread of COVID-19.

All businesses and employers are hereby ORDERED to take actions necessary to prevent the spread of COVID-19, to increase social distancing in the normal course of business activities, and to provide for a safe and healthy work environment.

All persons are hereby ORDERED to take actions necessary to prevent the spread of COVID-19 and to increase social distancing in the normal course of business activities. Social distancing is generally understood to mean staying at least six feet away from other people, avoiding mass gatherings, working from home if possible, canceling or postponing large meetings, and not shaking hands. Where social distancing is not possible in the normal course of business activities, extreme care should be taken to reduce the risk of exposure to, and transmittal of, germs and COVID-19.

12. Taylor County hereby adopts and incorporates herein Governor Greg Abbott's Executive Order GA-18.

Every person shall, except where necessary to provide or obtain essential services or reopened services, minimize social gatherings and minimize in-person contact with people who are not in the same household.

"Essential services" shall consist of everything listed by the U.S. Department of Homeland Security (DHS) in its Guidance on the Essential Critical Infrastructure Workforce, Version 3.0 or any subsequent version, plus religious services conducted in churches, congregations, and houses of worship.

"Reopened services" shall consist of the following to the extent they are not already "essential services:"

- a. Retail Services that may be provided through pickup, delivery by mail, or delivery to the customer's doorstep.
- b. In-store retail services, for retail establishments that operate at up to 25% of the total listed occupancy of the retail establishment.
- c. Dine-in restaurant services, for restaurants that operate at up to 25% of the total listed occupancy of the restaurant; provided, however, that (i) this applies only to restaurants that have less than 51% of their gross receipts from the sale of alcoholic beverages and are therefore not required to post the 51% sign required by Texas law as determined by the Texas Alcoholic Beverage Commission, and (ii) valet services are prohibited except for vehicles with placards or plates for disabled parking.
- d. Movie theaters that operate at up to 25% of the total listed occupancy of any individual theater for any screening.

- e. Shopping malls that operate at up to 25% of the total listed occupancy of the shopping mall; provided, however, that within shopping malls, the food-court dining areas, play areas, and interactive displays and settings must remain closed.
- f. Museums and libraries that operate at up to 25% of the total listed occupancy; provided, however, that (i) local public museums and local public libraries may so operate only if permitted by the local government, and (ii) any components of museums or libraries that have interactive functions or exhibits, including child play areas, must remain closed.
- g. Services provided by an individual working alone in an office.
- h. Golf course operations.
- i. Local government operations, including county and municipal governmental operations relating to permitting, recordation, and document-filing services, as determined by the local government.

Furthermore, people shall avoid visiting gyms, public swimming pools, interactive amusement venues such as bowling alleys and video arcades, massage establishments, tattoo studios, piercing studios, or cosmetology salons. For those restaurants that are not “reopened services”, the use of drive-thru, pickup, or delivery options for food and drinks remains allowed and highly encouraged.

This order does not prohibit people from accessing essential or reopened services or engaging in essential daily activities, such as going to the grocery store or gas station, providing or obtaining other essential or reopened services, visiting parks, hunting or fishing, or engaging in physical activity like jogging, bicycling, or other outdoor sports, 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.

People shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities, except as allowed by the Governor’s Executive Order GA-18.

People are encouraged, but not required, to wear appropriate face coverings.

The County Judge is authorized without further Commissioners’ Court action to enforce these provisions to the fullest extent allowed by law, including, but not limited to, using the Taylor County Sheriff’s Office, Constables or other County Departments to control the number of persons entering a building as is necessary to maintain adequate social distancing inside the building.

13. In the event the Governor of the State of Texas amends his Executive Order GA-18, this Declaration and Order is automatically amended without further Commissioners’ Court action to reflect said amendments to the Governor’s Executive Order. It being the express

intent of the Commissioners' Court and this Declaration and Order to follow the Governor's Executive Order.

14. For purposes of this Declaration and Order, "Social Distancing Requirements" includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.
15. When people need to leave their places of residence, they should at all times as reasonably possible comply with Social Distancing Requirements as defined in Section 15.
16. That the County Judge may suspend or modify any other order or regulation of Taylor County for a period of not more than seven days from the date of this resolution unless continued or renewed by the Commissioners' Court.
17. That Commissioners' Court meetings shall be scheduled or rescheduled as posted and may be continued in accordance with alternate measures as permitted by law.
18. That all other committee, commission or board meetings of Taylor County are suspended except as required to consider applications subject to state law-imposed deadlines, or as may be deemed reasonable and necessary for the public good as determined by the County Judge.
19. That the County Judge is authorized, without further approval of the Commissioners' Court, to:
 - (a) Make application for local, state and federal assistance as necessary and/or applicable;
 - (b) Accept on behalf of the Taylor County services, gifts, grants, equipment, supplies, and/or materials whether from private, nonprofit, or governmental sources;
 - (c) Enter into Interlocal cooperation agreements or memorandums of understanding with other cities, counties, or jurisdictions to provide for law enforcement assistance or other shared services to assist in this Resolution or the COVID-19 pandemic; and
 - (d) Defer any fines or fees imposed by the County.

After cessation of this emergency and state of disaster, the County Judge shall provide the Commissioners' Court a list of all actions taken under this paragraph.

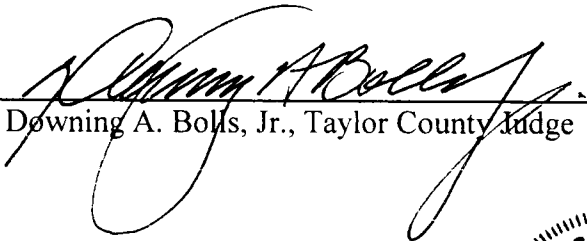
20. That although not required by law and out of an abundance of caution, the County Judge is authorized (and any prior acts in response to the COVID-19 pandemic are ratified):

- (a) Close, including closure to the public, of any County offices, facilities, or properties, and any parks, playgrounds, or playground equipment located in the areas covered by this Resolution; and
 - (b) Provide county services by means other than in-person delivery, such as accepting permit applications online or by mail only, and/or to cease any county services that are not required by state or federal law.
- 21. That any rules or regulations of Taylor County, Texas, that conflict with this Resolution are hereby suspended, such suspension to remain in effect until the state of disaster is terminated or until there is a subsequent Resolution of this Court, whichever occurs first.
- 22. That pursuant to Section 418.020(d) of the Texas Government Code, Taylor County is authorized to:
 - (a) Temporarily or permanently acquire by lease, purchase, or other means sites required for installation of temporary housing units or emergency shelters for disaster victims; and
 - (b) Enter into arrangements necessary to prepare or equip the site to use the housing units or shelters, including arrangements for the purchase of temporary housing units or shelters and the payment of transportation charges.
- 23. That failure to comply with any of the provisions of this Order constitutes an imminent threat to public health.
- 24. Pursuant to Section 418.173, Government Code, and pursuant to the Governor's Executive Order GA-18, failure to comply with this Order is an offense punishable by a fine not to exceed \$1,000, confinement in jail for a term not to exceed 180 days, or both fine and confinement.
- 25. That any violation of this Resolution, Declaration and Order can be enjoined by Taylor County by a suit filed in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this Resolution.
- 26. That nothing in this Resolution, Declaration and Order shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any legal right or remedy of any character be lost, impaired, or affected by this Resolution.
- 27. All provisions of this Resolution, Declaration and Order should be interpreted to effectuate its intent.


28. That this Declaration and Order is effective at 12:01 a.m., on May 1, 2020, and continues in effect until 11:59 p.m., on May 31, 2020, unless otherwise terminated or extended.

29. That the terms and provisions of this Resolution, Declaration and Order shall be deemed to be severable and that if any section, subsection, sentence, clause, phrase or word herein shall be declared to be invalid or unconstitutional, the same shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word herein, and the remainder of this Resolution, Declaration and Order shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

ADOPTED this 1st day of May, 2020.


Downing A. Bolls, Jr., Taylor County Judge

ATTEST:


Larry G. Bevill, Taylor County Clerk

