



County of Andrews

CHARLIE FALCON
COUNTY JUDGE

201 N. MAIN, ROOM 104
ANDREWS, TEXAS 79714
(432) 524-1401
FAX (432) 524-1470

Andrews County Disaster Declaration Directive #3 Stay Home Stay Safe

DATE AMENDED ORDER & DIRECTIVE ISSUED: April 4, 2020

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

WHEREAS, on March 30, 2020, Judge Falcon issued Directive #2 a WorkSafe Plan for businesses 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 and Andrews County Health Department warrant the March 19, 2020 Order of County Judge Charlie Falcon be modified;

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 24, 2020, the Andrews County Commissioners Court approved Judge Falcon's Disaster Declaration for Andrews County issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Andrews County Emergency Management Plan and extends until such time as the County Judge and/or the Commissioners Court determines such is no longer required.

THEREFORE, the March 30, 2020, Directive #2, of County Judge Charlie Falcon is hereby rescinded and the following Directive #3 is ORDERED:

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 Andrews County to shelter in place – that is, stay at home - except for certain essentials 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 April 4, 2020 and will continue through 11:59 p.m. on April 22, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below. This Directive may be extended if circumstances warrant such.

UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418,108, ANDREWS COUNTY JUDGE CHARLIE FALCON ORDERS:

1. Effective as of 11:59 p.m. on April 4, 2020, and continuing until 11:59 p.m. on April 22, 2020:
 - a. All individuals currently living within Andrews County are hereby 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 person may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as further defined in this Directive.
 - b. All businesses operating within Andrews County, except Essential Businesses as defined in below in Section 2, are required to cease all activities at facilities located within the 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, including maintaining six-foot social distancing for both employees and the general public.
 - c. All public or private gatherings of 10 or more 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 as allowed by law.
 - e. Religious and worship services may only be provided by video and teleconference. 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 Andrews County. 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 need 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, dentist, pharmacies, pharmaceutical and, 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 political subdivisions of the State needed to ensure the continuing operation of those agencies to provide for the health, safety, education, 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 & Activities.** Work that is necessary to the operations and maintenance of the critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA), Memorandum dated March 19, 2020 (attached to this Directive) 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.** 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 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 takeaway 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, automobile sales, auto-supply, auto and bicycle repair, hardware stores, construction supply 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 collections, 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

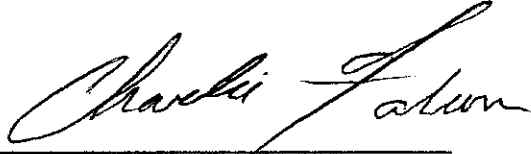
provide services that are necessary to maintaining the safety, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with the support of supplies needed to operate.

- vii. **News Media.** Newspapers, television, radio, and other media services.
 - viii. **Childcare Services.** Childcare facilities may continue to operate; however, to the extent possible, it is recommended that groups consist of no more than 10 and be kept separate.
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.
 5. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home and follow the directives from their health care provider. Members of the household cannot go to work, school, or any other community function provided that workers included in Essential Healthcare Operations may continue to work in accordance with CDC guidance. All persons are encouraged to take advantage of telehealth services offered by healthcare providers, including expanded telehealth services now available to Medicare patients.
 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. These facilities are also required to institute temperature checking of all staff entering the facility at least twice per day and limit physical contact between residents in the facility wherever possible.
 7. For individuals who are 65 and older and individuals with compromised immune systems or underlying health conditions, the following recommendations are made:
 - a. Remain indoors
 - b. Outdoor exercise activities should be solitary
 - c. Prescreen all essential visitors
 - d. Do not visit homes or places with more than one person
 - e. Ask all visitors to wear masks
 - f. Follow social distancing guidelines
 - g. Do not use public transit except in an emergency.
 8. Daycare facilities may continue to operate but it is recommended that groups in the facility consist of 10 or fewer in those settings and kept separate to the extent possible.
 9. This Order shall be effective until 11:59 p.m. on April 22, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law.
 10. The Andrews County shall provide copies of this Order by posting on the Andrews County website and by filing with the Andrews County Clerk. 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.

- 11. A violation of this Order is punishable as a Class C misdemeanor by a fine not to exceed \$500.00 or as authorized by Section 418.173 of the Texas Government Code and adopted in Andrews County's Emergency Management Plan by a fine that does not exceed \$1,000.00 and confinement in jail for a term not to exceed 180 days, whichever is greater.
- 12. In the event the conditions improve between date of adoption and the end of the effective date of this Declaration and Order, the County Judge shall reevaluate this Declaration and Order at that time.

IT IS SO ORDERED this the 4th day of April, 2020 at 3:30 pm.



CHARLIE FALCON
Andrews County Judge

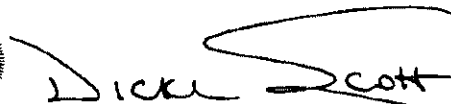


Flora Braly
Mayor City of Andrews

THE STATE OF TEXAS
COUNTY OF ANDREWS

I hereby certify that this instrument was FILED on the date and the time stamped hereon by me and was duly RECORDED in the OPR Records of Andrews, Texas.

20-1385 Pages: 6
04/04/2020 04:23 PM



Vicki Scott, County Clerk
Andrews, Texas