

SAN PATRICIO COUNTY



EXECUTIVE ORDER DK-06 OF THE HONORABLE JUDGE DAVID R. KREBS ISSUED AUGUST 31, 2020 IN RESPONSE TO NOVEL CORONAVIRUS

WHEREAS, the novel coronavirus (COVID-19) is recognized globally as a contagious respiratory virus and on March 11, 2020, was declared a pandemic by the World Health Organization; and

WHEREAS, the Honorable Greg Abbott, Governor of the State of Texas, on March 13, 2020 certified that COVID-19 posed an imminent threat of disaster for all counties in Texas in accordance with the authority vested to the Governor in Section 418.014 of the Texas Government Code; and

WHEREAS, for the first time since 1901, Dr. John Hellerstedt, the Commissioner Texas Department of State Health Services declared a public health disaster in Texas on March 19, 2020 because COVID-19 “has created an immediate threat, poses a high risk of death to a large number of people and creates a substantial risk of public exposure because of the disease’s method of transmission and evidence that there is community spread in Texas;” and

WHEREAS, pursuant to Texas Government Code Section 418.108 and due to the imminent threat arising from COVID-19, San Patricio County Judge David R. Krebs declared a local state of disaster on March 16, 2020 followed by the First Amended Declaration of Local State of Disaster Due to Novel Coronavirus which was declared and later consented to by the Commissioners Court on March 19, 2020; and

WHEREAS, in accordance with Texas Government Code Section 418.108(b), on April 13, 2020 the San Patricio County Commissioners Court approved the Order Continuing Declaration of Local State of Disaster for San Patricio County (hereafter, the “Order of Continuation of Declaration”) and on August 14, 2020 subsequent Order of Continuation was likewise approved; and

WHEREAS, the Order of Continuation of Declaration further reserves all other authority and powers conferred by or under the laws of the State of Texas and authorized the San Patricio County Judge to continue to exercise the powers granted by the Texas Disaster Act of 1975 for the period specified in the Order of Continuing Declaration; and

WHEREAS, with the approval of the Commissioners Court to take such actions as are necessary in order to protect the health, safety and welfare of the citizens of San Patricio County, the County Judge has determined that extraordinary measures must be taken to prepare for, respond to, and mitigate the spread of COVID-19; and

WHEREAS, this Order implementing emergency powers is issued pursuant to Texas Government Code Chapter 418 to include authorizing the County Judge to control, among other things, the ingress, egress, movement, and occupancy of premises on an appropriate local scale in accordance with Section 418.108(g) and his authority as Emergency Management Director; and

WHEREAS, it is the intent of this Executive Order to remain as consistent with and to harmonize, to the extent possible, the executive orders of Governor Abbott and the mandates contained therein (as extended or modified); and

WHEREAS, by the authority vested in me as San Patricio County Judge and as the Emergency Management Director for the County of San Patricio to continue to protect the health and safety of the community and address developing and rapidly changing circumstances when presented by COVID-19 public health emergency, I hereby issue this Executive Order DK-06.

PURSUANT TO THE TEXAS DISASTER ACT OF 1975, SAN PATRICIO COUNTY JUDGE DAVID R. KREBS HEREBY ISSUES THIS EXECUTIVE ORDER AS FOLLOWS:

Effective as of 12:01 a.m. on Tuesday, September 1, 2020 ("Effective Date"), and continuing through 11:59 p.m. on Wednesday, September 30, 2020 unless extended, modified or terminated early by San Patricio County Judge David R. Krebs or as otherwise indicated below:

- I. **Public Health Emergency**. That this Executive Order shall continue the local disaster declaration and public health emergency for San Patricio County for the period specified in this Executive Order and shall incorporate and adopt the most recent executive order GA-29 issued by Governor Greg Abbott on July 2, 2020, and any subsequent orders by the Governor relating to the expanded opening of Texas in response to the COVID-19 disaster.

- II. **Health and Safety Policy – Commercial Entities**. From the date of this Executive Order, all commercial entities in San Patricio County providing goods or services directly to the public must develop and implement a health and safety policy ("***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 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 the 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 within five (5) calendar days following the Effective Date may result in a fine not to exceed \$1,000 for each violation.

- III. **Face Coverings - General Public.** That all people 10 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 coworkers. The CDC advises face coverings for people 2 years or older. Face coverings may include homemade masks, scarfs, bandanas, or a handkerchief. San Patricio County residents should continue to maintain social distancing of at least six feet while outside their home. San Patricio 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 PROVIDERS 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. Face coverings do not need to be worn in the following circumstances:

1. any person younger than 10 years of age;
2. any person with a medical condition or disability that prevents wearing a face covering;
3. any person while the person is consuming food or drink, or is seated at a restaurant to eat or drink;
4. any person while the person is (a) exercising outdoors or engaging in physical activity outdoors, and (b) maintaining a safe distance from other people not in the same household;
5. any person while the person is driving alone or with passengers who are part of the same household as the driver;
6. any person obtaining a service that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a personal-care service involving the face, but only to the extent necessary for the temporary removal;
7. any person while the person is in a swimming pool, lake, or similar body of water;
8. any person who is voting, assisting a voter, serving as a poll watcher, or actively administering an election, but wearing a face covering is strongly encouraged;
9. any person who is actively providing or obtaining access to religious worship, but wearing a face covering is strongly encouraged; and
10. any person while the person is giving a speech for a broadcast or to an audience.

Not excepted from this face-covering requirement is any person attending a protest or demonstration involving more than 10 people and who is not practicing safe social distancing of six feet from other people not in the same household.

Please note that face coverings are a secondary strategy to other mitigation efforts. **Face coverings are *not* a replacement for social distancing, frequent handwashing, and self-isolation when sick.** All people should follow CDC recommendations for how to wear and take off a mask. Residents should keep up the following habits while in public:

1. washing hands before you leave home and when you return,
2. staying at least six feet away from others,

3. avoiding touching nose or face,
4. not using disposable masks more than three times, and
5. washing reusable cloth masks regularly to prevent the spread of the virus.

Consistent with Executive Order GA-29 issued by Governor Greg Abbott, following a verbal or written warning for a first-time violator of this face covering requirement, a person's second violation shall be punishable by a fine not to exceed \$250. Each subsequent violation shall be punishable by a fine not to exceed \$250 per violation.

Pursuant to GA-29, Local law enforcement and other local officials, as appropriate, can and should enforce this Executive Order, Executive Order GA-28, and other effective executive orders, as well as local restrictions that are consistent with this Executive Order and other effective executive orders. But no law enforcement or other official may detain, arrest, or confine in jail any person for a violation of this Executive Order or for related non-violent, non-felony offenses that are predicated on a violation of this Executive Order; provided, however, that any official with authority to enforce this Executive Order may act to enforce trespassing laws and remove violators at the request of a business establishment or other property owner.

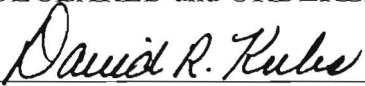
This Executive Order hereby prohibits confinement in jail as a penalty for the violation of any face covering order.

- IV. **San Patricio County Courthouse**. That the San Patricio County Courthouse shall continue to have limited point of access at the Market Street entrance, subject to modification as deemed necessary by the County Judge, and that all other county-owned or leased buildings have a single controlled point of entrance. Further, all citizens and employees may be appropriately screened before entering any San Patricio County owned or leased building. At the control points, citizens and employees may be asked certain risk-related questions and their temperature taken by least obtrusive means. Any individual with a temperature exceeding 100.4°F or who fails the screening process will not be allowed to enter the building. Citizens are encouraged to call the department or office you are attempting to visit prior to visiting a county-owned or leased facility. All social distancing measures must be implemented at the above-described control points and while in any San Patricio County facility.
- V. **San Patricio County Essential Business**. That residents of San Patricio County conduct essential San Patricio County business online or via regular mail to avoid visiting any San Patricio County facilities unless absolutely necessary.
- VI. **Severability**. The sections, paragraphs, sentences, clauses and phrases of this Executive Order are severable and if any phrase, clause, sentence, paragraph or section of this Executive Order should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections that can be given effect without the invalid provision, and to this end, the provisions of this Executive Order are severable.
- VII. **Interpretation and Additional Terms**. To the greatest extent possible, this Executive Order shall be interpreted as consistent with and supplemental to any executive order issued 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.

VIII. **Enforcement.** Consistent with Section III of this Executive Order and in accordance with the limitations contained in the executive orders of Governor Greg Abbott, that any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Executive Order in accordance with the authority granted under the Texas Disaster Act of 1975.

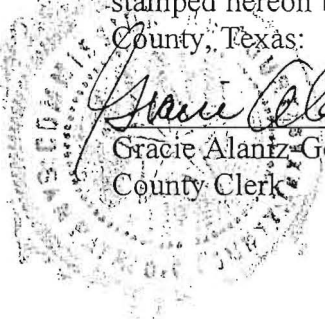
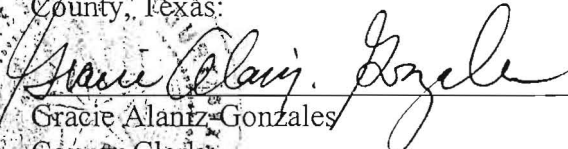
DECLARED and ORDERED this the 31st day of August, 2020.



David R. Krebs
San Patricio County Judge

State of Texas, County of San Patricio

On 8/31/2020 I hereby Certify that this instrument was FILED on this date and time stamped hereon by me and was duly RECORDED in the Official Public Records of San Patricio County, Texas:

Gracie Alaniz-Gonzales
County Clerk