



*Aurelio Guerra, Jr.*

Willacy County Judge

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April 7, 2020

**FIRST ADDENDUM TO THE COUNTY OF WILLACY  
THIRD SUPPLEMENTAL EMERGENCY MANAGEMENT ORDER  
WITH MANDATORY COUNTYWIDE SHELTER IN PLACE**

WHEREAS, in conjunction with the National Emergency Declaration issued by President Trump, Governor Abbott's Declaration of Disaster on March 13, 2020, and the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt having determined that the novel coronavirus (COVID-19) represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, the President has announced social distancing should be extended through April 30, 2020, and that schools shall not recommence before May 4, 2020; and

WHEREAS, on March 31, 2020, Governor Abbott issued Executive Order GA 14 relating to statewide continuity of essential services and activities during the COVID-19 disaster through April 30, 2020, to-wit: "[E]very person in Texas shall, except where necessary to provide or obtain essential services, minimize social gatherings and minimize in-person contact with people who are not in the same household."; and

WHEREAS, the World Health Organization has indicated that COVID-19 is spread primarily by respiratory droplets produced when an infected person coughs or sneezes and droplets can also be generated by talking, laughing, or exhaling; and

WHEREAS, officials in Willacy County, including the Willacy County Judge, the Emergency Management Coordinator, and the Mayors of the City of Raymondville, City of Lyford, and City of San Perlita, with the recommendations of the Willacy County Health Authority, seek to take any and all measures and precautions necessary for the safety of its citizens to reduce the spread of COVID-19, while enabling essential services to continue; and

WHEREAS, the intent of this Order, to be issued by the Willacy County Judge, is to ensure that the maximum number of people continue to self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the maximum extent possible, and to implement additional precautions when people leave their place of residence, whether to obtain or perform essential services, or to otherwise facilitate essential activities; and

WHEREAS, the Third Supplemental Emergency Management Order with Mandatory Countywide Shelter in Place became effective at 11:01 pm on March 26, 2020 and is subject to expire at 10:59 p.m. on April 9, 2020, absent further action by the Willacy County Judge.

THEREFORE, the Willacy County Judge in his authority pursuant to the Texas Government Code § 418 et seq. hereby issues the First Addendum to the Third Supplemental Emergency Management Order with Mandatory Countywide Shelter in Place in his capacity as Willacy County Judge with the advice and consent of Commissioners Court and the following orders are hereby incorporated in the Third Supplemental Emergency Management Order with Mandatory Countywide Shelter in Place issued on March 26, 2020:

**FAILURE TO COMPLY WITH ANY OF THE PROVISIONS OF THIS ORDER CONSTITUTES AN IMMINENT THREAT TO PUBLIC HEALTH:**

### **EXTENDED SHELTER IN PLACE**

Except as otherwise directed in this order, all individuals currently living within Willacy County, Texas SHALL CONTINUE TO SHELTER AT THEIR PLACE OF RESIDENCE until 11:59 p.m. on April 30, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Willacy County Judge. All public and private gatherings of any number of people occurring outside a household or living unit are prohibited, except for the limited purposes as expressly permitted herein. Nothing in this Order prohibits the gathering of members of a household or residence, which includes hotels, motels, share rental units, shelters, and similar facilities.

### **MANDATORY CLOTH FACE COVERING**

Except as provided herein, all persons over the age of five (5) are **required** to wear some form of cloth face covering (such as a homemade mask, scarf, bandana, or handkerchief) over their nose and mouth at all times including when entering into or inside of any building open to the public (such as a grocery store, convenience store, and pharmacy) and when pumping gas.

This does not apply to persons:

- A. when engaging in a permissible outside physical activity (such as running, jogging);
- B. when riding in a personal vehicle;
- C. when necessary for purposes of a health emergency;
- D. when necessary for consumption purposes; or
- E. when necessary for a health, safety or security risk reason, the validity and reasonableness of which shall be solely determined by the County Judge.

In accordance with current Centers for Disease Control and Prevention guidance, **these cloth face coverings should NOT be surgical masks or N-95 respirators**. Those are critical supplies that must continue to be reserved for healthcare workers and other medical first responders.

### **PENALTY FOR VIOLATING MANDATORY CLOTH FACE COVERING**

The penalty for violating the Mandatory Cloth Face Covering requirement of this provision shall be punishable by a fine not to exceed \$1,000.00 per violation. This does not limit or curtail additional civil or criminal penalties under the Texas Health and Safety Code, the Texas Penal Code, or any other applicable law of the State of Texas.

### **LIMITED NUMBER OF ADULTS/PERSONS IN A VEHICLE**

No more than two (2) adults/persons will be allowed to travel in a vehicle at any time, unless it is necessary to obtain Healthcare Operations Services or to operate, perform, or maintain Essential Businesses, Essential Governmental Functions, and Essential Infrastructure Operations. It is highly recommended that children and/or minors not travel with adults unless it is medically necessary.

### **INCORPORATION AND CONFLICTS**

This Order is issued in accordance with, and incorporates by reference, the National Emergency Declaration, Governor Abbott's Declaration of Disaster, the Willacy County Disaster Declaration, the Emergency Management Orders and Recommendations and all subsequent related orders and guidance from these authorities. This Order is a supplement to all previous orders and not in place of such. In the event of a conflict or apparent conflict between the orders, this Order shall control.

This Order comes after the release of substantial guidance from the Texas Department of Health Services, the Centers for Disease Control and Prevention, and other public health officials throughout the United States and around the world, including a variety of prior orders to combat the spread and harms of COVID-19. The Willacy County Judge, in consultation and communication with the Willacy County Commissioners Court, other local elected leaders, and will continue to assess the quickly evolving situation and may modify or extend this Order, or issue additional Orders, related to COVID-19 as may be necessary.

If any provision of this Order to the application thereof to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

### PENALTIES

The penalty for a violation of this Order may be assessed a fine not to exceed \$1,000 per violation or confinement in jail for a term not to exceed 180 days in jail. There is a separate penalty for violating the Mandatory Cloth Face Covering provision of this Order. This does not limit or curtail additional civil or criminal penalties under the Texas Health and Safety Code, the Texas Penal Code, or any other applicable law of the State of Texas.

### ENFORCEMENT

Violation of this Order constitutes an imminent threat to public health. The Sheriff, all Chiefs of police in the County, command staffs of State Law Enforcement Agencies Operating in the County, and other peace officers are hereby requested to assist to ensure compliance with and enforce this Order.

This Order is an addendum to the March 26, 2020 Third Supplemental Emergency Management Order with Mandatory Countywide Shelter in Place of the County Judge directing all individuals to shelter in place. This Order clarifies, strengthens, and extends certain terms of the Third Supplemental Emergency Management Order with Mandatory Countywide Shelter in Place to increase social distancing and further reduce person-to-person contact in order to further slow transmission of COVID-19. To the extent it pertains to such, though this Order may amend certain provisions and/or sections of the Third Supplemental Emergency Management Order with Mandatory Countywide Shelter in Place those provisions and/or sections not amended by this Order remain in full force and effect.

This Order shall become effective at 5:00 A.M. On April 8, 2020 and will continue to be in effect until 11:59 p.m. on April 30, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Willacy County Judge. As of the effective date and time of this Addendum set forth herein, all individuals, businesses and government agencies in the County of Willacy are required to follow the provisions of this Order.

Issued this 7<sup>th</sup> day of April, 2020 at 9:45 a.m.

  
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Aurelio Guerra  
Willacy County Judge