



Eddie Treviño, Jr.
County Judge

**FIRST AMENDED EMERGENCY MANAGEMENT ORDER WITH MANDATORY
COUNTYWIDE SHELTER IN PLACE**

WHEREAS, in conjunction with the National Emergency Declaration issued by President Trump and Governor Abbott's Declaration of Disaster on March 13, 2020, and out of an abundance of caution to limit or reduce the spread of COVID-19 to Cameron County;

WHEREAS, it is necessary to ensure that the maximum number of people 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;

WHEREAS, despite the current state of public health crisis, people will need to leave self-isolation to obtain or perform vital services or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, though persons should at all times as reasonably possible comply with Social Distancing as defined by the Centers for Disease Control;

WHEREAS, the County Judge has consulted with the Cameron County Health Authority, the Mayors, and School Board Superintendents, including independent schools' leadership, of each city within Cameron County, and state health officials;

THEREFORE, the County Judge in his authority pursuant to the Texas Government Code § 418 et seq., with the advice and consent of Commissioners Court hereby issues the following First Amended Emergency Management Order with Mandatory Countywide Shelter in Place:

**THIS FIRST AMENDED EMERGENCY MANAGEMENT ORDER WITH
MANDATORY COUNTYWIDE SHELTER IN PLACE SUPERSEDES AND REPLACES
ALL PRIOR CAMERON COUNTY EMERGENCY ORDERS.**

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

This Order shall become effective at 12:01a.m. on Wednesday, March 25, 2020, and will continue to be in effect until 11:59p.m. on Tuesday April 7, 2020, or until it is rescinded in writing by the Cameron County Judge.

SHELTER IN PLACE

Except as otherwise directed in this order, all individuals currently living within Cameron County, Texas **SHALL SHELTER AT THEIR PLACE OF RESIDENCE FOR A PERIOD OF 14 DAYS**. 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, shared rental units, shelters, and similar facilities.

If someone in a household has tested positive for coronavirus, or is a presumptive positive, the household is ordered to isolate at home until otherwise instructed by the Cameron County Public Health Department. Members of the household shall neither go to work, school, nor perform or engage in any function that may be permitted in this Order.

To the extent individuals are using shared or outdoor spaces, individuals must at all times, as reasonably possible, maintain Social Distancing of at least six feet from any other person.

The order does not apply to a person(s) engaging in the following activities:

1) Essential Personal Activities

a) "Essential Personal Activities" means:

- i) To engage in activities or perform tasks essential to their health and safety, or for the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home;
- ii) To obtain necessary services or supplies for themselves and their family, household members, and pets, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet food and supplies, fresh meats, fish, poultry, or any household 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, such as, by way of example and without limitation, walking, hiking, biking, 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, including Minimum Basic Operations;
 - (1) "Minimum basic operations" means operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home); and or
- v) To care for a family member or pet in another household.

2) Obtaining Healthcare Operation Services

a) "Healthcare Operations" means:

- i) A healthcare provider or facility including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services including substance abuse facilities, Alcoholics and Narcotics Anonymous and related associations, and veterinary care and all healthcare services provided to animals.
- ii) "Healthcare Operations" does not include fitness and exercise gyms or similar operations/facilities. Operations do not include elective medical, surgical, and dental procedures (such as teeth cleaning).

3) Performing Essential Infrastructure Operations

a) "Essential Infrastructure Operations" means:

- i) any services or performance of work necessary to the operations and maintenance of public works construction, commercial construction including but not limited to highway and building construction, maintenance of signage, guard rails, and traffic lights, construction of housing, airport and seaport operations, water, sewer, gas, energy providers or producers and retailers, oil refining, public transportation, equipment rental, solid waste collection and removal, internet, and telecommunications systems and support (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services);
- ii) Transportation and logistics, businesses related to the operation, maintenance, construction, and manufacture of transportation services including cross border trade such as vehicle manufacturers, automobile suppliers and parts departments, auto dealerships, parts distributors, maintenance and repair facilities; public transportation including auto rental; businesses supporting airport operations; street and highway maintenance and construction; gas stations and other fuel distribution businesses; or vehicles for hire including taxis and rideshare;
- iii) CISA Sectors - All business and operations necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity Infrastructure Agency ("CISA") and outlined at: <https://www.cisa.gov/sites/default/files/publications/CISA-Guidance-on-Essential-Critical-Infrastructure-Workers-1-20-508c.pdf>; and
- iv) To the extent possible, such operations and operators shall carry out those services or work in compliance with Social Distancing.

4) Performing or Accessing Essential Governmental Functions

a) "Essential Government Functions" means:

- i) duties, operations, or functions performed by:
 - (1) First Responders;
 - (2) Emergency Management Personnel;
 - (3) Emergency Dispatchers;
 - (4) Elected Officials;
 - (5) The Cameron County District Attorney, his assistants, and staff;

- (6) Court Personnel;
 - (7) Law Enforcement Personnel;
 - (8) Federal, state, and local government agencies and entities, including but not limited to water supply corporations, drainage districts, irrigation districts, Brownsville PUB, Magic Valley Electric Cooperative, Harlingen Water Works System, and any other governmental or retail utilities;
 - (9) Education and Research, to include educators or other personnel supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other functions in support of Essential Personal Activities or Essential Businesses and companies engaged in science or engineering research and development. School Personnel to include and limited to essential staff as identified by individual school systems. Said person(s) are authorized to leave their residence for the purpose of carrying out established protocols for meal and instructional packet distribution or pickup;
 - (10) Families of school aged children for the limited purpose of obtaining meal and instructional packets for their children from their local school systems; and
 - (11) Others who the County Judge deems necessary to perform essential services.
- b) Due to the public health emergency, the Office of the Cameron County Judge hereby advises:
- i) The Cameron County Justices of the Peace to suspend eviction hearings and writs of possession for at least the next 30 days to prevent renters from being displaced.
 - ii) Further the Office of the Cameron County Judge advises that foreclosure proceedings within Cameron County be temporarily suspended for at least the next 30 days to prevent the displacement of occupants during the public health emergency.
- c) Each governmental entity shall identify and designate appropriate employees or contractors to continue providing and carrying out Essential Governmental Functions.
- d) Essential Governmental Functions shall be performed in compliance with Social Distancing, to the extent possible.

5) To Operate Essential Businesses

- a) "Essential Businesses" means and/or includes:
- i) Healthcare Operations and Essential Infrastructure Operations;
 - ii) Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, liquor stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet food and supplies, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
 - iii) Agriculture, food and beverage cultivation, processing, and distribution, including but not limited to, farming, ranching, fishing, dairies, creameries, distilleries, and breweries in order to preserve inventory and production including cross border trade (not for retail business);

- iv) Services necessary to maintain residences or support Essential Businesses, for example, hotels and other temporary residence facilities, laundromats, dry cleaners and laundry service providers, trash and recycling collection, processing and disposal, mail and shipping services, cleaning and building maintenance, warehouse, distribution and fulfillment, and storage for Essential Businesses;
- v) Professional services such as engineering, architectural and surveying;
- vi) Legal, accounting, and related services, when necessary to assist in compliance with legally mandated activities;
- vii) Businesses necessary to supply agriculture, food, and beverage cultivation, processing, and distribution; including custom brokers;
- viii) Businesses that provide food, shelter, and social services and other necessities of life for economically disadvantaged or otherwise needy individuals;
- ix) Newspapers, television, radio, and other media services;
- x) Gas stations and auto-supply, auto-repair, and related facilities;
- xi) Banks and related financial institutions including pawn shops, casas de cambio, credit unions, check cashing and loans, auto, home, commercial insurance, payroll and health insurance processing;
- xii) Real estate, appraisal, abstract and title service companies;
- xiii) Hardware stores;
- xiv) Plumbers, electricians, exterminators, HVAC repairs, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Personal Activities, and Essential Businesses;
- xv) Landscaping, irrigation, and pool cleaning services;
- xvi) Businesses providing mailing and shipping services, including post office boxes;
- xvii) Restaurants and other related facilities are subject to the following restrictions:
 - (1) May only prepare and serve food for drive-thru, delivery, or carry out;
 - (2) May not operate later than 10 p.m.;
 - (3) Those providing food shall not permit food to be eaten at the site/location where it is provided; and
 - (4) Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only;
- xviii) Businesses that supply products needed for people to work from home;
- xix) Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
- xx) Businesses that ship or deliver groceries, food, goods or services directly to residences;
- xxi) Airlines, taxis, and other private transportation for hire that provide transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- xxii) Home-based care for seniors, adults, or children;
- xxiii) Residential facilities and shelters for seniors, adults, and children;

- xxiv) Funeral homes;
- xxv) Childcare facilities providing services that enable employees exempted in this Order to work as permitted must comply with the following mandatory conditions:
 - (1) Childcare facilities must consult and comply with CDC and State Department of Health Services guidelines.
 - (2) Adult daycare facilities must adhere to CDC, Federal Medicare, and Texas Department of Health Services guidelines.
- b) Except for Essential Businesses, all operating businesses located within, or using a facility in Cameron County shall cease all business activities other than Minimum Basic Operations.
 - i) For the purposes of this Order, “Minimum Basic Operations” includes the following, provided that employees comply with Social Distancing as defined in this Section, to the extent possible while carrying out such operations:
 - ii) The minimum necessary activities to maintain the value of the business’ inventory, ensure security, process payroll and employee benefits, or for related functions; and/or
 - iii) The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

School districts are hereby directed to adopt meal and instructional packet distribution protocols to be implemented simultaneously to minimize the need for families to leave their residence on multiple occasions.

People at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care. For purposes of this Order, “people at high risk of severe illness from COVID-19” are people who meet the CDC definition of higher risk.

Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing, including customers standing in line.

PRICE CONTROL

A person, vendor, supplier, or wholesaler shall not sell essential products for more than the prices the person, vendor, supplier, or wholesaler sold said essential products at 11:59 p.m. on Thursday, March 1, 2020.

- 1) “Sell” and “Sold” mean:
 - a) Sell;
 - b) Lease;
 - c) Demand in offering to sale or;
 - d) Demand in offering to lease; or
 - e) The past tense of said terms.
- 2) “Essential Products” means:
 - a) Fuel, food, lodging, building materials, construction tools, personal hygiene products, personal hygiene goods, or ice;

- b) Meals served by restaurants, cafeterias, or boarding-houses; and
- c) Medicine, pharmaceutical, or medical equipment and supplies.
- 3) Due to increased demand for bath or toilet tissue, until the supply chain meets the demand or two weeks, whichever comes first, all sales of bath or toilet tissue occurring in Cameron County are limited to the greater of:
 - a) twelve (12) rolls per purchase, or
 - b) one (1) package per purchase;
- 4) The restrictions made herein, shall not be interpreted as depriving the Texas Attorney General or the Cameron County District Attorney from pursuing an action under the Texas Deceptive Trade Practices Act or any other law of this State.

OCCUPANCY OF PREMISES

Cameron County Parks and Beaches Access Points and boat ramps are closed. Gatherings throughout the County, in both public and private locations, are limited to no more than 10 people pursuant to CDC guidelines.

All businesses, except grocery stores, pharmacies, hospitals, clinics, and government agencies, shall limit business occupancy to 10 persons or less and shall institute Social Distancing of a minimum space of 6 feet apart.

Religious and worship services may only engage in services via video, teleconference, or other remote measures. The production of such religious and worship services shall conform to Social Distancing and be limited to 10 people or less.

At a minimum of every hour, but preferably after each service, all locations offering self-service gas shall sanitize all self-service portions of the equipment.

ESSENTIAL TRAVEL

ALL TRAVEL IS PROHIBITED EXCEPT FOR ESSENTIAL TRAVEL THAT IS IDENTIFIED HEREIN. This Order allows travel into or out of the County to perform Essential Personal Activities, Healthcare Operations to, operate Essential Businesses, or to maintain Essential Governmental Functions and Essential Infrastructure Operations.

- 1) Individuals engaged in any Essential Travel shall comply with Social Distancing.
 - a) "Essential Travel" includes travel for any of the following purposes:
 - i) Any travel related to the provision of or access to Essential Personal Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations;
 - ii) Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons;
 - iii) Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services;
 - iv) Travel to return to a place of residence from outside the jurisdiction;
 - v) Travel required by law enforcement or court order; and

- vi) Travel required for non-residents to return to their place of residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.
- 2) Public Transit:
 - a) Public Transit may only be used for purposes of performing:
 - i) Essential Personal Activities; or
 - ii) To travel to and from work:
 - (1) To operate Essential Businesses; or
 - (2) Maintain Essential Governmental.
 - b) To the greatest extent feasible, people riding on public transit shall comply with Social Distancing.

SOCIAL DISTANCING

- 1) "Social Distancing" means:
 - a) maintaining at least a six foot distance from other individuals;
 - b) washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer;
 - c) covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces; and
 - d) not shaking hands.

INCORPORATION AND CONFLICTS

This Order is issued in accordance with, and incorporates by reference, the National Emergency Declaration, Governor Abbott's Declaration of Disaster, National and State Public Health Disaster Declarations, the Cameron County Disaster Declaration, the Emergency Management Orders and Recommendations, and all subsequent related orders and guidance from these authorities.

This Order comes after the release of substantial guidance from the Cameron County Health Authority, Cameron County Health Director, the Texas Department of Health Services, 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 Cameron County Health Authority, Cameron County Health Director, and Cameron County Judge, in consultation and communication with the Cameron County Commissioners Court, and other local elected leaders 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.

ENFORCEMENT

Violation of this Order constitutes an imminent threat to public health. The Sheriff, Constables, all Chiefs of Police in the County, and command staffs of state law enforcement agencies operating in the County are hereby requested to assist to ensure compliance with and enforce this Order.

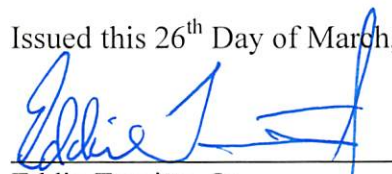
PENALTIES

Pursuant to Texas Government Code Sec. 418.173(b) and the Cameron County Emergency Management Plan, it is an offense to violate a condition or restriction of any Order issued by Cameron County Judge Eddie Treviño, Jr., during the public health crisis/disaster. Said offense shall be punished by a fine not to exceed \$500 except that the offense shall be punished by a fine not to exceed \$1,000 or confinement in jail for a term not to exceed 180 days if it is shown on the trial of the offense that the person has been previously convicted one time of an offense under this section.

If conduct that constitutes an offense under this order also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

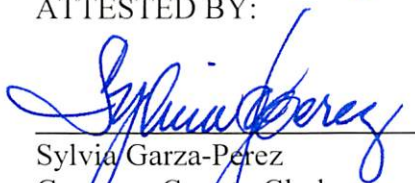
It is an affirmative defense to prosecution that the actor that engaged in conduct that constitutes a violation of any order issued during the COVID-19 Crisis and said conduct was excepted to the restrictions by any of Cameron County Judge Eddie Treviño, Jr.'s Orders, or was specific conduct permitted by any of Cameron County Judge Eddie Treviño, Jr.'s Orders,

Issued this 26th Day of March, 2020 at 9:45 a.m.



Eddie Treviño, Jr.
Cameron County Judge

ATTESTED BY:



Sylvia Garza-Perez
Cameron County Clerk

