

ORDER NO. 2020-1-G

SEVENTH AMENDED ORDER OF THE MAYOR OF THE CITY OF RIO GRANDE CITY REVISING SEVERAL EMERGENCY MEASURES PREVIOUSLY RECORDED IN ORDER NO. 2020-1-F, PROVIDING FOR CONSISTENCY WITH STARR COUNTY'S JUNE 29, 2020 SUPPLEMENTAL EMERGENCY ORDER, PROVIDING FOR A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the City of Rio Grande City community and rates of infection are increasing at an alarming rate and the number of people ending up in the hospital is also dramatically rising despite efforts by individuals to control the spread; and

WHEREAS, the City has determined that it is necessary to have consistent regulations recently adopted by the June 29, 2020 Starr County Supplemental Emergency Order Related to the COVID-19 Public Health Emergency; and

WHEREAS, the City's Disaster Declaration remains effective until July 24, 2020 and the City approves the revised Emergency Measures Order as set forth in more detail below, as compliant with the all of the Texas Governor's Executive Orders.

NOW, THEREFORE, I, MAYOR OF THE CITY OF CITY OF RIO GRANDE CITY, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:

Section 1. Effective as of 12:01 AM on June 30, 2020, the City of Rio Grande City adopts the regulations set out in the June 29, 2020 Starr County Supplemental Emergency Order Related to the COVID-19 Public Health Emergency, a copy is attached hereto as Exhibit A. Specifically, the City of Rio Grande City adopts and incorporates herein, Starr County's regulations on Movement of People and Occupancy of Premises; Social Gatherings; Shelter-at-Home; Curfew; Limitations on Travel; Additional Hygiene Matters; and Closed Businesses.

Section 2. residents, visitors, and businesses, shall comply with the Texas Governor's Executive Orders and the Starr County's Amended Emergency Order and Recommendations Related to the Expanded Reopening of Select Services During the Public Health Emergency, as may be amended from time to time. Such regulations shall be made available upon request with the City Secretary's Office.

Section 3. Health and Safety Policy – Commercial Entities: All commercial entities in the City of Rio Grande City 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 Order may

also include 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 Order in a conspicuous location sufficient to provide notice to employees and visitors of all health and safety requirements. Failure to comply with any of Governor Abbott's executive orders issued during the COVID-19 disaster is an offense under Section 418.173 by a fine not to exceed \$1,000.00 and may be subject to regulatory enforcement.

Section 4. Face coverings – General Public: All people 3 years or older should wear a face covering over their nose and mouth when in a public place where it is difficult to keep six feet from other people or working in areas that involve close proximity with other coworkers. The CDC advises faces coverings for people 2 years or older. Face coverings may include handmade masks, scarfs, bandanas, or handkerchief. City of Rio Grande City residents should continue to maintain social distancing of at least six-feet while outside their home. City of Rio Grande City employees are also required to wear face coverings under the same circumstances as the general public.

Section 5. People shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission. Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities as appropriate.

Section 6. People at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residences to the extent possible except as necessary to seek medical care.

Section 7. The City Commission insists that any person, including international travelers, who enters the City of Rio Grande City from outside of the Rio Grande Valley self-quarantine, to the extent possible, for a period of 14 days from the time of entry into Rio Grande City, Texas or duration of the person's presence in Rio Grande City, Texas. Self-quarantine shall not apply to people traveling in connection with employment, commercial activity, military service, emergency response, health response, or critical infrastructure functions, as allowed under Governor's Executive Order GA-18, or as allowed under GA-21, "Reopened Services."

Section 8. In accordance with Governor Abbott's Executive Orders, "Reopened Services" shall meet all State of Texas Minimum Health Protocols for each corresponding business and service sector that can be found at <https://www.starrcounty.org/texas-opens-checklists> or that can be requested by email at the Starr County Judge's office prior to being operational.

Section 9. The City of Rio Grande City shall post this Order on its website. 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.

Section 10. In the event of any conflict or inconsistency between the provisions set herein and the National Emergency Declaration, Governor Abbott's Declaration of Disaster and Executive Orders, the Starr County Disaster Declaration, and the Emergency Management Orders and

Recommendations, then the priority of interpretation shall be the following order: National Emergency Declaration, Governor Abbott's Declaration of Disaster and Executive Orders, the Starr County Disaster Declaration, and the Emergency Management Orders and Recommendations, the City of Rio Grande City's Disaster Declaration and Fourth Amended Emergency Order.

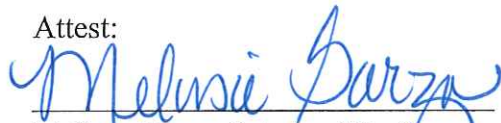
Section 11. If any subsection, sentence, clause, phrase or word of this Order or application of it to any person, structure, gathering or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the rest of the order that can be given the effect without the invalid provision, and to this end, the provisions of this Order are severable.

Section 12. This Disaster Declaration and Order shall remain effective until **July 24, 2020**, unless otherwise terminated or renewed earlier by the City of Rio Grande City – City Commission.

ORDERED AND ADOPTED on this the 29th day of June 2020.



JOEL VILLARREAL, MAYOR

Attest:


Melissa Garza, Interim City Secretary

Approved as to Form:



Calixtro Villarreal, City Attorney

Exhibit A



AT 1 **FILED** 40 PM
O'CLOCK

JUN 29 2020

HUMBERTO "BERT" GONZALEZ, JR., COUNTY CLERK STARR CO. TX
BY: _____ DEPUTY

Eloy Vera
Starr County Judge

Starr County Courthouse Annex
100 N. FM 3167, Ste. #202
Rio Grande City, Texas 78582

Office Phone (956) 716-4800
Fax (956) 352-6573

SUPPLEMENTAL EMERGENCY ORDER
RELATED TO THE COVID-19 PUBLIC HEALTH
EMERGENCY

ADDITIONAL COVERED ENTITY GUIDELINES

WHEREAS, pursuant to Texas Government Code Section 418.108, Starr County Judge Eloy Vera issued a Declaration of Local Disaster for Public Health Emergency on March 17, 2020, due to the imminent threat arising from the Coronavirus (COVID-19); and,

WHEREAS, on March 23, 2020, in accordance with Texas Government Code Section 418.108(b), the Commissioners Court of Starr County issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Starr County Emergency Management Plan and extends the Declaration of Local Disaster; and,

WHEREAS, in accordance with Texas Government Code Section 418.108(b), the consent of the Commissioners Court authorizes the Starr County Judge to continue to exercise powers granted under the Texas Disaster Act of 1975; and,

WHEREAS, Judge Vera has previously issued Emergency Orders Related to the Corona Virus Disease (COVID-19) Public Health Emergency, in furtherance of his authority under Chapter 418 of the Texas Government Code to protect the overall health, safety and welfare of the public by slowing the spread of the virus; and,

WHEREAS, Starr County has seen an increase in the number of cases and hospitalizations related to COVID-19 and has surpassed 598 total cases, with continued single daily record high reported cases and without a downward trajectory since Governor Abbott issued Executive Order GA-026 on June 03, 2020; and

WHEREAS, the State of Texas and the County of Starr must protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical and business leaders; and,

WHEREAS, pursuant to Chapter 121 of the Texas Health & Safety Code, the County has appointed Dr. Jose Vazquez as the Starr County Health Authority and he has the authority to administer state and local laws relating to public health within the jurisdiction of the County of Starr; and

WHEREAS, Dr. Vazquez has advised the County that additional hygiene measures are necessary to stop the continued spread of COVID-19; and

WHEREAS, the ongoing evaluation of circumstances involving the moderate to substantial spread of the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the Order to be amended; and,

WHEREAS, the County Judge has determined that extraordinary emergency measures are necessary to be taken to continue with the mitigation of this public health emergency, facilitate a cooperative response amongst the citizens of Starr County, and reopen the aforementioned business and industrial aspects of the County of Starr; and,

WHEREAS, in accordance with Executive Order GA-26, failure to comply with any of Governor Abbott's executive orders issued during the COVID-19 disaster is an offense punishable under Section 418.173 by a fine not to exceed \$1,000.00 and may be subject to regulatory enforcement;

THEREFORE, PURSUANT TO THE AUTHORITY OF THE TEXAS DISASTER ACT of 1975, Starr County Judge Eloy Vera hereby issues this AMENDED ORDER as follows:

EFFECTIVE AS OF 12:01 A.M. ON JUNE 30, 2020.

MOVEMENT OF PEOPLE AND OCCUPANCY OF PREMISES:

All persons over the age of three (3) should wear some form of facial covering over their mouth and nose, such as a homemade mask, scarf, bandana, or handkerchief, when obtaining or providing covered services. It is highly encouraged and recommended that all persons should wear a form of facial covering, 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 persons; when on parking lots; when using public transportation, taxis, or ride services; when pumping gas; when providing take-out, curbside, or drive-thru services.

This recommendation shall not apply to persons that are: engaging in a permissible outside physical activity (unless within six feet of another person); persons driving or riding in a personal vehicle during essential or reopened activities; persons that are alone in a separate single room or office space; persons that are with their own residence, including household members; persons with medical conditions that when covering the nose and mouth may pose a greater health, safety or security risk; persons that are not covering for consumption of food and beverage. No civil or criminal penalty may be imposed against a person for failure to wear a face covering.

NOTE: MEDICAL GRADE MASKS ARE NOT REQUIRED AND ARE DISCOURAGED TO THE EXTENT THAT SUCH USE MAY DISRUPT THE SUPPLY OF MEDICAL GRADE MASKS FOR THE BENEFIT OF ESSENTIAL WORK FORCE. COVERING NOSE AND MOUTH CAN ONLY DIMINISH THE CHANCE OF EXPOSURE AND PARTIALLY PREVENT ASYMPTOMATIC PERSONS WITH COVID-19 FROM UNKNOWINGLY EXPOSING AND OR SPREADING THE DISEASE.

SOCIAL GATHERINGS:

All public or private gatherings of ten (10) persons or more occurring outside a single household or living unit are **PROHIBITED**, unless such gathering are specifically enumerated by this Order, by Executive Order EO-GA-26, or by proclamation, or future executive order by the Governor. Nothing in this Order prohibits the gathering of members of a household or living unit.

Outdoor events, such as July 4th celebrations and other large outdoor gatherings with estimated attendance of 100 or more, are **PROHIBITED**, unless such gathering are specifically enumerated by this Order, by Executive Order EO-GA-26, or by proclamation, or future executive order by the Governor.

SHELTER-AT-HOME:

It is highly **ENCOURAGED AND RECOMMENDED** that all persons **Shelter-At-Home**, unless obtaining or providing for essential or covered services. All persons shall minimize social gatherings; minimize in-person contact with people who are not in the same household. Individuals should conduct personal activities in compliance with recommended guidelines including maintaining six feet physical distancing; washing hands with soap and water for at least twenty seconds or using hand sanitizer; covering coughs or sneezes; cleaning high-touch surfaces; not shaking hands; and covering mouth and nose.

CURFEW:

1. In addition to the recommendation to Shelter-At-Home, a curfew for all persons aged seventeen (17) and under shall be imposed from 10:00 PM to 6:00 AM, unless accompanied by a parent or guardian, or for providing Covered Services.

2. In addition to the recommendation to Shelter-At-Home, a curfew for all persons aged eighteen (18) and over shall be imposed from 11:00 PM to 5:00AM, unless that person is out for an emergency, or for providing Covered Services, or unless otherwise superseded by proclamation or subsequent executive orders issued by Governor Abbott.

ALL TRAVEL IS LIMITED, EXCEPT FOR COVERED SERVICES, AS FOLLOWS:

1. It is highly **ENCOURAGED AND RECOMMENDED** that Travel into or out of the County should be limited to perform or obtain Covered Services, or other travel as permitted by law.

2. "Covered Travel" includes travel for any of the following purposes:

a) Any travel related to the provision of or access to Covered Services.

- b) Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons
- c) Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and business operations.
- d) Travel to return to a place of residence from outside the jurisdiction
- e) Travel to return from a place of employment from outside the jurisdiction.
- f) Travel required by First Responders, Law Enforcement, or court order.
- g) Travel required for non-residents to return to their place of residence outside the County.

3. Public Transportation may only be used for purposes of performing:

- a) Personal activities related to Covered Services
- b) Travel to and from work for the purposes of providing Covered Services.

All Public Transportation activities must be performed in compliance with physical distancing including, to the extent possible, maintaining six-foot social distancing for both employees and the general public; washing hands with soap and water at least twenty seconds often or using hand sanitizer; covering coughs or sneezes; cleaning high-touch surfaces; not shaking hands; and requiring the wearing of facial covering mouth and nose.

ADDITIONAL HYGIENE MEASURES:

All commercial "Covered Services", as enumerated in Judge Vera's Amended Orders, that are providing goods and services directly to the public must develop and implement "Health and Safety Practices" that require employees and customers to follow additional hygiene measures. The Health and Safety Practices **MUST** require, that all employees and customers to the commercial Covered entity's business premises or other facilities **wear some form of covering over their mouth and nose, such as a homemade mask, scarf, bandana, or handkerchief**, when in an area or performing an activity which will necessarily involve close contact or proximity to co-workers or to customers where six feet of separation is not feasible. The Health and Safety Practices required shall not interfere with the operations and functions of CISA and religious services.

Additional Health and Safety Practices required to be developed and implemented by this Order **SHALL** also include additional mitigating measures designed to control and reduce the transmission of COVID-19, in compliance with the *Governor's Strike Force to Open Texas - Open Texas Checklists; Phase III*.
<https://www.starrcounty.org/texas-opens-checklists>

Commercial Covered entities should follow Minimum Standard Health Protocols relevant to operations of the business or entity services such using dividers between individuals if six (6) feet physical distancing is not available between employees and/or customers inside the facility, conduct temperature checks or health screenings at entrances. Commercial Covered entities may adopt additional protocols consistent

with their specific needs and circumstances to help protect the health and safety of all employees, and customers. [Commercial and Retailers](#)

Employer Covered entities should follow Minimum Standard Health Protocols relevant to operations of the business or entity services such as encouraging employees to work remotely if possible, not allow employees with known close contact to a positive for COVID-19 to return to work until the end of a fourteen (14) day self-isolation period, and/or conducting temperature checks or health screenings of employees. Employers may adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all employees, and customers. [Employers and Event Organizers](#)

Restaurant Covered entities are **ORDERED** to operate at **50 percent** occupancy (GA-28) and should follow Minimum Standard Health Protocols relevant to operations of the business or entity services such as continuing to provide pick-up, drive-thru or delivery services, maintain at least six (6) feet of physical distancing between tables, or four (4) feet physical distancing between tables if the restaurant uses a partition, conducting temperature checks or health screenings at entrances. Restaurant Covered entities may adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all employees, and customers. [Restaurants](#)

Cosmetology Salon/Hair Salon Covered entities are strongly recommended to should follow Minimum Standard Health Protocols relevant to operations of this type of business or entity, because of the proximity between individuals in these facilities. Cosmetology salons may operate provided they can ensure at least 6 feet physical distancing between operating workstations, schedule appointments to limit amount of persons in facilities, sanitize surfaces and equipment between uses. Cosmetology Salon/Hair Salon Covered entities may adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all employees, and customers. [Cosmetology and/or Hair Salons](#)

Nail Salon/Shop Covered entities are strongly recommended to should follow Minimum Standard Health Protocols relevant to operations of these type of business or entity, because of the proximity between individuals in these facilities. Nail Salons may operate provided they can ensure at least 6 feet physical distancing between operating workstations, schedule appointments to limit amount of persons in facilities, sanitize surfaces and equipment between uses. Nail Salon Covered entities may adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all employees, and customers. [Nail Salons](#)

All Covered entities must post the Health and Safety Practices required by this Order in a conspicuous location sufficient to provide notice to employees and customers of the Health and Safety requirements. Failure to develop and implement Health and Safety Practices as required by this Order within three (3) days from the effective date of this Order may result in a fine against the commercial covered entity, not to exceed \$1,000 dollars for each violation.

BUSINESSES THAT ARE EXPLICITLY CLOSED (GA-28) :

1. Bars and Night Clubs; provided, however that the use by such bars or similar establishments of drive-thru, pickup, or delivery options for food and drinks is allowed to the extent authorized by the Texas Alcoholic Beverage Commission.
2. Commercial Rafting and Tubing including rental of rafts or tubes and transportation of people for the purpose of rafting and tubing.

In accordance with the Guidelines from the President, the CDC, and Governor Abbott's Executive Order GA-26, people over the age of 65, are strongly encouraged to stay at home as much as possible; to maintain appropriate physical distance from any member of the household who has been out of the residence in the previous fourteen (14) days; and, if leaving the home, to implement physical distancing and to practice good hygiene, environmental cleanliness, and sanitation. People shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission (HHSC). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities as appropriate.

This Order shall remain in full force and effect, unless it is modified, rescinded, superseded, or amended pursuant to applicable law, the status of COVID-19 in the County of Starr, Texas, and/or recommendations of the Governor's Strike Force to Open Texas. This Order supersedes prior Orders, and in the event of a conflict or apparent conflict between the Orders, this Order shall control.

The County of Starr must promptly provide copies of this Order by posting on the Starr County website. 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.

It is the intent of this Order to remain as consistent with and to harmonize, to the extent possible, the executive orders of Governor Greg Abbot. This Order is in addition to the executive orders issued by Governor Greg Abbott. As such, to the extent that this County Order may be inconsistent with any orders issued by the Governor, then the Governor's Order shall control, but only to the extent this order may not restrict essential services or reopened services, allow gatherings prohibited by Executive Order GA-26, or expand essential services or reopened services set forth in Executive Order GA-26.

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 of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

ORDERED this 29th day of June, 2020.



Eloy Vera, Starr County Judge

Filed with me, the County Clerk of Starr County, this the 29 day of June, 2020, by Judge Eloy Vera, whose signature I hereby attest under my hand the seal of Starr County.





Humberto "Bert" Gonzalez, Jr.
Starr County Clerk