COUNTY OF REEVES, TEXAS
ORDER OF COUNTY JUDGE LEO HUNG
DECLARATION OF LOCAL STATE OF DISASTER DUE TO PUBLIC HEALTH EMERGENCY AND REQUIRING BUSINESSES TO MANDATE FACE COVERINGS

DATE ORDER ISSUED: June 29, 2020
Order #5

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a state of disaster and the President of the United States of America declared a national emergency in relation to the pandemic spread of COVID-19; and

WHEREAS, by declaration issued on March 20, 2020, Reeves County Judge declared a local state of disaster for the County of Reeves, Texas, which was ratified and extended by the Reeves County Commissioner's Court on March 23, 2020 until terminated by County Judge Leo Hung; and

WHEREAS, on April 27, 2020, Governor Abbott released his Executive Order GA-18 and the Governor's Report to Open Texas, and specified that GA-18 superseded all local orders; and on May 5, 2020, Governor Abbott released Executive Order GA-21, superseding GA-18 and expanding reopened services; and on June 3, Governor Abbott issued Executive Order GA-26, instituting Phase 3 of opening Texas; and on June 26, Governor Abbott issued Executive Order GA-28 relating to the targeted response to the COVID-19 disaster as part of the reopening of Texas; and

WHEREAS, in response to GA-18, on May 1, 2020, the Reeves County Commissioners Court issued Order No. 4 "Order Continuing Disaster Declarations and Instituting and Continuing Certain Emergency Measures Due to a Public Health Emergency in Reeves County in Conformity with Governor Abbott's Executive Order GA-18," which also included continuing the disaster declaration through May 30, 2020 in keeping with Governor Abbott's Executive Orders; and

WHEREAS, on May 12, 2020, Governor Abbott issued a proclamation renewing the Disaster Declaration for all counties in Texas in accordance with Section 418.014 of the Texas Government Code; and

WHEREAS, on May 15, 2020, DSHS Commissioner Dr. Hellerstedt renewed the State's Public Health Disaster Declaration; and

WHEREAS, there currently still exists a declaration of public health disaster in and for the State of Texas as declared by Texas Governor Greg Abbott and the Texas Department of State Health Services (DSHS); and

WHEREAS, the COVID-19 virus is contagious and spreads through person-to-person contact, especially in group settings; and

WHEREAS, on June 23, 2020, Governor Abbott issued a proclamation renewing the Disaster Declaration for all counties in Texas in accordance with Section 418.014 of the Texas Government Code; and

WHEREAS, as of June 29, 2020, there are 13 active cases of COVID-19 within the County of Reeves related to community spread; and

WHEREAS, Texas has become one of the epicenters of COVID-19 transmission in the country with rates of positivity increasing at an alarming rate; and

WHEREAS, Reeves County has limited medical facilities and finite resources available to deal with critical cases of COVID-19 and wishes to act proactively to mitigate spread and save lives; and

WHEREAS, emergency measures are therefore necessary to protect the health and welfare of Reeves County residents and visitors from the spread of COVID-19, especially for the elderly and compromised individuals who are at highest risk; and

WHEREAS, on June 17, 2020, Bexar County Judge Nelson Wolff issued an Executive Order requiring all commercial establishments in Bexar County to develop and implement a Health and Safety Policy that requires, 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; and

WHEREAS, Governor Abbott has stated on the record that the Bexar County Judge's Executive Order is "not inconsistent" with his Executive Orders and that he supports this approach; and

WHEREAS, this approach is enforceable, as any fine would be assessed against a business in violation, rather than on individuals as prohibited by the Governor; and

WHEREAS, the Reeves County Judge hereby continues the state of emergency and local disaster due to public health emergency declaration dated March 20, 2020 and approved by the Reeves County Commissioners Court on March 23, 2020 under their emergency powers granted under Chapter 418 of the Texas Government Code,

NOW, THEREFORE, BE IT ORDERED BY LEO HUNG, THE COUNTY JUDGE OF REEVES COUNTY, TEXAS:

1. CONTINUATION OF DISASTER DECLARATION.

County Judge Hung hereby continues the declaration of local state of disaster due to public health emergency dated March 20, 2020 and approved by the Reeves County Commissioners Court on March 23, 2020 until terminated by the Reeves County Judge or by the Reeves County Commissioners Court pursuant to the emergency powers granted them under Chapter 418 of the Texas Government Code.

2. FACE COVERINGS REQUIRED.

Effective as of 12:01 p.m. on Wednesday, July 1, 2020 ("Effective Date"), and continuing through 11:59 p.m. on July 14, 2020 unless extended, modified or terminated early or by operation of a conflicting Order issued by Governor Abbott, or as otherwise indicated below:

I. PUBLIC HEALTH EMERGENCY. That this Executive Order shall incorporate and adopt the most recent Executive Order GA-28 issued by Governor Greg Abbott on June 26, 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 Reeves County, including within the City of Pecos 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 properly 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.

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 two years or older. Face coverings may include homemade masks, scarfs, bandanas, or a handkerchief. Reeves County residents and visitors should continue to maintain social distancing of at least six feet while outside their home. Reeves County and Town of Pecos City employees are also required to wear face coverings under the same circumstances as the general public.

IT IS STRONGLY RECOMMENDED THAT YOU DO 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:

- When exercising outside or engaging in physical activity outside;
- While driving alone or with passengers who are part of the same household as the driver;
- With written verifiable medical excuse that wearing a mask would be detrimental to one's health;
- While pumping gas or operating outdoor equipment;
- While in a building or activity that requires security surveillance or screening, for example, banks;
- When actively consuming food or drink, but face coverings must still be worn when entering or exiting the establishment or using public facilities such as restrooms.

Please note that face coverings are a secondary strategy to other mitigation efforts. Face coverings arc 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 and should keep up the following habits while in public:

- washing hands before you leave home and when you return,
- staying at least six feet away from others,
- avoiding touching nose or face,
- not using disposable masks more than three times, and
- washing reusable cloth masks regularly to prevent the spread of the virus.

Consistent with Executive Order GA-28 issued by Governor Greg Abbott, no civil or criminal penalty will be imposed on individuals for failure to wear a face covering.

III. ENFORCEMENT: PENALTY FOR VIOLATIONS.
In accordance with Texas Government Code §418.173, any Commercial Entity that knowingly or intentionally violates this Ordinance commits an offense, punishable by a fine up to $1,000.00 per violation.

In order to remain in compliance, a Commercial Entity shall develop, post, and implement a Health and Safety Policy consistent with this Order. If any individual(s) seeking to do business with the Commercial Entity refuse to wear a face covering, then the Commercial Entity may request that the individual(s) leave the premises. If the individual(s) refuse to leave the premises, then the Commercial Entity should call the Reeves County Sheriff's Department at 432-445-4901 or the Pecos Police Department at 432-445-4911 for assistance.

IV. 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.

V. 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.

DECLARED this 29th day of June, 2020.

Leo Hug

County Judge
Reeves County, Texas

Attest:

Dianne O. Flor Dianne Florez, Reeves County Clerk

POSTED
4:30 o'clock p M
JUN 25 2020
DIANNE O. FLOREZ
REEVES COUNTY CLERK, REEVES COUNTY, TEXAS
BY D Rodriguez DEPUTY