

FILED FOR RECORD

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Executive Order

NUMBER WM-03

Relating to COVID-19 Preparedness and Mitigation

GLENDIA MASTON
COUNTY CLERK
HARDIN COUNTY, TEXAS
BY: *Glenda Maston*

WHEREAS, the novel Coronavirus COVID-19 disease has been recognized globally as a contagious respiratory virus and has been declared by the World Health Organization as a Public Health Emergency of International Concern; and

WHEREAS, on March 16, 2020, I, Wayne McDaniel, County Judge of Hardin County, Texas, pursuant to the authority granted me by Texas Government Code, Chapter 418, issued a Disaster Declaration certifying a public safety hazard exists and extraordinary measures must be taken to protect the life, health and safety of citizens of Hardin County in the state of Texas; and

WHEREAS, COVID-19 continues to spread and to pose an increasing, imminent threat of disaster throughout Texas; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has advised that person-to-person contact heightens the risk of COVID-19 transmission; and

WHEREAS, the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16, 2020, call upon Americans to slow the spread of COVID-19 by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps; and

WHEREAS, the Texas Department of State Health Services has now determined that, as of March 19, 2020, COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, on March 22, 2020, I, Wayne McDaniel, County Judge of Hardin County, Texas, pursuant to Texas Government Code, Sections 418.108(d) and 418.108(g), hereby issue this Executive Order which encompasses all areas inside the boundaries of Hardin County, including the incorporated municipalities of: Kountze, Lumberton, Rose Hill Acres, Silsbee and Sour Lake, Texas by the authority of each City or Town Mayor.

NOW, THEREFORE BE IT KNOWN, I, Wayne McDaniel, County Judge of Hardin County, Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a countywide basis effective 11:59 p.m. on March 22, 2020, and continuing until 11:59 p.m. on April 3, 2020, subject to extension thereafter based on the status of COVID-19 in Texas and the recommendations of the CDC:

The Hardin County Courthouse will remain open with flexible staffing; however access to the Courthouse by the public will be significantly limited. Most services can be accessed by the public electronically or by mail. Therefore, in order to gain access to the Courthouse, it must be because of exigent circumstances and you must call the department head or elected official, whose department you wish to visit, and, if granted entry, you must be escorted from the security screening area by someone from that department. THIS APPLIES TO ALL COUNTY OFFICES. Persons who are granted entry must agree to undergo a simple health screening protocol upon entering and, if the health screening indicates that they may pose a health threat, they may be denied entry.

Order No. 1 In accordance with the Guidelines from President Trump, Governor Abbott and the CDC, every person in Hardin County, Texas shall avoid social gatherings in groups of more than 10 people. This shall include social gatherings of more than 10 people at public facilities across Hardin County and private residences.

Order No. 2 Any event sponsored or permitted by Hardin County shall cease.

Order No. 3 In accordance with the Guidelines from the President and the CDC, all restaurant dining rooms, bars, social clubs, and nightclubs are closed; however, the use of drive-thru, pickup, or delivery options is allowed and highly encouraged throughout the duration of this executive order.

Order No. 4 All gyms, fitness clubs, tattoo shops, game rooms, business operating 8-liners and massage therapy facilities shall close effective immediately.

Order No. 5 All hair salons, beauty salons, and barber shops shall close according to their normal posted business hours this date and remain closed until further notice. All nail salons shall close according to their normal posted business hours this date and remain closed until further notice.

Order No. 6 All door-to-door sales shall cease effective immediately. Residents who encounter a salesman at their door should simply not answer the door.

Order No. 7 In accordance with the Guidelines from the President, Governor and the CDC, people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance.

Order No. 8 In accordance with the Guidelines from the President, Governor and the CDC, schools shall temporarily close. This does not apply to licensed child-care facilities, including a daycare center, group daycare home or family home. All childcare facilities shall reduce their occupancy to 10% of the Maximum Occupancy limit as set forth by the International Building Code (IBC).

Order No. 9 Any building which the public has access to (with the exception of childcare facilities – See Order No. 8) is hereby restricted from being occupied by more than 20% of the Maximum Occupancy requirements as set forth by the International Building Code (IBC). Maximum Occupancy signs shall be displayed to show this reduced number in these places. Persons must adhere to social distancing by keeping a minimum of 6 feet separation from each other.

Grocery stores and convenience stores are encouraged to remain open but citizens are urged to use the delivery or curbside services of local super markets.

Order No. 10 A twenty-four (24) hour curfew shall be in place throughout Hardin County for all individuals who are under the age of 18 who are not currently enrolled in school. This curfew does not apply if the individual under the age of 18 is accompanied by school personnel, a parent, or a guardian. Persons under the age of 18 are allowed to travel to and from: Work, school, grocery stores, pharmacies, gas stations, parks, banks, and restaurants with the permission of their parent or legal guardian.

WHEREAS, this state of disaster requires that certain emergency measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management;

It is therefore Ordered that the following regulations shall take effect immediately upon execution of this Order and shall remain in effect until the state of disaster is terminated or this Order may be amended:

PRICE CONTROLS

A person shall not sell any of the following goods or services for more than a reasonable price that is directly related to any increase in actual cost:

- a) groceries, beverages, toilet articles, ice;
- b) construction and building materials and supplies, earthmoving equipment and machinery;
- c) electrical and gas generating and transmission equipment, parts and accessories;
- d) charcoal briquettes, matches, candles, lamp illumination and heat unit carbides, dry batteries, light bulbs, flashlights, and hand lanterns;
- e) hand tools (manual and power), hardware and household supplies, and equipment rental;
- f) automotive parts, supplies and accessories;
- g) plumbing and electrical tools and supplies;
- h) apartment, duplex, multi-family dwelling, rooming house, hotel and motel rental;
- i) gasoline, diesel oil, motor oil, kerosene, grease, and automotive lubricants;
- j) restaurant, cafeteria and boarding house meals;

- k) services of roofing and building contractors, plumbers, electricians, mechanics, tree surgeons, and automobile wrecker companies;
- l) medicine, pharmaceuticals, medical equipment and supplies;
- m) blankets, quilts, bedspreads, bed liners, mattresses, bedsprings, bedsheets, bedsteads, towels and toilet paper; and
- n) furniture and clothing.

Citizens who suspect any business or person of price gouging should report that immediately to the Texas Attorney General for investigation:

<https://www.texasattorneygeneral.gov/consumer-protection/disaster-and-emergency-scams/how-spot-and-report-price-gouging>

PENALTIES

These price control regulations shall have the effect of ordinances when duly filed with the County Clerk.

Any person who violates any provision of these regulations, upon conviction, is punishable by a fine of not more than Five hundred (\$500.00) dollars.

EXEMPTIONS

By this same authority, I hereby exempt the following classes of individuals from this Emergency Order, PROVIDED that employers are providing appropriate screenings of their employees for COVID-19, as outlined by the Center for Disease Control and sending those home those who display with such symptoms:

1. Those employees of oil terminals, pipelines and oil supply facilities and servicing contractors that are essential for and who are actively involved in the operations of the facilities, transportation and receiving of oil and chemical supplies, refining and operations petrochemical facilities and telecommunications services in Hardin County and such other employees who are deemed essential to the operation of such facilities by their employer.
2. Those employees of hospitals, trauma centers, nursing homes, convalescent facilities or other healthcare providers who are essential for and who are actively involved in providing medical treatment and/or housing for persons who are ill or infirm and who are not evacuated.
3. Those employees of Federal, State, and Local Governments, Political Subdivisions, and Special Purpose Districts who are deemed essential by their employer for law enforcement activities, emergency response operations, including jury operations.
4. Banks and credit unions, but they are encouraged to limit services as much as practicable to drive up services.

This order does **NOT** extend to law enforcement activities, emergency response operations, court operations, including jury operations, and to all school districts of Hardin County.

The Mayor of each City within Hardin County shall determine the scope of operations of municipal employees.

All Hardin County Employees must report for work as required by their supervisors. All work related travel of County employees shall cease.

This order shall take effect immediately and shall remain in effect until amended or terminated.

This, executive order does not prohibit anyone from visiting a variety of places, including grocery stores, pharmacies, gas stations, parks, and banks, so long as the necessary precautions are maintained and the above orders are followed to reduce the transmission of COVID-19.

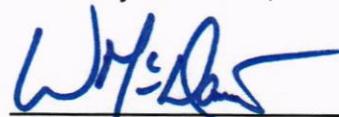
This executive order does not mandate sheltering in place at this time. All critical infrastructure will remain operational, domestic travel will remain unrestricted, and government entities and businesses will continue providing essential services. For offices and workplaces that remain open, employees should practice good hygiene and, where feasible, work from home in order to achieve optimum isolation from COVID-19.

The more people reduce their public contact, the sooner COVID-19 will be contained and the faster this executive order can expire or be terminated.

Hardin County citizens are strongly implored to keep up with and adhere to the ever-changing guidelines set forth by the CDC and DSHS with regards to the COVID-19 global pandemic. Go to [Coronavirus.gov](https://www.cdc.gov/coronavirus) for valuable information on this infectious disease.

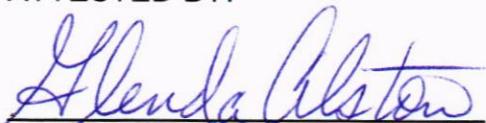
This executive order supersedes all previous orders on this matter, and this order shall remain in effect and in full force until 11:59 p.m. on April 3, 2020, subject to being extended, modified, amended, rescinded, or superseded by me or by a succeeding County Judge.

Given under my hand this the
22nd Day of March, 2020



Wayne McDaniel
Hardin County Judge

ATTESTED BY:



Glenda Alston
Hardin County Clerk