FILED
AT 3:45 O'CLOCK P M
MAR 22 2020
ARTURO GUAJARDO, JR. COUNTY CLERK
HIDALGO COUNTY, TEXAS
BY _____ DEPUTY

EMERGENCY ORDER
INSTITUTING EMERGENCY MEASURES DUE TO A PUBLIC HEALTH EMERGENCY RELATED TO CORONA VIRUS DISEASE (COVID-19)

WHEREAS, by declaration issued the 17 day of March, 2020, the County Judge declared a Local Disaster Due to Public Health Emergency for the County of Hidalgo, Texas, resulting from the imminent threat and possibility of exposure and spread of COVID-19; and

WHEREAS, on the 22nd day of March, 2020, the Hidalgo County Commissioners Court entered an ORDER CONTINUING THE LOCAL STATE OF DISASTER; and

WHEREAS, the President of the United States has declared a National Emergency due to the public health threat of the Coronavirus (COVID-19); and

WHEREAS, the Governor of Texas has declared a state of disaster for all counties in Texas due to the imminent public threat COVID-19 poses and has issued Executive Orders of the Governor Relating to Emergency Management and under the authority prescribed in Chapter 418 of the Texas Government Code; and

WHEREAS, said disaster requires certain emergency measures be taken to mitigate and prevent the spread of and control the risk of COVID-19, in order to protect and promote the public health, safety and welfare of residents of the County of Hidalgo; and

NOW THEREFORE, pursuant to the authority granted under Chapter 418 of the Texas Government Code, Richard Cortez, the County Judge of Hidalgo County now issues the following orders:

1. MOVEMENT OF PEOPLE AND OCCUPANCY OF PREMISES

   (a) A person shall not remain or travel upon any public or private property within the jurisdictional boundaries of the County of Hidalgo, Texas, which may constitute a social event or gathering of ten (10) or more persons.
   (b) Subsection (a) shall not apply to a person authorized by local government officials and offices, and law enforcement that assist in the protection of the health, safety, or welfare of the public during the declared emergency.
   (c) For the purposes of this order, a social "event" or "gathering" is any indoor or outdoor planned or spontaneous event, that brings or is likely to bring together ten (10) or more persons at the same time.

(d) For purposes of this order, non-essential retail establishments shall be prohibited from servicing customers, including but not limited to:

a. Conferences, festivals, parades, concerts, sporting events, weddings, flea markets and other type of assemblies.
b. Eating or drinking at Bars, Lounges and private clubs, provided however, that the use of drive-thru, pickup, or delivery options are allowed and highly encouraged throughout the duration of this order.
c. Fitness Centers and Gyms, spas and massage parlors, tattoos and piercing parlors, and tanning salons
d. Hair and nail salons, barber shops, estheticians, and related personal care business
e. Entertainment facilities such as bowling alleys, movie theaters and other type of establishments
f. Restaurants and/or Food Courts provided however, that the use of drive-thru, pickup, or delivery options are allowed and highly encouraged throughout the duration of this order
g. Malls and retail stores that do not sell essential household goods

(e) For the purposes of this order a social "event" or "gathering" does not apply to gathering spaces where people may visit, including but not limited to grocery stores, gas stations, parks, essential retail establishments, hospitals and medical offices or facilities, bus, train, or airplane terminals (including persons in transit), so long as the necessary precautions are maintained for employees and customers to reduce transmission of COVID-19.

(f) For the purposes of this order critical infrastructure is ordered to remain operational.

(g) For purposes of this order domestic travel will remain unrestricted to the extent it complies with limitations placed herein on the timing and manner of travel.

(h) For the purposes of this order essential government operations shall remain open as determined by the local governing authority.

(i) For the purposes of this order critical infrastructure shall mean businesses and employees identified by the U.S. Department of Homeland Security that are part of the critical infrastructure industry including but not limited to:

a. healthcare services
b. pharmaceutical services
c. agricultural and food supply
d. telecommunications
e. call centers that service critical infrastructure operations
f. information technology
g. staffing operations centers
h. those offering repair and maintenance services to critical infrastructure
i. banking and financial institutions
j. insurance and legal services
k. power, water, natural gas and public utilities
l. critical manufacturing and construction
m. emergency services
n. fire and law enforcement
o. public works
p. sanitation services

q. transportation and logistics

(j) For the purposes of this order business operations providing essential services shall remain open; this includes services rendered to government and persons, the interruption of which would endanger the life, health or personal safety of the citizens of Hidalgo County.

(k) For the purposes of this order, persons shall not visit nursing homes, retirement or long-term care facilities unless to provide critical assistance.

(l) For the purposes of this order, schools shall temporarily close.

(m) Anyone testing positive for COVID-19 will be ordered to isolate at home, including members of the household until cleared by a medical professional.

2. STAY- AT- HOME CURFEW

(a) A person shall stay-at-home or within their dwelling and not remain or travel upon any public or private property within the jurisdictional boundaries of the County of Hidalgo between the hours of 10:00 p.m. and 5:00 a.m..

(b) For the purposes of the STAY AT HOME CURFEW, this order does not apply to:

1) Persons identified as part of the critical infrastructure industry and services.
2) Persons that are part of governmental workplaces that shall remain open as determined by the local governing authority.
3) Persons traveling directly to and from essential businesses and retail establishments, including but not limited to grocery stores, gas stations, hospitals and medical offices or facilities, bus, train, or airplane terminals, so long as the necessary precautions are maintained for employees and customers to reduce transmission of COVID-19.
4) Persons authorized to travel by the Emergency Management Director
5) Persons serving a law enforcement role, first responders, and emergency medical services personnel.

3. PRICE CONTROLS

A person and/or business shall not sell any goods or service, including but not limited to the following, for more than the price the person charged for the goods or services on March 17, 2020:

(a) groceries, beverages, toilet articles, ice
(b) construction and building materials and supplies, and earthmoving equipment and machinery
(c) electrical and gas generating and transmission equipment, party 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, pharmaceutical, and medical equipment and supplies
(m) blankets, quilts, bedspreads, bed linens, mattresses, bedsprings, bedsteads, towels, and toilet paper
(n) furniture and clothing

4. WAIVER OF FEES/DEADLINES/EVICTIONS AND FORCLOSURES

(a) All fees and service charges associated with telephonic or distance payments to Hidalgo County offices and/or departments are hereby waived.
(b) All deadlines imposed by local law, rule or other regulation shall be suspended for thirty (30) days.
(c) To the extent allowed by law and in accordance with the orders issued by the Texas Supreme Court, no trial, hearings or other proceedings may be had by landlords attempting to evict a tenant for lack of payment for the next thirty (30) days.
(d) To the extent allowed by law, all foreclosure proceedings within Hidalgo County shall be temporarily suspended for the next thirty (30) days to prevent the displacement of occupants during this public health emergency.

5. COUNTY OPERATIONS

(a) Hidalgo County Facilities: to ensure the health and safety of County employees and the public, members of the public are encouraged to limit any in person transactions or visits to County facilities that are not related to emergency and essential services, as necessary. Essential services, to the extent practicable, will be available online, by regular U.S. Mail and over the phone. In person visits may be limited to appointments when necessary. All citizens are requested to visit the Hidalgo County website for the most current information as to hours of operation and plans for continuing services.
(b) Hidalgo County Courthouse: **Essential and emergency** matters shall be conducted pursuant to the Orders of the Texas Supreme Court and Court of Criminal Appeals, the Hidalgo County Board of Judges and in accordance with the guidance provided by the Texas Office of Court Administration. Also pursuant to the Orders entered by the Texas Supreme Court and Court of Criminal Appeals, **non essential** court matters and hearings shall not be conducted in person in violation of any jurisdiction's local control orders.
(c) All non-essential County related travel is suspended.
(d) All non-essential County events are hereby suspended until further notice.
(e) Hidalgo County Parks: County owned parks will remain open to the extent practicable, excluding designated playground areas and other areas throughout the duration of this Order so long as the necessary precautions are maintained by public visitors to reduce transmission of COVID-19.

(f) All County boards and advisory committees shall cease in person meetings; any meetings shall be conducted in compliance with guidance provided by the Texas Attorney General's Office.

6. RECOMMENDATIONS

(a) Businesses that provide child care services, must implement the Texas Health and Human Services *COVID-19 Guidance to Child Care Providers*.
(b) In compliance with Governor Abbott's March 19, 2020 Executive order, businesses that operate a Day Activity and Health Services (DAHS) Facility must comply with the Texas Health and Human Services Commission *Guidance on COVID 19 Response in DAHS Facilities.*

7. PENALTIES

(a) This order shall have full force and effect when duly filed with the County Clerk.
(b) The Hidalgo County Sheriff's Office, Constable Offices, and Fire Marshal, Hidalgo County Safety Division Officers, and District Attorney Investigators are hereby authorized to enforce this order
(c) All Municipal and local jurisdictions peace officers and law enforcement agencies are hereby authorized to enforce this order.
(d) A person who violates any provision of this order, may be punishable by a fine of not more than one thousand dollars ($1,000.00), or confinement for a term in jail not to exceed one hundred and eighty days (180), pursuant to Texas Government Code, Chapter 418, Sec.418.173.
(e) If any subsection, sentence, 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 remainder of this Order and its application.

8. EMERGENCY

This order shall supersede all previous orders on these matters that are in conflict or inconsistent with its terms, shall take effect immediately upon issuance, and shall remain in effect until 11:59p.m. April 5, 2020 ,unless rescinded, terminated, modified, or extended by future action of the Hidalgo County Commissioners Court or by operation of law.

This order shall be published on the County of Hidalgo website, and copies shall be posted and/or made available to residents of the County upon request.

If any subsection, sentence, 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 remainder of this Order and its application.

ENTERED this 22nd day of March, 2020.

Richard F. Cortez
County Judge

ATTEST:

Arturo Guajardo
County Clerk