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HUMBERTO BERT GONZALEZ JR., COUNTY CLERK STARR CO. TX
BY: *[Signature]* DEPUTY

Eloy Vera
Starr County Judge

Starr County Courthouse Annex
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**STARR COUNTY CURFEW/STAY SAFE
EMERGENCY ORDER
RELATED TO THE COVID-19 PUBLIC HEALTH EMERGENCY**

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, the State of Texas has seen an increase in the number of cases and hospitalizations related to COVID-19, resulting in continued single daily record high reported cases, without a downward trajectory since Governor Abbott issued Executive Order GA-028 on June 26, 2020; and

WHEREAS, Governor Abbott, by Proclamation, amended Executive Order GA-28, and issued Executive Order GA-29 and related to the use of face covering during the COVID-19 disaster;

NOW THEREFORE, PURSUANT TO THE AUTHORITY OF THE TEXAS DISASTER ACT of 1975, Starr County Judge Eloy Vera does hereby issue this Starr County **ORDER** effective at **12:01 a.m. January 13, 2021** as follows:

SHELTER-AT-HOME

All individuals currently living within Starr County, Texas **ARE STRONGLY ENCOURAGED AND RECOMMENDED TO SHELTER-AT-HOME IN THEIR RESIDENCE.** For the purposes of this Order, residences include

hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain Physical Distancing of at least six feet from any other person when they are outside their residence.

It is HIGHLY ENCOURAGED and RECOMMENDED that all commercial businesses operating within Starr County, except essential covered businesses should cease all activities at facilities that may not be provided by curbside, drive-thru or take-out services.

CURFEW

1. 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. 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.

For purposes of this Order, individuals may leave their residence, in compliance with the **CURFEW**, only to obtain or provide the following essential activities:

1. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies needed to work from home).
11. To obtain necessary services or supplies for themselves and their family or household members, and products necessary to maintain the safety, sanitation, and essential operation of households, or to deliver those services or supplies to others.
111. To engage in outdoor activity, such as visiting open parks, hunting or fishing, engaging in physical activity like walking, running or bicycling, provided the individuals, follow CDC guidance, comply with Physical Distancing including maintaining six-foot (6) physical distancing from each other; washing hands with soap and water at least twenty seconds or using hand sanitizer; covering coughs or sneezes; cleaning high-touch surfaces; not shaking hands; and covering mouth and nose when conducting activity within six feet(6) of another person.
- IV. To perform work providing essential products and services at an essential covered business or to otherwise carry out activities specifically permitted in this Order.
- V. To care for a family member, a child or pet in another household.

TRAVEL

All travel during the **RECOMMENDED SHELTER-AT-HOME** and **CURFEW** within the jurisdiction of Starr County should be limited to obtaining or performing essential covered services, travel as permitted by law, or as follow:

1. "Essential Travel" includes travel for any of the following purposes:
 - a) Any travel related to the provision of or access to essential 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, including from outside the jurisdiction
 - e) Travel to return from a place of employment, including 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.

Travel should be limited to persons of the same household per vehicle for obtaining essential services, essential Healthcare Operations, Government Functions, Essential Commercial services, and U.S. Department of Homeland Security's Cyber Security and Infrastructure Security Agency (CISA) in its [*Guidance on the Essential Critical Infrastructure Workforce*](#).

2. Public Transportation may only be used for purposes of obtaining or performing:
 - a) Essential covered services.
 - b) To 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.

FACIAL COVERINGS

In accordance with Governor Abbott's Executive Order GA-29, every person in the County of Starr shall wear a face covering over the nose and mouth when inside a commercial entity or other building or space open to the public, or when in an outdoor public space; wherever it is not feasible to maintain six feet (6) of physical distancing from another person not in the same household; provided however, that this face-covering requirement does not apply to the following:

1. Any person younger than 5 years of age;
2. Any person with a medical condition or disability that prevents wearing a face covering;
3. Any person while the person is consuming food or drink, or is seated at a restaurant to eat or drink;
4. Any person while the person is (a) exercising outdoors or engaging in physical activity outdoors, and (b) maintaining a safe distance from other people not in the same household;
5. Any person while the person is driving alone or with passengers who are part of the same household as the driver;
6. Any person obtaining services that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a personal care service involving the face, but only to the extent necessary for the temporary removal;
7. Any person while the person is in a swimming pool, lake, or similar body of water;
8. Any person who is voting, assisting a voter, serving as a poll watcher, or activity administering an election, but wearing a face covering is strongly encouraged;
9. Any person who is actively providing or obtaining access to religious worship, but wearing a face covering is strongly encouraged;
10. Any person while the person is giving a speech for a broadcast or to an audience.

Every business establishment in Texas shall operate at no more than 50 percent of the total listed occupancy of the establishment; provided, however, that:

There is no occupancy limit for the following:

- a. Any services listed by the U.S. Department of Homeland Security's Cyber Security and Infrastructure Security Agency (CISA) in its [*Guidance on the Essential Critical Infrastructure Workforce*](#), Version 3.1 or any subsequent version;
- b. Religious services conducted in churches, congregations, and houses of worship;
- c. Local government operations, including county and municipal government operations relating to licensing (including marriage licenses), permitting, recordation, document-filing services, as determined by the local government;
- d. Child-care services;
- e. Youth camps, including but not limited to those defined as such under Chapter 141 of the Texas Health and Safety Code, and including all summer camps, and other daytime and overnight camps for youth;
- f. Recreational sports programs for youths and adults;
- g. any public or private schools, and any public or private institutions of higher education, not already covered above;
- h. drive-in concerts, movies, or similar events, under guidelines that facilitate appropriate social distancing, that generally require spectators to remain in their vehicles, and that minimize in-person contact between people who are not in the same household or vehicle; and
- i. the following establishments that operate with at least six feet of social distancing between work stations: cosmetology salons, hair salons, barber shops, nail

salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade; massage establishments and other facilities where licensed massage therapists or other persons licensed or otherwise authorized to practice under Chapter 455 of the Texas Occupations Code practice their trade; and other personal-care and beauty services such as tanning salons, tattoo studios, piercing studios, hair removal services, and hair loss treatment and growth services.

2. In areas with high hospitalizations as defined below, any business establishment that otherwise would have a 75 percent occupancy or operating limit may operate at up to only 50 percent. This paragraph does not apply, however, to business establishments located in a county that has filed with DSHS, and is in compliance with, the requisite attestation form promulgated by DSHS regarding minimal cases of COVID-19.

"Areas with high hospitalizations means any Trauma Service Area that has had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total hospital capacity exceeds 15 percent, until such time as the Trauma Service Area has seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of total hospital capacity is 15 percent or less. A current list of areas with high hospitalizations will be maintained at www.dshs.texas.gov/ga3031.

3. Except as provided below by paragraph No. 5, there is no occupancy limit for outdoor areas, events, and establishments, with the exception of the following outdoor areas, events, or establishments that may operate at no more than 75 or 50 percent, as applicable, of the normal operating limits as determined by the owner:

- a. amusement parks;
- b. water parks;
- c. swimming pools;
- d. museums and libraries; and
- e. zoos, aquariums, natural caverns, and similar facilities.

4. All indoor and outdoor professional, collegiate, and similar sporting events, including rodeos and equestrian events, shall remain limited to 50 percent of the normal operating limits as determined by the owner.

5. For any outdoor gathering in excess of 10 people, including rafting, tubing, and related services, other than those set forth above in paragraph Nos. 1, 3, or 4, the gathering is prohibited unless the mayor of the city in which the gathering is held, or the county judge in the case of a gathering in an unincorporated area, approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with this executive order.

6. Restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages, and whose customers eat or drink only while seated, may offer dine-in services.

7. Bars or similar establishments that hold a permit from the Texas Alcoholic Beverage Commission (TABC), and are not restaurants as defined above in paragraph No. 6, may offer on-

premises services only as described by this paragraph. A bar or similar establishment may offer on-premises services at up to 50 percent of the total listed occupancy of the establishment if:

- a. the bar or similar establishment is not in an area with high hospitalizations as defined above, and the county judge of the county in which the bar or similar establishment is located files the requisite form with TABC; or
- b. the bar or similar establishment is in an area with high hospitalizations as defined above, but is located in a county that has filed with DSHS, and is in compliance with, the requisite attestation form promulgated by DSHS regarding minimal cases of COVID-19, and the county judge of the county in which the bar or similar establishment is located also files the requisite form with TABC.

Patrons at bars or similar establishments operating under this paragraph may eat or drink only while seated, except that in an establishment that holds a permit from TABC as a brewer, distiller/rectifier, or winery, customers may sample beverages while standing so long as they are in a group of six people or fewer and there is at least six feet of social distancing or engineering controls, such as partitions, between groups.

Where applicable, this 50 percent occupancy limit applies only indoors; the limit does not apply to outdoor areas, events, or establishments, although social distancing and other protocols must be followed.

People shall not visit bars or similar establishments that are located in counties not included in parts (a) or (b) above. A current list of all counties reopening under this paragraph will be maintained on TABC's website.

The use by bars or similar establishments of drive-thru, pickup, or delivery options for food and drinks remains allowed to the extent authorized by TABC.

8. For purposes of this executive order, facilities with retractable roofs are considered indoor facilities, whether the roof is opened or closed.

9. Staff members are not included in determining operating levels, except for manufacturing services and office workers.

10. People over the age of 65 are strongly encouraged to stay at home as much as possible; to maintain appropriate distance from any member of the household who has been out of the residence in the previous 14 days; and, if leaving the home, to implement social distancing and to practice good hygiene, environmental cleanliness, and sanitation.

OUTDOOR GATHERINGS

In accordance with Governor Abbott's Proclamation Executive Order GA-32, any outdoor gathering in excess of ten (10) people is prohibited, unless the Mayor of the City in which the gathering is held, or the Starr County Judge in the case of a gathering in an unincorporated area, approves of the gathering, and such approval is made subject to applicable conditions or restrictions.

Except as provided in this Order or in the minimum standard health protocols recommended by Texas Department of State Health Services (DSHS), found at www.dshs.texas.gov/coronavirus, people **SHALL NOT** be in groups larger than ten (10) and shall maintain six feet (6) of physical distancing from those **NOT IN THEIR GROUP OR HOUSEHOLD**.

In accordance with Governor Abbott's Executive Order GA-29, following a verbal or written warning for a first-time violation of this face covering ORDER a person's second violation shall be punishable by a fine not to exceed \$250. Each subsequent shall be punishable by a fine not to exceed \$250 per violation.

In accordance with this ORDER a first-time violation of MANDATED CURFEW or SOCIAL GATHERING LIMITATION of 10 PEOPLE OR LESS, a person violation MAY be punishable by a fine not to exceed \$250. Each subsequent SHALL be punishable by a fine not to exceed \$250 per violation.

In accordance with Governor Abbott's Executive Order GA-29, local law enforcement and local officials should enforce this Order, as well as other local restrictions that are consistent with this Order and other Governor Abbott effective Executive Orders.

No law enforcement or other official may detain, arrest, or confine in jail any person for a violation of this Order, provided however that law enforcement may enforce trespassing laws and remove violators at the request of a business establishment or other property owner.

HUMIDIFICATION

Due to some scientific evidence, it has been shown that Absolute Humidity above 10 helps prevent the spreading of COVID-19.

Therefore, it is STRONGLY ENCOURAGED AND RECOMMENDED that all government buildings to include: county, cities and schools to humidify all public buildings to an absolute humidity of no less than 10.

This Order shall remain in full force and effect until, **11:59 p.m. January 31, 2021, unless** it is modified, rescinded, superseded, or amended pursuant to applicable law, the status of COVID-19 in the County of Starr, Texas. This Order supersedes prior Orders, as it relates to outdoor gatherings, and in the event of a conflict or apparent conflict between the Orders, this Order shall control.

It is the intent of this Order to remain as consistent with executive orders of Governor Greg Abbott. 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 covered services, allow gatherings prohibited by Executive Order GA-32, or expand essential services or covered services set forth in Executive Order GA-32.

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 12th day of January, 2021.



Eloy Vera, Starr County Judge

Filed with me, the County Clerk of Starr County, this the 12th day of January, 2021, by Judge Eloy Vera, whose signature I hereby attest under my hand the seal of Starr County.



Humberto "Bert" Gonzalez, Jr.
Starr County Clerk