



County Judge Lina Hidalgo
D I R E C T O R

ORDER OF COUNTY JUDGE LINA HIDALGO

Fourth Amended Stay Home, Work Safe Order

Whereas, on March 11, 2020, Harris County Judge Lina Hidalgo issued a Declaration of Local Disaster for Public Health Emergency to allow Harris County to take measures to reduce the possibility of exposure to the novel coronavirus (COVID-19) and promote the health and safety of Harris County residents in accordance with Section 418.108(a) of the Texas Government Code; and

Whereas, on March 13, 2020, Governor Greg Abbott issued a Declaration of State of Disaster, certifying under Section 418.014 of the Texas Government Code that COVID-19 poses an imminent threat of disaster for all counties in the State of Texas and to thus take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

Whereas, in March 2020, the US Centers for Disease Control and Prevention (CDC) issued guidance as to individuals, recommending that individuals practice social or physical distancing to prevent the spread of COVID-19 by staying at least 6 feet from other people, by refraining from gathering in groups, by staying out of crowded places and by avoiding mass gatherings; and

Whereas, on March 15, 2020, the CDC issued guidance as to large events, explaining that larger gatherings (for example, more than 250 people) offer more opportunities for person-to-person contact and therefore pose a greater risk of COVID-19 transmission and community spread; counseling that based upon what is currently known about the virus, spread from person-to-person happens most frequently among close contacts (within 6 feet); and urging organizers to continually assess whether to postpone, cancel, or significantly reduce (if possible) the number of attendees at larger gatherings; and

Whereas, on March 17, 2020, the Harris County Commissioners Court extended the Declaration of Local Disaster for Public Health Emergency to March 25, 2020 in accordance with Section 418.108(b) of the Texas Government Code; and

Whereas, on March 19, 2020, after determining that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code, Texas Department of State Health Services (DSHS) Commissioner John Hellerstedt issued the first Public Health Disaster Declaration released in the State of Texas since 1901; and

Whereas, on March 19, 2020, Governor Abbott issued Executive Order GA-08, mandating certain obligations for Texans in accordance with the President's Coronavirus Guidelines for America, as promulgated on March 16, 2020 by President Donald J. Trump and the CDC, which called upon Americans to take actions to slow the spread of COVID-19 and prohibited Texans from gathering in groups of more than ten persons; and

Whereas, on March 19, 2020, the Harris County Judge issued an Order requiring that any person entering a building owned, occupied, or operated by Harris County may be screened for symptoms consistent with COVID-ID; and

Whereas, on March 24, 2020, the Harris County Commissioners Court extended the Declaration of Local Disaster for Public Health Emergency to April 29, 2020 in accordance with Section 418.108(b) of the Texas Government Code; and

Whereas, on March 24, 2020, the Harris County Judge issued a "Stay Home, Work Safe" Order prohibiting gatherings and providing that residents stay home other than to perform Essential Services as defined in Federal guidance. The Stay Home, Work Safe order provided that in performing or obtaining Essential Services, residents should follow CDC guidelines on social distancing; and

Whereas, on March 31, 2020, Governor Abbott issued Executive Order GA-14, superseding Executive Order GA-08, implementing Essential Services and Activities Protocols through April 30, 2020 and expanding the social-distancing restrictions and other obligations for Texans that are aimed at slowing the spread of COVID-19, including limiting social gatherings and in-person contact with people other than those in the same household; and

Whereas, on April 3, 2020, the Harris County Judge amended and extended the Stay Home, Work Safe Order effective April 4, 2020 through April 30, 2020; and

Whereas, on April 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 April 17, 2020, DSHS Commissioner Dr. Hellerstedt renewed the State’s Public Health Disaster Declaration; and

Whereas, on April 17, 2020, Governor Abbott issued Executive Order GA-16, which superseded Executive Order GA-14 and included the same social-distancing restrictions and other obligations for Texans according to federal guidelines that are aimed at slowing the spread of COVID-19; and

Whereas, on April 27, 2020, Governor Abbott issued Executive Order GA-18, which superseded Executive Order GA-16 and provided among other things, that every person in Texas shall, except where necessary to provide or obtain essential services or reopened services, minimize social gatherings and minimize in-person contact with people who are not in the same household in accordance with guidance from DSHS Commissioner Dr. Hellerstedt and to achieve the goals established by the President to reduce the spread of COVID-19; and

Whereas, on April 28, 2020, the Texas Supreme Court issued its Twelfth Emergency Order regarding the COVID-19 State of Disaster, which provides, in part, that “[s]ubject only to constitutional limitations, all courts in Texas may in any case, civil or criminal—and must to avoid risk to court staff, parties, attorneys, jurors, and the public—without a participant’s consent: ... modify or suspend any and all deadlines and procedures, whether prescribed by statute, rule, or order a stated period ending no later than 30 days after the Governor’s state of disaster has been lifted ...”; and

Whereas, on April 28, 2020, the Harris County Commissioners Court extended the Declaration of Local Disaster for Public Health Emergency to May 20, 2020 in accordance with Section 418.108(b) of the Texas Government Code; and

Whereas, on April 28, 2020, the Harris County Judge issued an Amended Order regarding the Use of Face Coverings which, among other things, encourages individuals to continue to maintain social distance of at least six feet when outside their residences and in a public place; and

Whereas, on April 30, 2020, Texas Attorney General Ken Paxton issued a letter opinion to Brazoria County Judge Matt Sebesta, advising that Governor Abbott’s Executive Order GA-18 was neither vague nor unenforceable; that local governments were prohibited from allowing businesses to open unless they were recognized as essential or reopened services under Executive Order GA-18; and that services, including “bars, gyms, public swimming pools, interactive amusement venues such as bowling alleys and video arcades, massage establishments, tattoo studios, piercing studios, or cosmetology salons”, are neither essential nor reopened services for purposes of GA-18; and that local governments are thus prohibited from issuing orders that allow these businesses to reopen under GA-18; and

Whereas, on May 1, 2020, the Harris County Judge issued the County’s Second Amended Stay Home, Work Safe Phased Reopening of Services Order; and

Whereas, on May 5, 2020, Governor Abbott issued Executive Order GA-21, which superseded Executive Order GA-18 and relates to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and

Whereas, on May 7, 2020, Governor Abbott issued Executive Order GA-22, which relates to confinement during the COVID-19 disaster;

Whereas, on May 8, 2020, the Harris County Judge issued the County's Third Amended Stay Home, Work Safe Phased Reopening of Services Order, which furthered the goals and policies of the State of Texas as set out in Executive Order GA-21; 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, on May 18, 2020, Governor Abbott issued Executive order GA-23, which supersedes Executive Order GA-21 and relates to the expanded reopening of services as part of the safe, strategic plan to Open Texas in response to the COVID-19 disaster; and

Whereas, on May 19, 2020, the Harris County Commissioners Court extended the Declaration of Local Disaster for Public Health Emergency to June 10, 2020 in accordance with Section 418.108(b) of the Texas Government Code; and

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

Whereas, a County Judge acts as the emergency management director for the county and serves as the Governor's designated agent in the administration and supervision of duties during a state of emergency declared by the Governor in accordance with Section 418.1015(a) and (b) of the Texas Government Code; and

Whereas, a County Judge, serving as the Governor's designated agent in the administration and supervision of duties during a state of emergency declared by the Governor, "may exercise the powers granted to the governor under this chapter on an appropriate local scale" in accordance with Section 418.1015(b) of the Texas Government Code; and

Whereas, a County Judge, serving as the Governor's designated agent in the administration and supervision of duties during a state of emergency declared by the Governor, may use state or federal resources without prior authorization from the division or the state or federal agency having

responsibility for those resources in accordance with Section 418.1015(d) of the Texas Government Code; and

Whereas, a County Judge, serving as the Governor's designated agent in the administration and supervision of duties during a state of emergency declared by the Governor, is authorized to control ingress to and egress from a disaster area and control the movement of persons and the occupancy of premises on an appropriate local scale in accordance with Sections 418.1015 and 418.018 of the Texas Government Code; and

Whereas, upon Declaration of a Local Disaster, a County Judge is authorized to control ingress to and egress from a disaster area and control the movement of persons and the occupancy of premises in accordance with Section 418.108(g) of the Texas Government Code; and

NOW THEREFORE, I, COUNTY JUDGE FOR HARRIS COUNTY, TEXAS, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:

That the findings and recitations set out in the preamble to this ORDER are found to be true and correct and they are hereby adopted by the County Judge and made a part hereof for all purposes.

Summary. The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person-to-person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private healthcare providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus and the need to protect the most vulnerable members of the community, this Order encourages all individuals anywhere in Harris County, to stay at home – except to provide or obtain essential services or reopened services. This Order takes effect upon signing and will continue through 11:59 p.m. on June 10, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

This order is issued to further the goals and policies of the State of Texas as set out in Executive Order GA-23 and is to be construed consistent with and in harmony with the terms of such executive order.

1. Effective upon signing, and continuing until 11:59 p.m. on June 10, 2020:

a. Every person in the County shall, except when necessary to provide or obtain covered services as that term is defined by Executive Order GA-23, minimize social gatherings and minimize in-person contact with people who are not in the same household. People over the age of 65 are strongly encouraged to: stay at home as much as possible; 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, implement

social distancing and to practice good hygiene, environmental cleanliness, and sanitation.

b. Individuals experiencing homelessness are exempt from this Order except that, to the extent individuals are using shared or outdoor spaces, they should, to the greatest extent feasible, maintain social distancing of at least six feet from any other person. Individuals experiencing homelessness are strongly urged to obtain shelter. Governmental and other entities that can provide shelter to homeless individuals are strongly urged to make shelter available, as soon as possible and to the maximum extent practicable (and are encouraged to utilize social distancing requirements in their operations).

c. All services except covered services as defined in Executive Order GA-23 operating within Harris County should cease all activities at facilities located within the County. All businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (*i.e.*, working from home). Covered services may continue operating at levels permitted by Executive Order GA-23, and are encouraged to operate at less-than-total occupancy and to permit as many employees as feasible to work from home in order to impede virus transmission.

d. All public or private gatherings of any number of people occurring outside a single household or living unit are strongly discouraged. Nothing in this Order prohibits the gathering of members of a household or living unit. Nothing in this Order affects orders or agreements regarding child-related visitation or custody arrangements.

e. Individuals may go to public parks, beaches, rivers, lakes and open outdoor recreation areas, and swimming pools, as long as the necessary precautions are maintained to reduce the transmission of COVID-19 and to minimize in-person contact with people who are not in the same household and, in the case of swimming pools, the 25 percent occupancy limits are observed. Park benches, communal playgrounds, and playground equipment may increase the spread of COVID-19 and, therefore, shall remain closed.

f. Interactive amusement venues, such as video arcades, amusement parks, splash pads, and water parks must remain closed.

g. Indoor concert halls and performing arts venues must remain closed. Drive-in concerts are permitted, as long as there is appropriate social distancing, spectators remain in their vehicles, and there is minimal in-person contact between people who are not in the same household or vehicle.

2. In providing or obtaining essential services or reopened services, people and businesses should follow the minimum standard health protocols recommended by DSHS, found at www.dshs.texas.gov/coronavirus, and should implement social distancing, work from home if possible, and practice good hygiene, environmental cleanliness, and sanitation. This also includes the following, to the extent not inconsistent with the DSHS minimum standards, the Guidelines from the President and the CDC, as well as other CDC recommendations. Individuals are encouraged to wear appropriate face coverings consistent with the Amended Face Covering Order.

3. Religious services should be conducted in accordance with the joint guidance issued and updated by the Texas Attorney General and Governor.

4. If someone in a household has tested positive for COVID-19, all residents of the household are ordered to isolate at home until cleared by a public health authority or medical provider.

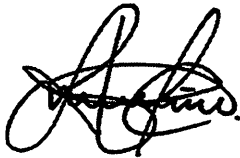
5. In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services 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 whenever possible.

6. This Order shall be effective until 11:59 p.m. on June 10, 2020 or until it is either rescinded, superseded, or amended pursuant to applicable law.

7. Harris County will post this Order on the Internet. 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. 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 at 7:33 p.m. on this 21st day of May, 2020, in the County of Harris, Texas.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Lina Hidalgo", written in a cursive style.

LINA HIDALGO

HARRIS COUNTY JUDGE