

DECLARATION OF PUBLIC HEALTH EMERGENCY

Atascosa County, Texas

Whereas, I, Robert L. Hurley, Atascosa County Judge, am issuing this Declaration of Public Health Emergency pursuant to authority granted to me under the Texas Disaster Act of 1975 (Texas Government Code, Chapter 418.108) to declare a public health emergency and order the implementation of certain directives as further set out herein; and

Whereas, a Novel coronavirus, now designated SARS-CoV2, which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and

Whereas, COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

Whereas, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster for all counties in Texas; and

Whereas, Bexar County has experienced a drastic increase in the amount of suspected and confirmed cases of COVID-19 putting Atascosa County residents at an increased risk of close contact contamination; and

Whereas, pursuant to the Texas Disaster Act of 1975, the County Judge may declare a local state of disaster in and for the County and may exercise the powers granted therein on an appropriate local scale; and

Whereas, Atascosa County will continue to work collaboratively with Cities of Atascosa County, County employees, as well as the local health authority, to ensure that all appropriate measures are undertaken to limit the spread of COVID-19 within Atascosa County; and

Whereas, pursuant to the authority granted to the County Judge under the Texas Disaster Act of 1975, I authorize the use of all available resources of state government and political subdivisions to assist the County's response to this situation.

NOW, THEREFORE, BE IT DECLARED BY THE COUNTY JUDGE OF THE COUNTY OF ATASCOSA:

1. That a local state of disaster and public health emergency is hereby declared throughout Atascosa County pursuant to §418.108(a) of the Texas Government Code.

2. Pursuant to §418.108(b), of the Government Code, the state of disaster and public health emergency shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the Atascosa County Commissioners Court.

3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the County Clerk.

4. Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster and public health emergency activates Atascosa County's emergency management plan as well as all appropriate recovery and rehabilitation aspects of the emergency management plan and authorizes the furnishing of aid and assistance as necessary or appropriate.

5. Pursuant to the authority granted under the laws of the State of Texas, this declaration authorizes Atascosa County to take any actions necessary to promote health and suppress disease throughout Atascosa County, including quarantine, examining and regulating hospitals, regulating ingress and egress throughout Atascosa County and any impacting areas.

6. Pursuant to the statutory authority vested in me as the presiding officer of the County of Atascosa, I issue guidance as set out within the Declaration Regarding Public and Private Gatherings and Related Matters, attached hereto and incorporated herein as Exhibit "1" and Attachment "2."

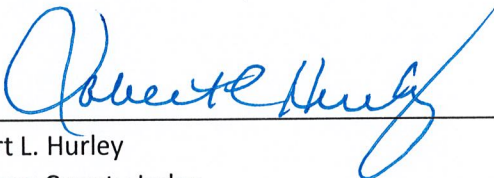
7. As the County Judge and presiding officer of the County of Atascosa, I further reserve all other authority and powers conferred by state law to respond as necessary to the situation which is the subject of this Declaration.

8. This Declaration is superseded by any order or declaration by the Texas Governor and the President of the United States on this matter that are in conflict or inconsistent with its terms.

9. Pursuant to section 418.173(b), the county adopts the enforcement authority and maximum penalties according to this statute.

This Declaration shall take effect immediately from and after its issuance.

DECLARED this the 23rd day of March, 2020.



Robert L. Hurley
Atascosa County Judge

Exhibit "1"

Declaration Regarding Public and Private Gatherings and Other Matters

I. Declaration Regarding Public and Private Gatherings:

A. This Exhibit "1" incorporates and adopts, except as where noted below, the Centers for Disease Control ("CDC") Interim Guidance for Coronavirus Disease 2019 (COVID-19) dated March 16, 2020.

B. This virus that causes COVID-19 is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle an influx of patients and safeguard public health and safety.

C. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this declaration prohibits all indoor public and private gatherings and outdoor gatherings within an enclosed space of fifty persons or more anywhere in Atascosa County beginning 12 p.m. March 23, 2020 and continuing for seven (7) days, unless extended consistent with requirements of state law.

D. For all other gatherings, it is strongly recommended that social distancing protocols established by the United States Center for Disease Control and Prevention (CDC) and found within the "Implementation of Mitigation strategies for Communities with Local COVID-19 Transmission" issued by the CDC on or around March 11, 2020, including canceling, rescheduling, or not attending events with more than fifty persons.

E. Further, organizations that serve high-risk populations (defined below) should follow CDC guidance for social distancing.

F. Definitions and further guidance:

i. For purposes of this Declaration, a "Mass Gathering" is any event or convening, subject to the exceptions and clarifications below, that brings together fifty (50) or more persons at the same time in a single room or other single confined or enclosed space, such as, by way of example and without limitation, an auditorium, theater, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.

ii. A Mass Gathering includes events in confined outdoor spaces, which means an outdoor space that (1) is enclosed by a fence, physical barrier, or other structure and (2) where people are present, and they are within arm's length of one another for extended periods.

iii. This Declaration also does not prohibit gatherings of people in multiple, separated enclosed spaces in a single building such as a multiplex movie theater, so long as fifty people are not present in any single space at the same time. This Declaration also does not prohibit use of enclosed spaces where fifty or more people may be present at different times during the day, so long as fifty or more people are not present in the space at the same time. For any gathering covered by this subsection compliance with Social Distancing Recommendations, including providing hand sanitizers and tissues and increasing cleaning of commonly touched surfaces as strongly encouraged.

iv. For purposes of clarity, a Mass Gathering does not include the following: (1) public or private school and places of worship; (2) museums (so long as visitors are generally not within arm's length of one another for extended periods); (3) spaces where fifty or more persons may be in transit or waiting for transit such as bus stops; (4) office space, hotels, or residential buildings; (5) grocery stores, shopping malls, outdoor markets, or other retail establishments where large numbers of people are present but it is unusual for them to be within arm's length of one another for extended periods (6) hospitals, medical facilities and shelters; and (7) jails and detention centers. In all such settings, it is recommended that the public follow Social Distancing Recommendations, and harm reduction measures such as hand sanitizer and tissues should be provided when possible. However, any specific large gathering space that is part of any building included in this subparagraph "d" is subject to the prohibition on Mass Gatherings if the space holds fifty or more people

v. "High-risk Populations" include people who are:

1. 60 years old and older;
2. People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems;
3. People who are pregnant or were pregnant in the last two weeks.
4. People experiencing homelessness.

vi. The Atascosa County Emergency Management Coordinator and County Judge may update restrictions set out in this Exhibit as necessary to respond to the evolving circumstances of this outbreak during the duration of the next 7 days and any extension by the Atascosa County Commissioners Court.

II. All Atascosa County Courts including but limited to County Courts (with the exception of the County Commissioners Court functioning in its administrative capacity), District Court, Justice of the Peace Courts, City Municipal Courts, are directed to the protocol established by the FIRST EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER issued March 13, 2020, jointly by the Texas Supreme Court and the Texas Court of Criminal Appeals. (See Exhibit 2.)

IN THE SUPREME COURT OF TEXAS

Misc. Docket No. 20-9045

FOURTH EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER

ORDERED that:

1. Governor Abbott has declared a state of disaster in all 254 counties in the State of Texas in response to the imminent threat of the COVID-19 pandemic. This order is issued pursuant to Section 22.0035(b) of the Texas Government Code.

2. This Order supplements and does not replace or amend the First, Second, or Third Emergency Orders Regarding the COVID-19 State of Disaster.

3. In any action for eviction to recover possession of residential property under Chapter 24 of the Texas Property Code and Rule 510 of the Texas Rules of Civil Procedure:

a. No trial, hearing, or other proceeding may be conducted, and all deadlines are tolled, until after April 19, 2020;

b. A writ of possession may issue, but the posting of the written warning required by § 24.0061(d)(1) of the Property Code and the execution of the writ of possession may not occur until after April 26, 2020, and the deadlines in Rules 510.8(d)(1)-(d)(2) are tolled while this Order remains in effect; and

c. New filings may be accepted, but the time period in Rule 510.4(a)(10) is suspended, and issuance and service of citation may not occur until after April 19, 2020.

4. A case covered by Paragraph 3 may nevertheless proceed if, but only if:

a. The plaintiff files a "Sworn Complaint for Forcible Detainer for Threat to Person or For Cause";

b. The court determines that the facts and grounds for eviction stated in the Complaint, under oath with personal knowledge, taken as true, show that the actions of the tenant, or the tenant's household members or guests, pose an imminent threat of (i) physical harm to the plaintiff, the plaintiff's employees, or other tenants, or (ii) criminal activity; and

c. The court signs an order stating procedures for the case to proceed.

5. This Order is effective immediately and expires April 19, 2020, unless extended by the Chief Justice of the Supreme Court.

6. The Clerk of the Supreme Court is directed to:


a. post a copy of this Order on www.txcourts.gov;

b. file a copy of this Order with the Secretary of State; and

c. send a copy of this Order to the Governor, the Attorney General, and each member of the Legislature.

7. The State Bar of Texas is directed to take all reasonable steps to notify members of the Texas bar of this Order.

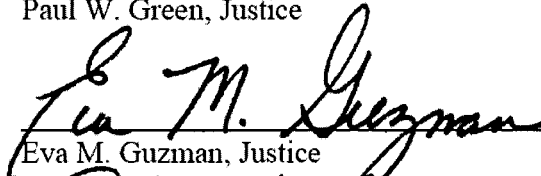
Dated: March 19, 2020



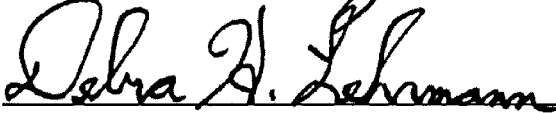
Nathan L. Hecht, Chief Justice



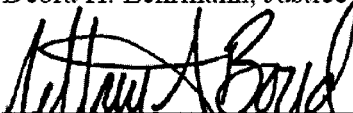
Paul W. Green, Justice



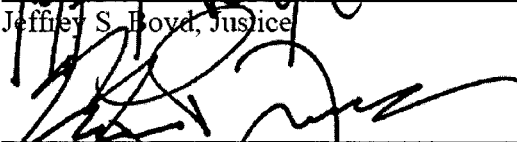
Eva M. Guzman, Justice



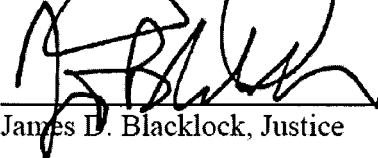
Debra H. Lehrmann, Justice



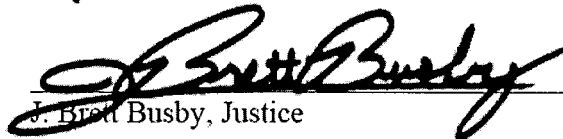
Jeffrey S. Boyd, Justice



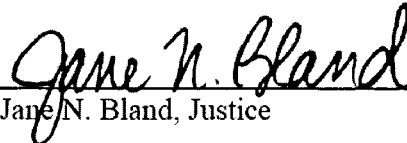
John F. Devine, Justice



James D. Blacklock, Justice



J. Brett Busby, Justice



Jane N. Bland, Justice