

AMENDED PROCLAMATION DECLARING A LOCAL STATE OF DISASTER

WHEREAS, the novel coronavirus (COVID-19) has been recognized globally as a contagious respiratory virus; and

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

WHEREAS, COVID-19 continues to spread and to pose an increasing, imminent threat of disaster throughout Texas and Ellis County; 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, under Chapter 418 of the Texas Government Code grants the Commissioner's Court the power to declare a local disaster in its jurisdiction,

NOW, THEREFORE, the Ellis County Commissioner's Court, by virtue of the power and authority vested in it by the laws of the State of Texas, do hereby order the following on a countywide basis effective 11:59 p.m. on March 25, 2020, and continuing until 11:59 p.m. on April 03, 2020, subject to extension thereafter based on the status of COVID-19 in Texas and the recommendations of the CDC:

DECLARED this 24<sup>th</sup> day of March, 2020, at 7:25 p.m.

*Todd Little*  
Todd Little, Ellis County Judge

*Randy Stinson*  
Commissioner Randy Stinson, Pct. 1



*Lane Grayson*  
Commissioner Lane Grayson, Pct. 2

*Paul Perry*  
Commissioner Paul Perry, Pct. 3

*Kyle Butler*  
Commissioner Kyle Butler, Pct. 4

ATTEST:  
*Krystal Valdez*  
Krystal Valdez, County Clerk

**Disaster Restrictions & Outline**  
**Executive Order Issued March 24, 2020**

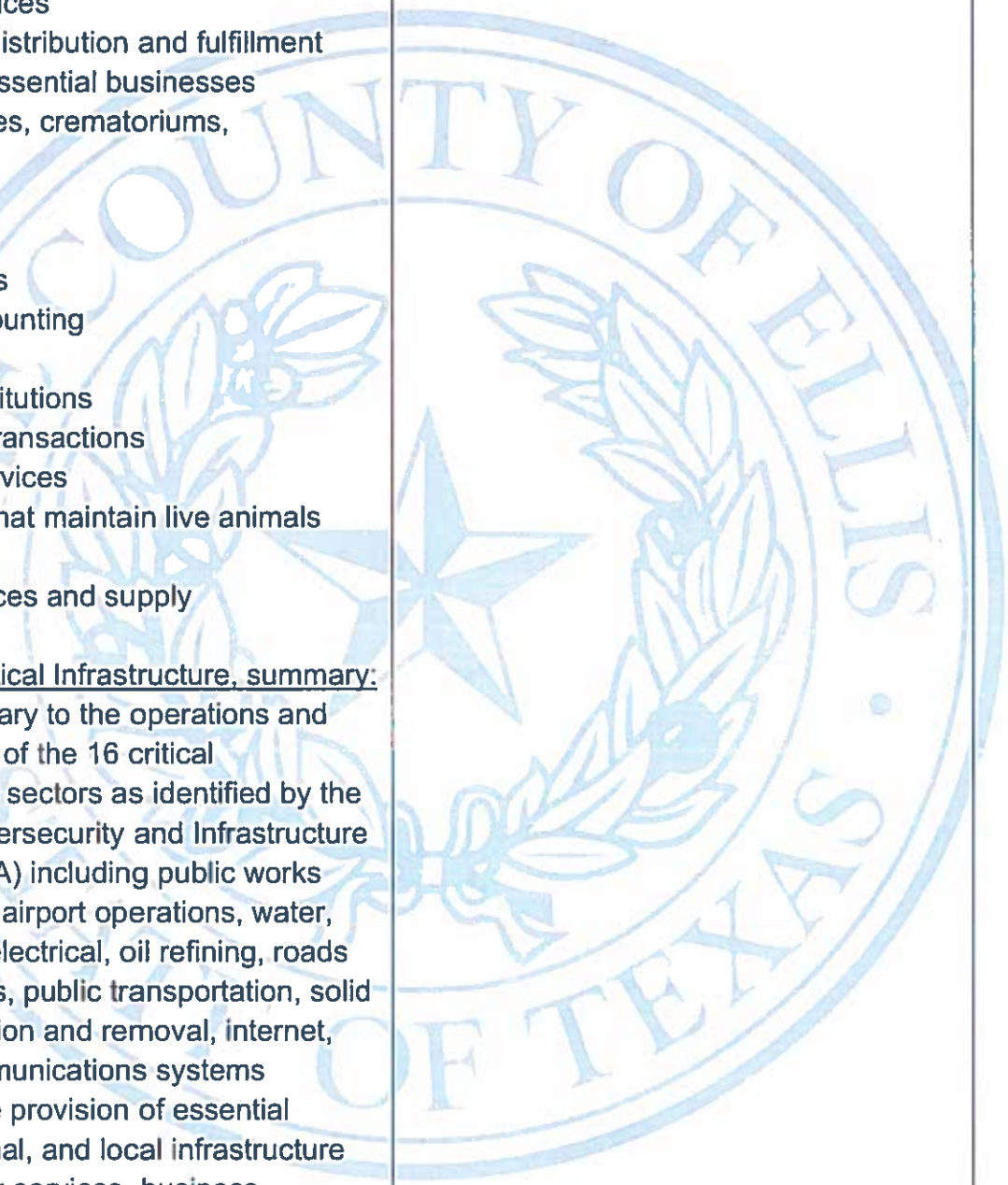
Locations/Activities	Restrictions
Persons residing in Ellis County	<ul style="list-style-type: none"> <li>- Stay at place of residence</li> <li>- Practice social distancing</li> <li>- Leave residence for Essential Activities, or to work at Essential Businesses, Essential Governmental Services, Essential Critical Infrastructure, or to perform Minimum Basic Operations.</li> </ul>
All businesses except Essential Businesses	No public occupancy permitted Minimum Basic Operations allowed Social Distancing required
Public or Private Gatherings occurring outside	Prohibited
Food Establishments Including those at schools, hotels, motels Excluding those at hospitals	In-store dining – no public occupancy Drive-in, drive-through, take out, and delivery is permitted. Social Distancing is required
Worship Services	Closed or in-person services, provided that staff can attend to product audio/visual services.  Social distancing required

<p>Elective medical, surgical, and dental procedures</p>	<p>Prohibited</p>
<p>Price Gouging</p>	<p>Prohibited</p>
<p>Nursing homes, retirement, and long-term care facilities</p>	<p>Prohibit non-essential visitors unless to provide critical assistance or for end-of-life visitation</p>
<p>Essential Travel, summary: Allowed to carry out activities specifically permitted in this Executive Order.</p>	<p>Individuals may leave shelter to perform essential activities Must practice social distancing</p>
<p><u>Essential Business Summary:</u>  Hospital clinics  Doctors  Dentists  Pharmacies  Pharmaceutical and biotechnology companies, other healthcare facilities  Healthcare suppliers  Chiropractors  Mental health providers  Substance abuse service providers  Blood banks  Medical research  Laboratory services  Home-based and residential-based care for seniors, adults, or children  Veterinary care   All services to provide for the health, safety, and welfare of the public   Food service providers  Food cultivation- farming, fishing, livestock delivery and shipping not open to the public  Laundromats, dry cleaners, laundry service  Gas stations  Auto-supply &amp; repair, bicycle repair  Hardware stores</p>	<p>Allowed to remain open   Social distancing is required   Essential businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached.</p>

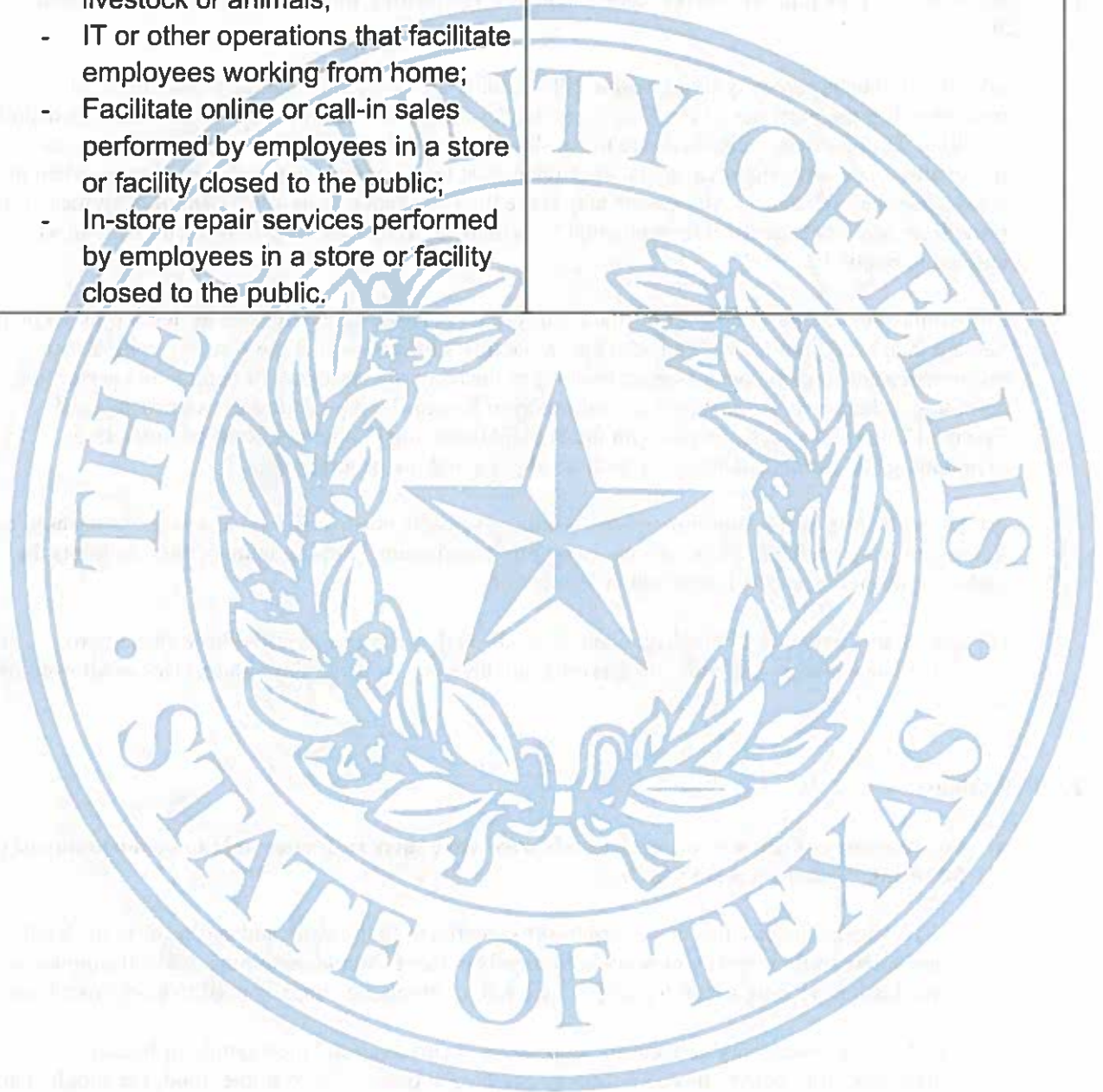
Business that supply products needed for people to work from home  
Social services, charitable organizations  
Trash and recycling collection, processing and disposal  
Mail and shipping services  
Building cleaning, maintenance  
Security services  
Warehouse/distribution and fulfillment  
Storage for essential businesses  
Funeral homes, crematoriums, cemeteries  
Plumbers  
Electricians  
Exterminators  
Legal or accounting  
News media  
Financial institutions  
Real estate transactions  
Childcare services  
Businesses that maintain live animals  
Construction  
Moving services and supply

Essential Critical Infrastructure, summary:

Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, essential manufacturing operations



<p><b><u>Minimum Basic Operations</u></b></p> <ul style="list-style-type: none"><li>- Operations necessary to maintain security, upkeep, and maintenance of premises, equipment or inventory, including but not limited to the care and maintenance of livestock or animals;</li><li>- IT or other operations that facilitate employees working from home;</li><li>- Facilitate online or call-in sales performed by employees in a store or facility closed to the public;</li><li>- In-store repair services performed by employees in a store or facility closed to the public.</li></ul>	<p>Operations allowed for non-essential businesses</p> <p>Social distancing required</p>
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## STAY HOME, STAY SAFE

### UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, ELLIS COUNTY COMMISSIONER'S COURT HEREBY ORDERS:

**1. Effective as of 11:59 p.m. on March 25th, 2020, and continuing until 11:59 p.m. on April 03rd, 2020:**

(a) All individuals currently living within Ellis County are ordered to shelter at their place of 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 social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 2.

(b) All businesses operating within Ellis County, except Essential Businesses as defined in below in Section 2, are required to cease all activities at facilities located within the County. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines attached, including maintaining six-social distancing for both employees and the general public.

(c) All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit.

(d) Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.

**2. Definitions:**

**a. For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities":**

i. 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 need to work from home).

ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences).

iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, or running).

iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.

v. To care for a family member or pet in another household.

**b. For purposes of this Order, “Essential Businesses” means:**

- i. Essential Healthcare Operations.** Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, chiropractors, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations. Healthcare operations also includes veterinary care and all health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms and similar facilities.
- ii. Essential Government Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Further, nothing in this order shall prohibit any individual from performing or accessing “Essential Government Functions.” All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible. All services provided by local governments and school districts needed to ensure the continuing operation of the government agencies to provide for the health safety, welfare, of the public, and provision of educational services to students via distant learning. Further, all essential government functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible; however under no circumstance can the school district conduct instruction of classes with students physically present onsite. For purposes of this section, “school districts” is inclusive of independent school districts, charter and private schools, and schools of higher education located within Ellis County.
- iii. Essential Critical Infrastructure.** Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached.
- iv. Essential Retail.** Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, liquor stores, gas stations and convenience stores, farmers’ markets that sell food products and household staples. Food cultivation, including farming, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas stations, auto-supply, auto and bicycle repair, hardware stores, and related facilities. Businesses that supply products needed for people to work from home.
- v. Providers of Basic Necessities to Economically Disadvantaged Populations.**

Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.

- vi. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with support or supplies needed to operate.
- vii. **News Media.** Newspapers, television, radio, and other media services.
- viii. **Childcare Services.** Childcare facilities providing services that enable employees exempted in this Order to work as permitted.
- ix. **Financial Institutions.** Banks and related financial institutions, consumer lenders, alternative financial services companies, sales and finance lenders, credit unions, appraisers, and title companies. As much business as possible should be conducted with web-based technology to limit in-person contact.
- x. **Animal Shelters and Other Businesses that Maintain Live Animals.** Businesses that maintain and care for live animals are not permitted to allow any visitors or patrons but may continue to operate to the extent necessary to provide the necessary care for the animals. Nothing in this section shall prohibit a non-employee from entering the premises to perform a health care services or another Essential Business Service.
- xi. **Construction.** Construction under a valid permit issued by a governmental entity.
- xii. **Funeral Services.** Funeral homes, crematoriums and cemeteries may operate but no more than ten non-employees may be present at the same time.
- xiii. **Worship Services.** No in-person worship services are permitted. Needed staff can attend to produce audio/video or conduct services for transmission.
- xiv. **Moving Services and Supply.** Businesses that provide residential and/or commercial moving services and necessary moving supplies.

**c. Essential Travel. For the purposes of this Executive Order, Essential Travel includes travel for any of the following purposes.**

- i. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, and Essential Businesses Essential Critical Infrastructure, Minimum Basic Operation;
- ii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons;
- iii. Travel to and from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services;
- iv. Travel to return to a place of residence from outside the jurisdiction;



v. Travel required by law enforcement or court order;

vi. Travel by church staff or clergy for the purpose of production of remote delivery of religious services and other ministries requiring travel;

vii. Travel related to attending a funeral service; or

viii. Travel required for non-residents to return to their place of residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.

ix. This order does not prohibit travel to and from residence out of Ellis County.

3. Any manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing ventilators may apply for an “essential business” exemption under this Order.
4. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all ELLIS COUNTY delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Ellis County for the next 60 days.
5. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household are prohibited from going to work, school, or any other community function.
6. Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
7. The office of the Ellis County Judge and the Local Health Authority instructs all employees to remain at home if sick.
8. That no person shall sell any of the following goods or services for more than the price the person charged for the goods or services on March 16, 2020 and continuing during the pendency of this Executive Order: a. groceries, beverages toilet articles, ice; b. restaurant, cafeteria, and boarding-house meals; and c. medicine, pharmaceutical and medical equipment and supplies.
9. That any certified peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Executive Order in accordance with the authority granted under the Texas Disaster Act of 1975. Any person who violates this Executive Order may be subject to a fine not exceeding \$1,000 confinement or confinement for a period not exceeding 180 days.

