

**LIBERTY COUNTY
EXECUTIVE ORDER
May 7, 2020**

**EXECUTIVE ORDER OF LIBERTY COUNTY JUDGE
EMERGENCY MEASURES**

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

WHEREAS, the COVID-19 virus poses a threat to the health of a large number of Americans, Texans and residents of Liberty County; and

WHEREAS, on March 13, 2020, Liberty County Judge Jay Knight signed a Declaration of Disaster for the Liberty County, Texas related to COVID-19 pursuant to § 418.108(a) of the Texas Government Code; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code, and renewed that determination on April 17, 2020; and

WHEREAS, Governor Greg Abbott issued Executive Order GA-08 on Thursday, March 19, 2020 issuing orders for Texas to adhere to certain control measures and mitigation strategies; and

WHEREAS, on March 20, 2020, the Commissioners Court of Liberty County voted unanimously to continue the Declaration of a Local Disaster related to COVID-19 until April 19, 2020, and further extensions are possible; and

WHEREAS, on March 24, 2020, Liberty County Judge Jay Knight issued an Executive Order requiring Liberty County residents to remain at home unless obtaining or providing certain essential activities; and

WHEREAS, on March 31, 2020, Governor Greg Abbott issued Executive Order GA-14 which clarified the role of his executive orders in relationship to the county and County executive orders and expanded the definition of critical infrastructure and essential services; and

WHEREAS, on April 17, 2020, Governor Abbott issued Executive Order GA-16 to generally continue through April 30, 2020, the same social-distancing restrictions, and other obligations for Texans according to federal guidelines, but also to offer a safe, strategic first step to Open Texas, including permitting retail pick-up and delivery services; and



WHEREAS, on April 27, 2020, Governor Abbott issued Executive Order GA-18 which expanded the services that are reopened in Texas, including allowing in-store retail and dine-in restaurant services at establishments operating within specific capacity limits; and

WHEREAS, on May 5, 2020, Governor Abbott issued Executive Order GA-21 which further expanded the services that are reopened in Texas, including wedding venues, cosmetology salons, hair salons, barber shops, nail salons; tanning salons, and swimming pools; and

WHEREAS, the "governor is responsible for meeting... the dangers to the state and people presented by disasters" under Section 418.011 of the Texas Government Code, and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, under Texas Government Code § 418.012, the "governor may issue executive orders ... hav[ing] the force and effect of law;" and

WHEREAS, under Texas Government Code § 418.016(a), the "governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business ... if strict compliance with the provisions ... would in any way prevent, hinder, or delay necessary action in coping with a disaster;" and

WHEREAS, under Texas Government Code § 418.017(a), the governor may use all available resources of state government and of political subdivisions that are reasonably necessary to cope with a disaster;" and

WHEREAS, under Texas Government Code § 418.018(c), the "governor may control ingress and egress to and from a disaster area and the movement of persons and the occupancy of premises in the area;" and

WHEREAS, Texas Government Code § 418.1015 states:

- (a) The presiding officer of the governing body of an incorporated city or a county or the chief administrative officer of a joint board is designated as the emergency management director for the officer's political subdivision.
- (b) An emergency management director serves as the governor's designated agent in the administration and supervision of duties under this chapter. An emergency management director may exercise the powers granted to the governor under this chapter on an appropriate local scale.

WHEREAS, by the terms of the Governor's Executive Order GA-21, the Governor's Executive Order

“suspend[s] Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order”; and

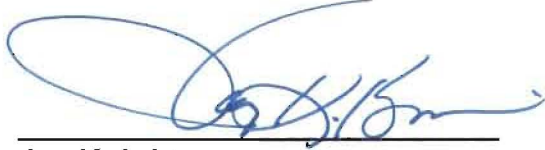
WHEREAS, Liberty County must continue to protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical professionals and business leaders.

BE IT THEREFORE ORDERED BY THE COUNTY JUDGE OF LIBERTY COUNTY, TEXAS:

1. This Order shall be effective as of 12:01 a.m. on Friday, May 8, 2020, and continue until revoked.
2. As of the effective date of this Executive Order, and continuing until revoked, the County hereby adopts the provisions of any current or future Executive Orders issued by Governor Greg Abbott as a result of the COVID-19 pandemic, related to the movement of persons or the occupancy of premises. The provisions of said Governor’s Executive Orders are incorporated herein by reference as if written word for word.
3. For clarity, nothing in this Executive Order is intended to impact the provisions related to the continuation of the local state of disaster issued by the Commissioners Court of Liberty County, Texas.
3. According to Texas Government Code § 418.173, failure to comply with the County’s Emergency Operations plan or with a rule, order, or ordinance adopted under the plan is an offense. Punishment for the offense is a fine up to \$1,000. The penalty provided for in this order is in addition to any other remedies that the County may have under County ordinances or state law.
4. This Order rescinds and/or supersedes any prior executive orders issued by the Liberty County Judge during the current or extended Declarations of Disaster.
5. Liberty County must promptly provide copies of this Order by posting copies for public viewing in the same manner as publicly posted Commissioners Court agendas. 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.
6. If any subsection, sentence, clause, phrase, or word of this 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 ^{8TH} 7TH DAY OF May 2020, at 10:41 ^{AM} p.m.



Jay Knight
County Judge
Liberty County, Texas



Attest: Lee Chambers
County Clerk

