

PRESIDIO COUNTY

AMENDED ORDER OF COUNTY JUDGE CINDERELA GUEVARA

Stay Home Stay Safe

DATE ORDER AMENDED: APRIL 8, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Presidio County Judge Cinderela Guevara issued a Declaration of Local Disaster for Public Health Emergency on March 17, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19.

WHEREAS, on March 17, 2020, Judge Guevara issued an Order in furtherance of her authority to protect the safety and welfare of the public by slowing the spread of the virus.

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of Health Services warrant the March 17, 2020 Order of County Judge Cinderela Guevara be amended:

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and

WHEREAS, on March 23, 2020, the Presidio County Commissioners Court issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Presidio County Emergency Management Plan and extends the Declaration of Local Disaster until 11:59 p.m. on April 7, 2020, unless rescinded by order of the Commissioners Court.

THEREFORE, the March 23, 2020, Order of County Judge Cinderela Guevara is hereby AMENDED as follows:

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 health care providers to handle an influx of 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 requires all individuals anywhere in Presidio County to shelter in place – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing.

This Order takes effect at 11:59 p.m. on March 31, 2020 and will continue through 11:59 p.m. on April 7, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE
SECTION 418.108 PRESIDIO COUNTY JUDGE CINDERELA GUEVARA ORDERS:**

ORDER NO. 1. STAY AT HOME, WORK SAFE. Effective as of **11:59 p.m. on March 31, 2020**, and continuing until **11:59 p.m. on April 7, 2020**, all individuals currently living within Presidio County are ordered to stay at home 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 below. All businesses operating within Presidio County, except Essential Businesses as defined in below in Order No. 6, 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, including maintaining six-foot social distancing for employees and the general public.

ORDER NO. 2. HOTELS, MOTELS AND SHORT-TERM RENTALS. Hotels, motels and short-term rentals are to close and vacate their guests through Tuesday, April 7, 2020. Only exception during this time period if: (1) guests have established rental unit as primary place of residence; (2) the customers are active military, law enforcement, and national reserve; (3) emergency service personnel to support city, county, state, and school district operations; or (4) healthcare professionals and employees.

ORDER NO. 3. RV PARKS/CAMPGROUNDS. RV Parks and Campgrounds are to close and vacate their guests through Tuesday, April 7, 2020. Only exception during this time period being if: (1) guests have established rental unit as primary place of residence; or the RV Parks/Campgrounds utilize the facility for employee housing.

ORDER NO. 4. NO PUBLIC OR PRIVATE GATHERINGS. 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.

ORDER NO 5. TRAVEL. All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit is prohibited, except for purposes of Essential Activities or to perform or obtain services from an Essential Business, Essential Governmental Function, or Critical Infrastructure, as defined below.

ORDER NO. 6. ESSENTIAL ACTIVITIES. For purposes of this Order, individuals may leave their residence only to perform any of 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).
2. 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 supplies, and any other household consumer products, and products necessary to maintain safety, sanitization, and essential operation of residences).
3. To engage in outdoor recreational or fitness activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, or running).
4. To perform work providing essential products and services at an Essential Business or Essential Governmental Functions, or to otherwise carry out activities specifically permitted in this Order.
5. To care for a family member or pet in another household.
6. To perform or obtain services from an Essential Business, or from an Essential Government Function, as defined in this Order.
7. To return home from or to another jurisdiction.

ORDER NO. 7. ESSENTIAL BUSINESSES. For purposes of this Order, “Essential Businesses” means:

1. **Essential Healthcare Operations.** Healthcare operations, including health clinics, dentists, pharmacies, healthcare suppliers, mental health providers, substance abuse service providers, 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. Healthcare operations do not include elective medical, surgical, dental, or scanning procedures.
2. **Essential Critical Infrastructure.** Work necessary to the operations and maintenance of the critical infrastructure sectors, 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 Critical Infrastructure should implement precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached hereto. Construction sites should limit site visitation to a single trade at one time in order to maintain social distancing standards.
3. **Grocery Stores and Other Suppliers.** Grocery stores, warehouse stores, big-box stores, liquor stores, gas stations and convenience stores, and/or farmers’ markets that sell food products, household staples, office supplies, hardware (e.g. electrical, plumbing, etc.), or suppliers of Essential Businesses or Essential Government Functions. Business that provide products to those businesses, including farming, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences.

4. **Food Services.** Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only. Businesses that ship or deliver groceries, food, goods or services directly to residences. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities, except that all activity shall be performed in compliance with social distancing guidelines attached hereto.
5. **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.
6. **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, lawn and property maintenance and security, warehouse/distribution and fulfillment, trucking, storage for essential businesses, funeral homes, crematoriums and cemeteries. 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, including laundromats, dry cleaners, and laundry service providers.
7. **News Media.** Newspapers, television, radio, and other media services.
8. **Childcare Services.** Childcare facilities providing services that enable employees exempted in this Order to work as permitted. Except that the following practices shall be observed: 1. Childcare must be carried out in groups of 10 or fewer children, each within the same group each day. Children shall not change from one group to another, and groups shall not comingle. If a facility cannot prevent comingling of more than one group of children, then that facility should limit its total number of children to 10. Unless necessitated by overriding health and safety considerations, childcare providers shall remain solely with one group of children and not change groups. Please note that, pursuant to Order No. 9, subsection 4, below, a municipality may provide stricter guidelines than this subsection.

9. **Gas Stations and Businesses Needed for Transportation.** Gas stations, automobile dealerships, auto-manufacturing and assembly, auto-supply, auto repair, RV sales/repair, bicycle sales/repair, and other related facilities. To the greatest extent possible, interaction with the public should be provided outdoors or in open areas where social distancing may be maintained. Indoor activities should be limited to closing sales or other transactions.
10. **Financial Institutions.** Banks and related financial institutions, consumer lenders, sales and finance lenders, credit unions, appraisers, title companies.
11. **Critical Trades.** Plumbers, electricians, exterminators, pool cleaners, HVAC providers, sign companies, and other service providers only to the extent that services are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, Essential Businesses, Essential Government Functions, and Essential Critical Infrastructure, including but not limited to utilities such as electricity, gas, water and wastewater, and other public works. Critical Trades does not include discretionary maintenance or improvements.
12. **Real Estate Services.** Services related to the marketing, sale, lease, or value of real estate, including but not limited to real estate brokers, title companies, surveyors, and/or appraisers, except that all activities shall be performed in compliance with social distancing of six feet per person is maintained.
13. **Mail and Delivery Services.** Businesses providing mailing and shipping services, including post office boxes.
14. **Certain Educational Activities.** Educational functions, including those of public and private K12 schools, colleges, and universities, for purposes of distance education, temporary closure or maintenance of facilities, performing critical research, or performing essential administrative functions, provided that compliance with social distancing of six feet per person is maintained to the greatest extent possible.
15. **Transportation.** Airlines, taxis, and other private transportation providers (such as Uber and Lyft) that provide transportation services necessary for the performance of Essential Activities, Essential Businesses, Critical Infrastructure, and/or Essential Government Functions.

16. **Home-Based Care and Services.** Home-based care for seniors, adults, or children, including caregivers who may travel to provide care.

17. **Residential Facilities and Shelters.** Residential facilities and shelters for seniors, adults, children and animals (including students who have no other option but to remain on campus at a lower or higher education institution).

18. **Professional Services.** Professional services, such as legal services, accounting services, or insurances services, when necessary to assist in compliance with legally mandated activities or further Essential Businesses, Essential Government functions, Essential Critical Infrastructure, **or to the extent that service can be provided in compliance with social distancing of six feet per person is maintained to the greatest extent possible.**

19. **Information Technology Services/Telecommunications Services.** IT and IT services and their essential services vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, web-based services, and critical manufacturing, as well as telecommunications sales and services, internet access and broadband/communications services.

20. **Moving Services.** Businesses that provide residential and/or commercial moving services and necessary moving supplies.

21. **Religious Services.** If religious services cannot be conducted from home or through remote services, they should be conducted consistent with the Guidelines from the President and the CDC by practicing good hygiene, environmental cleanliness, sanitation, and all must follow the Social Distancing Guidelines to prevent the spread of COVID-19. No more than 10 persons shall gather at one time.

22. **Funeral Services.** Funeral, mortuary, cremation, burial, cemetery, and related services, provided that social distancing of six feet per person is maintained to the greatest extent possible.

ORDER NO. 8. 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 shall continue. Further, nothing in this order shall prohibit any individual from accessing “Essential Government Functions.” Each government body shall determine its Essential Government Functions and identify employees and/or contractors necessary to the performance of those functions, including but not limited to support services such as Chambers of Commerce, non-profit support services, and the like. To the extent feasible, all Essential Government Functions shall be performed in compliance with the social distancing of six feet per person is maintained. This Order does not apply to the Federal or State Government.

ORDER NO. 9. ADDITIONAL ORDERS

- 1. Quarantine.** If someone in a household has tested positive for COVID-19, the entire household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function. Any person who displays symptoms of COVID-19, including fever, shortness of breath, or dry cough should refrain from leaving home and call Big Bend Regional Medical Center, 432-837-3447.
- 2. Curfew.** Unless conducting or traveling to or from an Essential Activity, work at an Essential Business, or work at an Essential Governmental Function, members of the public shall remain at their residential properties between the hours of 10 p.m. and 5 a.m.
- 4. Municipal Orders.** A more restrictive order duly-authorized by municipal government within a city’s corporate limits shall control within that municipality.
- 5. Penalty.** The Presidio County Sheriff’s Office, Presidio County Constables’ Offices, and other peace officers, are hereby authorized to enforce this order, within their discretion. A person who willfully disregards or conspires to willfully disregard this order is considered to have violated an order authorized by Chapter 418 of the Texas Government Code and is subject to a fine of up to \$1,000.00_ [cannot exceed \$1000.00] for each violation.

This order shall be in effect until 11:59 PM on 04-30-2020.

ORDERED this the **8th** day of **April, 2020**, in the County of Presidio, Texas.

Cinderela Guevara

Cinderela Guevara, County Judge

Presidio County, Texas



ORDER
BY
COUNTY JUDGE OF PRESIDIO COUNTY

AMENDED April 8, 2020

NOW THEREFORE, I, COUNTY JUDGE OF PRESIDIO COUNTY, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, AND THE DECLARATION OF A STATE OF LOCAL DISASTER ENTERED ON MARCH 25, 2020 HEREBY DETERMINE THAT FURTHER ORDERS ARE NECESSARY TO PREVENT THE IMMINENT THREAT TO HEALTH AND SAFETY FROM THE CORONAVIRUS (COVID-19) AND ORDER THE FOLLOWING:

ORDER NO. 10. IN ADDITION TO ORDER NO.2, HOTELS, MOTELS AND SHORT-TERM RENTALS. Hotels, motels and short-term rentals are also allowed to accommodate occupancy to individuals who provide support to essential operations at the Presidio/Ojinaga Port of Entry that include **farming or agriculture industry** who must travel to Marfa or Presidio in furtherance of such work. Also individuals engaged in official government or diplomatic travel who support the movement of cargo between the US and Mexico.

ORDER NO. 11. REGULATION OF ALL RENTALS IN THE COUNTY OF PRESIDIO. In order to prevent the introduction and spread of COVID-19 within Presidio County, the county shall immediately begin regulating both short and long term rental properties within the county.

A. For the duration of this Order, long term rental (longer than 30 days) may be advertised and rented only to:

1. Individuals who are essential personnel or actively engaged in essential business, as specified by the Texas Department of Emergency Management and the U. S. Department of Homeland Security; and

2. Local residents: For purposes of this section, "local residents" is defined as a permanent resident of the tri-county area (Brewster, Jeff Davis, and Presidio Counties) and/or his/her caregiver.

B. Upon request by the County, lessors/landlords must provide a copy of their lease agreement(s), drivers license(s) of lessees/tenants, and documentation of local resident status of essential personnel/business.

C. Any advertisement for a rental property (long or short-term) within Presidio County must contain the following language, in all caps and in legible and readable font:

PURSUANT TO THE FIRST SUPPLEMENTAL EMERGENCY DECLARATION OF THE PRESIDIO COUNTY JUDGE CINDERELA GUEVARA DATED APRIL 3, 2020, DURING THE COVID-19 PANDEMIC THIS PROPERTY MAY ONLY BE RENTED TO LOCAL RESIDENTS OF PRESIDIO, BREWSTER OR JEFF DAVIS COUNTY, TEXAS AND TO ESSENTIAL PERSONNEL OF ESSENTIAL BUSINESS PERSONNEL AS SPECIFIED BY THE TEXAS DEPARTMENT OF EMERGENCY MANAGEMENT AND THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY.

D. Failure to provide this mandatory notice within an advertisement for a long or short-term rental is a violation with the penalty: The Presidio County Sheriff's Office, Presidio County Constables Offices and other peace officers, are hereby authorized to enforce this order, with their discretion. A person who willfully disregards or conspires to willfully disregard this order is considered to have violated an order authorized by Chapter 418 of the Texas Government Code and is subject to a fine of up to \$1,000.00 (cannot exceed \$1000.00) for each violation.

ORDER NO. 12. REQUIREMENT TO SELF QUARANTINE.

A. Any non-essential individual, including any visitor, employee, resident, or landowner with a first or second residence in Presidio County, is required to self-quarantine for at least fourteen (14) days if:

1. Coming to Presidio County from another state or from an area, county, or city in Texas that has active COVID-19 cases; or
2. If the individual has been exposed or has reason to believe he or she may have been exposed at any time during the preceding month to an individual who has contracted the COVID-19 Virus.

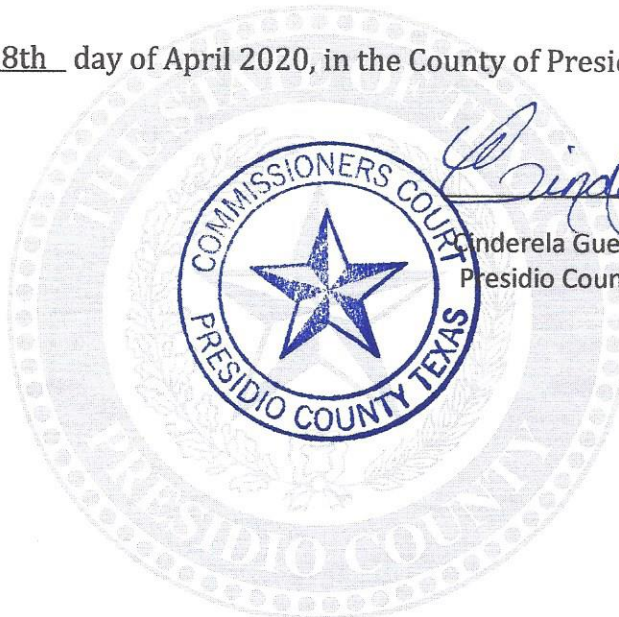
B. If any non-essential individuals subject to quarantine is a member of a household, then the entire household shall be subject to a 14-day quarantine unless the potentially exposed individual isolates himself/herself within the household under CDC guidelines to prevent the potential spread of COVID-19.

C. If essential personnel share a household with individuals who are non-essential, then non-essential family members shall be subject to a 14-day quarantine after the

departure of their essential family members unless the essential personnel is isolated within the household during their stay in their residence to prevent the potential spread of COVID-19.

This Order shall take effect immediately from and after its issuance and continue in effect continuing until 11:59 p.m. on Thursday, April 30, 2020, unless terminated or modified by a subsequent Order.

ORDERED this the 8th day of April 2020, in the County of Presidio, Texas.



Cinderela Guevara

Cinderela Guevara, County Judge
Presidio County, Texas