



Aurelio Guerra, Jr.

Willacy County Judge

576 W. Main Ave, Room 152, Raymondville, Texas 78580

6/26/2020

**FIRST SUPPLEMENT TO THE
AMENDED EMERGENCY MANAGEMENT ORDER
Issued June 26, 2020**

WHEREAS, Governor Greg Abbott issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, the Commissioner of the Texas Department of State Health Services (DSHS), Dr. John Hellerstedt, has determined that COVID-19 continues to represent a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, the ongoing evaluation of circumstances involving the moderate to substantial spread of the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the Order to be amended; and,

WHEREAS, pursuant to Texas Government Code Section 418.108, Willacy County Judge issued a Declaration of Local Disaster for Public Health Emergency on March 19, 2020, due to the imminent threat arising from the Coronavirus (COVID-19), which thereafter on March 23, 2020, in accordance with Texas Government Code Section 418.108(b), the Commissioners Court of Willacy County issued an Order of Continuance of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Willacy County Emergency Management Plan and extended the Declaration of Local Disaster; and,

WHEREAS, in accordance with Texas Government Code Section 418.108(b), the consent of the Commissioners Court authorizes the Willacy County Judge to continue to exercise powers granted under the Texas Disaster Act of 1975; and,

WHEREAS, the transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the Willacy County Community and rates of infection are increasing at

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an alarming exponential rate and the number of people ending up in the hospital, ICU, or on ventilators is also dramatically rising despite efforts by local authorities to control the spread;
and

WHEREAS, a County Judge is authorized to control ingress to and egress from a disaster area and control the movement of persons and occupancy of premises on an appropriate local scale in accordance with Section 418.108(g) of the Texas Government Code and his authority as Emergency Management Director; and

WHEREAS, it is the intent of this First Supplement to the Amended Emergency Management Order to remain as consistent with and to harmonize, to the extent possible, the executive orders of Governor Greg Abbott and with the agreement of the Mayors of the Cities in Willacy County;
and

WHEREAS, by the authority vested in me as Willacy County Judge Aurelio Guerra and as the Emergency Management Director for the County of Willacy to continue to protect the health and safety of the community and address developing and rapidly changing circumstances when presented by the current public health emergency, hereby orders the following:

THEREFORE, PURSUANT TO THE TEXAS DISASTER ACT OF 1975, Willacy County Judge Aurelio Guerra HEREBY issues this FIRST SUPPLEMENT TO THE AMENDED EMERGENCY MANAGEMENT ORDER, which was entered on June 17, 2020, as follows:

Effective as of 12:01 a.m. on Saturday, June 27, 2020, (“*Effective Date*”), and continuing thereafter, unless extended, modified or terminated early by Willacy County Judge Aurelio Guerra or as otherwise indicated below:

I. Curfew. A curfew for all persons aged seventeen (17) and over shall be imposed from 11:00 PM to 5:00 AM, unless that person is out for an emergency, or obtaining or providing for essential services, including reopened services, or unless otherwise superseded by proclamation or subsequent executive orders issued by Governor Abbott. This curfew does not supersede any existing juvenile curfews at any municipality located within Willacy County, and said juvenile curfews, if any, remain in effect.

II. Social Gatherings: All public or private gatherings of ten (10) persons or more occurring outside a single household or living unit are prohibited, unless such gathering are specifically enumerated by this Order, by Executive Order EO-GA-28, or by proclamation or future executive order by the Governor. Nothing in this Order prohibits the gathering of members of a household or living unit.

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III. Shelter-At-Home. It is **highly encouraged and recommended** that all persons Shelter-At-Home, unless obtaining or providing for essential services, including reopened services. All persons shall minimize social gatherings; minimize in-person contact with people who are not in the same household. Individuals should conduct personal activities in compliance with recommended guidelines including maintaining six feet physical distancing; washing hands with soap and water for at least twenty seconds or using hand sanitizer; covering coughs or sneezes; cleaning high-touch surfaces; not shaking hands; and covering mouth and nose. People over the age of 65, are strongly encouraged to stay at home as much as possible; to maintain appropriate physical distance from any member of the household who has been out of the residence in the previous fourteen (14) days; and, if leaving the home, to implement physical distancing and to practice good hygiene, environmental cleanliness, and sanitation.

IV. Severability. The sections, paragraphs, sentences, clauses and phrases of this First Supplement to the Amended Emergency Management Order are severable and if any phrase, clause, sentence, paragraph or section of this First Supplement to the Amended Emergency Management Order should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraph and sections that call be given effect without the invalid provision, and to this end, the provisions of this Amended Emergency Management Order are severable.

V. Interpretation and Additional Terms. To the greatest extent possible, this First Supplement to the Amended Emergency Management Order shall be interpreted as consistent with and supplemental to any executive order issued by the Texas Governor. All provisions of the executive orders of the Texas Governor either existing or as, if and when issued, which are made applicable to all jurisdictions by law shall be automatically incorporated into and constitute terms of this First Supplement to the Amended Emergency Management Order, enforceable as if set forth herein without necessity for the issuance of any further orders.

VI. Penalty. Failure to comply with an Emergency Management Order issued during the COVID-19 disaster is an offense punishable under Section 418.173 by a fine not to exceed \$1,000, and may be subject to regulatory enforcement, except that no civil or criminal penalty may be imposed against a person for failure to wear a face covering.

VII. Enforcement. Excepting Section III of this Amended Emergency Management Order and in accordance with the limitations contained in the executive orders of Governor Greg Abbott, that any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this First Supplement to the Amended Emergency Management Order in accordance with the authority granted under the Texas Disaster Act of 1975 and the Willacy County Emergency Management Plan.

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Issued this 26th day of June, 2020 at 4:30 p.m.



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