



**ORDER
BY
HAYS COUNTY JUDGE
RUBEN BECERRA**

WHEREAS, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Abbott to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and

WHEREAS, On March 15, 2020, a Declaration of Local Disaster was issued by the Hays County Judge to allow Hays County to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Hays County residents utilizing state and federal resources made available with the declaration; and

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

WHEREAS, the Centers on Disease Control and Prevention ("CDC") recommends an "All of Community" approach focused on slowing the transmission of COVID-19 through social distancing to reduce illness and death, while minimizing social and economic impacts; and

WHEREAS, due to the substantial risks to the public, this Order *prohibits* Community Gatherings, as defined below, of ten (10) persons or more anywhere within Hays County beginning at 2 a.m. on March 18, 2020, and continuing until 5 p.m. on May 14, 2020, unless terminated or modified by a subsequent order; and

WHEREAS, since the term Community Gatherings does not include restaurants, bars, and retail establishments, the Hays County Local Health Department *strongly recommends* that owners and managers of those businesses disallow public access to areas where members of the public who did not arrive to that location together cannot be kept more than six feet (6') apart and *strongly recommends* that owners and managers of those businesses implement plans and arrangements that will assist patrons in maintaining social distancing; and

WHEREAS, the Hays County Local Health Department *recommends* following the social distancing actions attached to this Order. In addition, the Hays County Local Health Department urges individuals who are at the highest risk from COVID-19, as determined and defined by the CDC, to not attend and to avoid community gatherings or events.

NOW THEREFORE, I, RUBEN BECERRA, HAYS COUNTY JUDGE, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:

SECTION 1. That the findings and recitations set out in the preamble to this ORDER are found to be true and correct and they are hereby adopted by Hays County and made a part hereof for all purposes.

SECTION 2. Effective as of 2 a.m. on Wednesday, March 18, 2020, and continuing until 5 p.m. on Thursday, May 14, 2020, unless terminated or modified by subsequent order, the County Judge of Hays County, Texas, deems it in the public interest to **PROHIBIT any public or private Community Gatherings (as defined in Section 3, below) anywhere within Hays County.**

SECTION 3. Definitions:

- a. For purposes of this Order, a "Community Gathering" is any indoor or outdoor event or convening subject to the exceptions and clarifications below, that brings together or is likely to bring together ten (10) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, theatre, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, or any other confined indoor or confined outdoor space. For clarity, this includes, but is not limited to, weddings, religious gatherings, parties, funerals, sporting events, social events, conferences, and other large gatherings.
- b. An outdoor "Community Gathering" under this Order is limited to events in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within arm's length of one another for extended periods.
- c. This Order also does not prohibit gatherings of people in multiple, separate enclosed spaces (including separate cubicles) in a single building such as a multiplex movie theater, school classrooms, or different floors of a multi-level building. For any gathering covered by this subsection c., the Hays County Local Health Department strongly encourages compliance with the attached Social Distancing Recommendations and increasing cleaning of commonly and frequently touched surfaces.
- d. For purposes of clarity, a "Community Gathering" does not include spaces where ten (10) or more persons may be in transit on buses, trains or airplanes; or waiting for transit, such as airports, bus stops or terminals. In addition, "Community Gathering" does not include the following spaces where ten (10) or more persons may congregate:
 - (i) office space or residential buildings;
 - (ii) grocery stores, shopping malls, or other retail establishments where large numbers of people may be present, but it is unusual for them to be within arm's length of one another for extended periods;
 - (iii) restaurants and bars;
 - (iv) hospitals and medical offices and facilities;
 - (v) essential governmental functions;
 - (vi) schools;
 - (vii) institutes of higher learning;

In all such settings, the Hays County Local Health Department recommends following the attached Social Distancing Recommendations.

SECTION 4: That this Order shall be applicable on a County-wide basis, except that a more restrictive order duly-authorized by municipal government within a city's corporate limits shall control within that municipality.

SECTION 5: That the Hays County Sheriff's Office, Hays County Constables' Offices, the Hays County Fire Marshal's Office, and other peace officers, are hereby authorized to enforce this order. 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 \$500 for each violation

SECTION 6: This Order shall be widely advertised to help accomplish the public health and safety objectives of the Hays County Local Health Department.

ORDERED this the 17th day of March, 2020.



Ruben Becerra
Hays County Judge

Attest:



Elaine Cardenas, MBA, PhD
Hays County Clerk

