



ORDER NO. 2020-04

ORDER OF THE MAYOR OF THE CITY OF EDINBURG

STAY HOME WORK SAFE

WHEREAS, COVID-19 (coronavirus) is a contagious respiratory virus that can spread from person to person, especially in group settings; and

WHEREAS, COVID-19 has been declared a pandemic by the World Health Organization; and

WHEREAS, the United States Federal Government declared a national emergency on March 13, 2020 due to COVID-19; and

WHEREAS, Governor Abbot declared a State of Disaster in Texas on March 13, 2020, due to COVID-19; and

WHEREAS, Mayor Molina declared a local disaster on March 17, 2020, due to COVID-19; and

WHEREAS, Mayor Molina issued Order 2020-01 on March 17, 2020 prohibiting community gatherings of 50 persons or more, controlling prices, and requiring reporting of testing; and

WHEREAS, Governor Abbot issued Executive Order GA 08 on March 19, 2020, to take effect at 11:59 P.M. on March 20, 2020, that prohibits social gatherings of more than 10 people; prohibits eating or drinking in bars, restaurants, and food courts, or visiting gyms; prohibits visitations of nursing homes or retirement or long-term care facilities unless to provide critical assistance; and temporarily closes schools; and

WHEREAS, Mayor Molina issued Order 2020-02 on March 20, 2020, prohibiting community gatherings of more than 10 people; prohibiting eating or drinking in bars, restaurants, and food courts, or visiting gyms; and prohibiting visitations of nursing homes or retirement or long-term care facilities unless to provide critical assistance; and

WHEREAS, Hidalgo County issued an Emergency Order on March 22, 2020 imposing further restrictions in response to the COVID-19 pandemic event; and





WHEREAS, Mayor Molina issued Order 2020-03 on March 23, 2020 to align the City's restrictions in response to the COVID-19 pandemic event with the County's Emergency Order; and

WHEREAS, 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 the influx of new 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 the City of Edinburg to stay home except for certain essential activities and work.

NOW, THEREFORE; BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF EDINBURG, TEXAS 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 the Mayor and made a part hereof for all purposes.

Section 2. This Order is effective as of 11:59 p.m. on March 24, 2020, and continuing until the state of disaster is terminated, or other date as determined by the City Council, unless terminated or modified by an earlier Order.

Section 3. STAY HOME. All persons living within the City of Edinburg **MUST STAY HOME**. To the extent persons are using shared or outdoor spaces, they must at all times, as reasonably as possible, maintain a physical distance of **at least six feet from any other person** when outside of their residence.

Section 4. PERSONS MAY LEAVE HOMES ONLY FOR THE FOLLOWING REASONS:

- a. For activities and tasks essential to the health and safety of you, your family, your household, and your pets (for example, seeking medical services, supplies, and medication). This includes caring for family or pets in another household.
- b. To obtain necessary services or supplies for yourself, your family, or your household (for example, buying groceries, food, pet supplies and food, supplies needed to work from home, toiletries, and cleaning supplies). This includes obtaining supplies and services for family or pets in another household.



- c. Exercising outdoors (for example walking, running, biking) but only if you maintain a **physical distance of at least six feet from any other person.**
- d. To work for an exempted business, organization, or government entity providing services necessary to the public during this disaster period and that follows the distancing, sanitation, and hygiene requirements of Section 7 of this Order.

Section 5. COMMUNITY GATHERINGS. Community Gatherings are prohibited anywhere in the City of Edinburg. For purposes of this Order, a “Community Gathering” is any indoor or outdoor event or convening 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. For clarity, this includes, but is not limited to, weddings, religious gatherings, parties, sporting events, social events, conferences, and other large gatherings. 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 barriers, or other structure and (ii) where people are present and they are within six (6) feet of one another for extended periods. This Order does not prohibit gatherings of people in multiple, separate enclosed spaces in a single building or different floors of a multi-level building, so long as 10 people are not present in any single space at the same time. This Order does not prohibit the use of enclosed spaces where 10 or more people may be present at different times.

Section 6. BUSINESS CLOSURE. All businesses (except those identified below) **must close and stop operations**, except that businesses may allow employees and contractors to work from home, to secure and maintain business property, and to facilitate technology services that allow employees to work from home.

Section 7. WORK SAFE PLAN. Businesses and organizations identified by the Department of Homeland Security, through the National Cybersecurity and Infrastructure Agency, as critical to the nation’s infrastructure may continue to operate. However, any business or organization that continues to operate **must implement and enforce distancing, sanitation, and hygiene practices**. At a minimum, such practices **must** include the following:

- a. To the maximum extent possible, ensure that all customers and all employees stay at least six feet away from each other at all times.
- b. To the maximum extent possible, minimize employees on site, minimize in person meetings, and allow employees to work from home.
- c. Provide sanitation supplies accessible and available to all employees such as disinfectants, hand sanitizer comprised of at least 60% alcohol, and soap.

- d. Provide hand sanitation at all entrances for customers.
- e. If an employee reports possible exposure, or reports or shows symptoms of COVID-19, send the employee home and sanitize the employee's work area.
- f. Mandate that employees clean and sanitize work areas, including vehicles, at least twice during the workday.
- g. Perform thorough cleaning/sanitation of all common areas and surface areas at least once during the workday.
- h. Prior to beginning work, screen all employees and send home any employee who
 - 1. Shows signs or symptoms of a respiratory infection, such as a cough, shortness of breath, sore throat, and low-grade fever, or
 - 2. In the previous 14 days has had contact with someone with a confirmed diagnosis of COVID-19; is under investigation for COVID-19; or is ill with a respiratory illness.

All operating businesses and organizations must submit a **Work Safe Plan** to the City of Edinburg within 48 hours of when the business or organization first opens during the period of this Order. Plans may be submitted by email to WorkSafePlan@cityofedinburg.com.

Section 8. BUSINESS EXEMPTIONS. Subject to these mandatory **Work Safe Plan** measures, the following businesses and organizations may continue to operate during the period of this Order:

- a. **Healthcare.** Healthcare operations, including hospitals, clinics, dentists, pharmacies, veterinary offices, mental health providers, substance abuse providers, blood banks, and related ancillary healthcare services. Healthcare operations shall be viewed broadly to avoid any impacts to the delivery of healthcare.
- b. **Government functions.** Services provided by local governments for the health, safety, and welfare of the public, including emergency services, trash collection, and utilities.
- c. **Critical infrastructure.** Companies providing or maintaining infrastructure, including construction of public works, housing, and commercial projects, airport operations, water, sewer, gas, electrical, roads and highways.
- d. **Transportation.** Businesses related to transportation, including gas stations, repair shops, car dealerships, and automotive supply.
- e. **Telecommunications.** Businesses that provide, maintain, and support internet and telecommunication systems.

- f. **Essential retail.** Retail businesses that sell household products, and office supplies, including big box stores, liquor stores, convenience stores, laundromats, drycleaners, and hardware stores. This includes businesses that ship or deliver foods, goods, or services directly to residences.
- g. **Food.** Food service providers, including grocery stores or businesses that ship or deliver groceries or food. Restaurants and other facilities that prepare and serve food may only do so for delivery or carry out.
- h. **Charity organizations.** Organizations that provide food, shelter, and services to vulnerable populations, including animals. This includes schools and other entities that provide free meals to students or members of the public on a pick-up or delivery basis only.
- i. **Education.** Schools, institutions, educators, or other personnel supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning.
- j. **Hotels.** Hotels and other temporary residence facilities.
- k. **Home maintenance, products, and services.** Businesses that provide home maintenance and other home services, such as mail and shipping companies, plumbers, electricians, and exterminators.
- l. **Essential services to maintain essential operations.** Mail and shipping services, building cleaning, maintenance and security, warehouse/distribution fulfillment, storage for essential businesses, professional services such as legal or accounting necessary to comply with legally required activities, and others who provide services necessary to maintain the safety, sanitation, and essential operations of essential businesses.
- m. **News media.** Newspapers, television, radio, and other media services.
- n. **Financial Institutions.** Financial institutions including banks, credit unions, and title companies.
- o. **Childcare services.** Childcare services, such as child day cares, in compliance with federal and state health mandates.
- p. **Worship.** Religious and worship organizations provided services are distributed solely by video, teleconference, or other remote methods.
- q. **Mortuary services.** Business that provide mortuary and related services, including funeral homes, crematoriums, and cemeteries.

- r. Any other business or organization recognized by a federal, state, or county authority as an essential service or critical infrastructure.

Section 9. MANDATED CLOSURES. For clarity, the following categories of business are not exempt from the Order and must close and stop operations during the period of this Order:

- a. Fitness centers and gyms,
- b. Spas and massage parlors, tattoos and piercing parlors, and tanning salons.
- c. Hair and nail salons, barber shops, estheticians, and related personal care businesses.
- d. Entertainment facilities such as bowling alleys and movie theaters.

Section 10. SELF QUARANTINE. People who are ill, especially those with symptoms consistent with influenza or COVID-19, should isolate themselves at home until they recover. Such persons should only present for medical evaluation or treatment if their symptoms are such that they cannot continue to be cared for in their home. And, when seeking medical care, should call their doctor or health care facility before arriving to allow them to prepare. An entire household is ordered to self quarantine at home, and no one within the household may go to work or any public function of any kind, for a period of no less than two weeks if

- a. Anyone in a household tests positive for COVID-19; or
- b. Anyone in the household has had contact with anyone who has tested positive for COVID-19.

Section 11. RETIREMENT FACILITIES. Persons shall not visit nursing homes or retirement or long-term care facilities except to provide critical assistance.

Section 12. ELECTIVE MEDICAL PROCEDURES. All elective medical, surgical, and dental procedures are prohibited in the City of Edinburg. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed “elective” by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response

Section 13. VENTILATORS AND MEDICAL PPE. Any business who repurposes so that a substantial part of its business is to manufacture or distribute ventilators or medical personal protective equipment may apply for an “essential business” exemption under this Order.

Section 15. CURFEW. All persons shall stay within their dwelling between the hours of 10:00 p.m. and 5:00 a.m. For purposes of this curfew provision, the Order does not apply to persons engaging in activities allowed under Sections 4(a), (b), and (d) of this Order.

Section 16. CITY PARKS. City parks will remain open to the extent practicable, but playground areas shall be closed to the public. Furthermore, for the health and safety of City employees and the public, members of the public are encouraged to limit any in person transactions or visits to City facilities that are not related to emergency and essential services, as necessary.

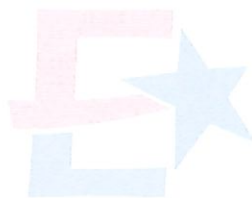
Section 17. CITY BOARDS. All City boards and advisory committees shall cease in person meetings; any meetings shall be conducted in compliance with guidance provided by the Texas Attorney General.

Section 18. TESTING FACILITIES. Any person, business, or organization providing testing for COVID-19 shall report to the Emergency Management Coordinator, Chief Shawn Snider, that they are conducting such testing by calling 956-605-0760 or emailing ssnider@cityofedinburg.com.

Section 19. INVOLUNTARY QUARANTINE. In addition, people who are known to have, or are under investigation or monitoring, for COVID-19 must abide by direction provided to them by duly authorized persons, including public health officials. Failure to abide by such direction may result in involuntary quarantine or isolation for the purposes of preventing further community spread of COVID-19.

Section 20. PREVIOUS ORDERS. All provisions of Order 2020-01 and Order 2020-02 not in conflict with this Order remain in effect.

Section 21. ENFORCEMENT. Peace officers, City of Edinburg Code Enforcement Officers, and Edinburg Fire Marshals are hereby authorized to enforce this order. A violation of this Order is a Class C Misdemeanor punishable by a fine not to exceed \$1,000 and/or confinement in jail not to exceed 180 days.



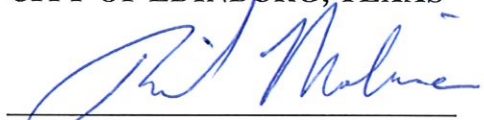


Section 22. PUBLIC NOTICE. The City of Edinburg shall post this Order on its website. In addition, the owner, manager or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.

Section 23. SEVERABILITY CLAUSE. If any subsection, sentence, clause, phrase or word of this Order or 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 rest of the order.

ORDERED this the 24th day of March, 2020.


CITY OF EDINBURG, TEXAS


Richard R. Molina, Mayor

ATTEST:


Myra L. Ayala, City Secretary

APPROVED AS TO FORM:


Omar Ochoa, City Attorney

