

THIRD AMENDED EMERGENCY ORDER
INSTITUTING EMERGENCY MEASURES DUE TO A PUBLIC HEALTH
EMERGENCY RELATED TO CORONA VIRUS DISEASE (COVID-19)

WHEREAS, by declaration issued the 18th day of March, 2020, the Mayor of Alton declared a Local Disaster Due to Public Health Emergency for the City of Alton, Texas, resulting from the imminent threat and possibility of exposure and spread of COVID-19; and

WHEREAS, said disaster requires certain emergency measures be taken to mitigate and prevent the spread of and control the risk of COVID-19, in order to protect and promote the public health, safety and welfare of residents of the City of Alton

WHEREAS, the President of the United States has declared a National Emergency due to the public health threat of the Coronavirus (COVID-19); AND

WHEREAS, the Governor of Texas has declared a state of disaster for all counties in Texas due to the imminent threat COVID-19 poses and has issued Executive Orders of the Governor Relating to Emergency Management and under the authority prescribed in Chapter 418 of the Texas Government Code; and

WHEREAS, said state of disaster requires that certain emergency measures be taken to mitigate and prevent the spread of and control the risk of COVID-19, in order to protect and promote the public health, safety and welfare of residents of the City of Alton; and

WHEREAS, Mayor Salvador Vela extended the original emergency order which is set to expire effective 11:59 April 5, 2020; and

Whereas, the President of the United States and the Governor of Texas extended the state of disaster which will continue on 11:59 April 30, 2020.

NOW THEREFORE, pursuant to the authority granted in Chapter 418 of the Texas Government Code, the following order shall supersede all previous orders on these matters that are in conflict or inconsistent with its terms, shall take effect immediately upon issuance, and shall remain in effect for until 11:59 p.m. on April 30, 2020 unless terminated, modified, or extended by the Alton City Commission.

1. MOVEMENT OF PEOPLE AND OCCUPANCY OF PREMISES

- (a) A person shall not remain or travel upon any public or private property within the jurisdictional boundaries of the City of Alton, Texas, which may constitute a social event or gathering of ten (10) or more persons.
- (b) Subsection (a) shall not apply to a person authorized by city officials and law enforcement that assist in the protection of the health, safety, or welfare of the public during the declared emergency.
- (c) For the purposes of this order, a social “event” or “gathering” is any indoor or outdoor event, that brings or is likely to bring together ten (10) or more persons at the same time,

- (d) For the purposes of this order, non-essential retail establishments shall be prohibited from servicing customers, including but not limited to:
 - a. Conferences, festivals, parades, concerts, sporting events, weddings, flea markets and other type of assemblies.
 - b. Eating or drinking at bars, lounges and private clubs, provided however, that the use of drive-thru, pickup, or delivery options are allowed and highly encouraged throughout the limited duration of this order.
 - c. Fitness centers and gyms, massage parlors, tattoos and piercing parlors, and tanning salons
 - d. Hair and nail salons, barber shops, estheticians, and related personal care business
 - e. Entertainment facilities such as dance halls, bingo parlors and other types of business establishments
 - f. Restaurants and/or food courts provided however, that the use of drive-thru, pickup, or delivery options are allowed and highly encouraged throughout the limited duration of this order.
 - g. Retail stores that do not sell essential household goods
- (e) For the purposes of this order a social “event” or “gathering” does not apply to gatherings spaces where people may visit, including but not limited to grocery stores, gas stations, parks, retail establishments, hospitals and medical offices or facilities, bus terminals so long as the necessary precautions are maintained for employees and customers to reduce transmission of COVID-19.
- (f) For the purposes of this order critical infrastructure will remain operational
- (g) For the purposes of this order domestic travel will remain unrestricted to the extent it complies with limitations placed herein on the timing and manner of travel.
- (h) For the purpose of this order essential government operations shall remain open as determined by the City officials.
- (i) For the purposes of this order critical infrastructure shall mean businesses and employees identified by the U.S. Department of Homeland Security that are part of the critical infrastructure industry including but not limited to:
 - a. healthcare services
 - b. pharmaceutical services
 - c. agricultural and food supply
 - d. telecommunications
 - e. call centers that service critical infrastructure operations
 - f. information technology
 - g. staffing operations centers
 - h. those offering repair and maintenance services to critical infrastructure
 - i. banking and financial institutions
 - j. insurance and legal services
 - k. power, water, natural gas and public utilities
 - l. critical manufacturing and construction
 - m. emergency services
 - n. fire and law enforcement

- o. public works
 - p. sanitation services
 - q. transportation and logistics
- (j) For the purposes of this order business operations providing essential services shall remain open; this includes services rendered to government and persons, the interruption of which would endanger the life, health or personal safety of the citizens of the City of Alton.
- (k) For the purposes of this order, persons shall not visit nursing homes, retirement or long-term care facilities unless to provide critical assistance.
- (l) For the purposes of this order, schools shall temporarily close.
- (m) Anyone testing positive for COVID-19 will be ordered to isolate at home, including members of the household until cleared by a medical professional. Such quarantine order shall be enforced as provided in Chapter 81, Texas health and safety code.

2. STAY AT HOME CURFEW

- (a) A person shall stay-at-home or within their dwelling and not remain or travel upon any public or private property within the jurisdictional boundaries of the City of Alton between the hours of 10:00 pm and 5:00 am.
- (b) For the purposes of the Stay at Home Curfew, this order does not apply to:
- 1) Persons identified as part of the critical infrastructure industry and services.
 - 2) Persons that are part of governmental places that shall remain open as determined by the City officials.
 - 3) Persons traveling directly to and from essential businesses and retail establishments, including but not limited to grocery stores, gas stations, hospitals and medical offices or facilities, bus terminals so long as the necessary precautions are maintained for employees and customers to reduce transmission of COVID-19.
 - 4) Persons authorized to travel by the Emergency Management Coordinator.
 - 5) Persons serving a law enforcement role, first responders, and emergency medical services personnel.

3. PRICE CONTROLS

A person and/or business shall not sell any goods or service, including but not limited to the following, for more than the price the person charged for the goods or services on March 18, 2020:

- (a) groceries, beverages, toilet articles, ice
- (b) construction and building materials and supplies, and earthmoving equipment and machinery
- (c) electrical and gas generating and transmission equipment, party and accessories
- (d) charcoal briquettes, matches, candles, lamp illumination and heat unit carbides, dry batteries, light bulbs, flashlights, and hand lanterns
- (e) hand tools (manual and power), hardware and household supplies, and equipment rental
- (f) automotive parts, supplies, and accessories
- (g) plumbing and electrical tools and supplies

- (h) apartment, duplex, multi-family dwelling, rooming house, hotel and motel rental
- (i) gasoline, diesel oil, motor oil, kerosene, grease, and automotive lubricants
- (j) restaurant, cafeteria, and boarding-house meals
- (k) services of roofing and building contractors, plumbers, electricians, mechanics, tree surgeons, and automobile wrecker companies
- (l) medicine, pharmaceutical, and medical equipment and supplies
- (m) blankets, quilts, bedspreads, bed linens, mattresses, bedsprings, bedsteads, towels, and toilet paper
- (n) furniture and clothing

4. RECOMMENDATIONS

- (a) Businesses that provide child care services, must implement the Texas Health and Human Services *COVID-19 Guidance to Child Care Providers*.
 - (b) In compliance with Governor Abbott's March 19, 2020 Executive order, businesses that operate a Day Activity and Health Services (DAHS) Facility must comply with the Texas Health and Human Services Commission *Guidance on COVID 19 Response in DAHS Facilities*.
5. Covering of Nose and Mouth. Except as provided herein, all persons over the age of five (5) are required to wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana, or handkerchief, when: entering into or inside of any building open to the public; when using public transportation, taxis, or ride shares; or when pumping gas. Ski masks are not permissible. This Section shall not apply to person that are: engaging in a permissible outside physical activity; that are riding in a personal vehicle; that are in alone in a separate single space; that are with their own shelter group (household members); when doing so poses a greater health, safety or security risk; or for consumption purposes. The penalty for a violation of this section shall be a Class C misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000.00).

6. PENALTIES

- (a) This order shall have full force and effect when duly filed with the City Secretary.
- (b) All municipal, local jurisdictions peace officers and law enforcement agencies are hereby authorized to enforce this order.
- (c) A person who violates any provision of this order, may be punishable by a fine of not more than one thousand dollars (\$1000.00), or confinement for a term in jail not to exceed one hundred and eighty days (180), pursuant to Texas Government Code, Chapter 418, Sec.418.173.
- (d) If any subsection, sentence, 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 remainder of this Order and its application.

7. EMERGENCY

This order shall be published on the City of Alton website, and copies shall be posted and/or made available to residents of the City upon request.

PASSED AND ADOPTED, this 16th day of April, 2020.

CITY OF ALTON

Salvador Vela
Salvador Vela, Mayor

ATTEST:

Baudelia Rojas
Baudelia Rojas, City Secretary

