

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

WHEREAS, by declaration issued the 18<sup>th</sup> 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, 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.

WHEREAS, Mayor Salvador Vela extended the original emergency order which is set to expire effective 11:59 April 30, 2020; and

WHEREAS, the Governor of Texas has issued an executive order GA-18 mandating the re-opening of certain retail service beginning May 1, 2020 for non-essential services to open in strict compliance with terms required by Department of State Health Services.

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 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
- (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 purpose of this order essential government operations shall remain open as determined by the City officials as provided by executive order GA-18.
- (h) 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
- (i) 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.

- (j) For the purposes of this order, persons shall not visit nursing homes, retirement or long-term care facilities unless to provide critical assistance.
- (k) For the purposes of this order, schools shall remain closed.
- (l) 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. 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*.

3. Covering of Nose and Mouth is recommended for all persons. 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.

## 4. PHASE I PLAN: OPEN NON-ESSENTIAL RETAIL BUSINESSES

- a) Opening up nonessential businesses for Retail Curbside or Delivery may continue as such as businesses desire to do so or as provided in Section 6 starting Friday April 24, 2020. These businesses will need to submit a Work Safe Plan, found on our City Website, prior to opening location and adhere to the DSHS guidelines.
- b) All employees of nonessential retail businesses must be trained on environmental cleaning and disinfection, hand hygiene, and respiratory etiquette. Face covering will be worn while conducting business.
- c) Staff must be screened before coming into the business for new or worsening cough, shortness of breath, sore throat, loss of taste or smell, fever, or contact with a person confirmed to have COVID- 19. Any employee who meets any of these criteria should stay home.
- d) Six feet of separation, masks, face coverings and hand washing and sanitizing are required for all employees entering the business. Hand-washing is also recommended after all interactions with customers.
- e) Customers may purchase items from a retail location for pickup or delivery by mail, but may not enter the premises.

- f) Payments are to be made by phone or over the internet when possible and contact should be minimized if remote payment is not available.
  - g) Employees must deliver items to the backseat or trunk of the customer's vehicle whenever possible to minimize contact with the public. Employees are to sanitize every item that comes into contact with customers.
  - h) Retailers delivering items to a customer's doorstep are not allowed to enter the premises and items purchased by mail should be delivered without customer contact.
5. REOPENED SERVICES shall consist of the following to the extent they are not already "essential services". Starting at 12:01 a.m. Friday, May 1, 2020.
- a) In-store retail services, for retail establishments that operate at up to 25 percent of the total listed occupancy of the retail establishment.
  - b) Dine-in restaurant services, for restaurants that operate at up to 25 percent of the total listed occupancy of the restaurant; provided, however, that this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages and are therefore not required to post the 51 percent sign required by Texas law as determined by the Texas Alcoholic Beverage Commission.
  - c) Services provided by an individual working alone in an office.
  - d) Local government operations, including county and municipal governmental operations relating to permitting, recordation, and document-filing services, as determined by the local government.
  - e) Such additional services as may be enumerated by future executive orders or proclamations by the governor.

These businesses will need to submit a Work Safe Plan, found on our City Website, prior to opening location and adhere to the DSHS guidelines. Religious services should be conducted in accordance with the joint guidance issued and updated by the attorney general and governor. The conditions and limitations set forth above for reopened services shall not apply to essential services.

In providing or obtaining essential services or reopened services, people and businesses should follow the minimum standard health protocols recommended by DSHS, found at [www.dshs.texas.gov/coronavirus](http://www.dshs.texas.gov/coronavirus), and should implement social distancing, work from home if possible, and practice good hygiene, environmental cleanliness, and sanitation. This includes also following, to the extent not inconsistent with the DSHS minimum standards, the Guidelines from the President and the CDC, as well as other CDC recommendations.

#### 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.
6. 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.
7. Shall any provision of this fourth amended emergency order conflict with Governor Abbotts' Executive Order GA-18, it shall supersede this order.

PASSED AND ADOPTED, this 28<sup>th</sup> day of April, 2020.

CITY OF ALTON

Salvador Vela  
Salvador Vela, Mayor

ATTEST:

Baudelia Rojas  
Baudelia Rojas, City Secretary

