

ORDER OF THE COUNTY JUDGE AND COMMISSIONERS COURT OF MCLENNAN COUNTY, TEXAS EXTENDING DECLARATION OF DISASTER AND PUBLIC HEALTH EMERGENCY FOR AND IN MCLENNAN COUNTY, TEXAS, AMENDING THE COUNTY'S REGULATIONS TO PREVENT THE SPREAD OF COVID-19

WHEREAS, on April 28, 2020 the County Judge and Commissioners Court of McLennan County, Texas renewed, restated, and continued the local state of disaster and public health emergency; and

WHEREAS, on May 5, 2020, Governor Greg Abbott issued Executive Order GA-21, which expanded the reopening of some businesses, leading to the amendment of the Order; and

WHEREAS, on May 18, 2020. Governor Greg Abbott issued Executive Order GA-23, which has greatly expanded the businesses and activities reopening, which requires further amendment of the County's Order.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE COUNTY JUDGE AND COMMISSIONERS COURT OF MCLENNAN COUNTY, TEXAS:

1. The foregoing recitals are incorporated herein and made findings of fact.
2. The Commissioners Court's Order, as amended, is renewed, restated, and continued as modified herein.
3. That pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue until 11:59 p.m. on June 11, 2020, unless continued, renewed, or rescinded by the County Judge and Commissioners Court of McLennan County, Texas.
4. Pursuant to Executive Oder GA 23, it is Ordered that the Order of the Commissioners Court adopting regulations to fight the spread of COVID-19 and the amendments thereto to date are further amended to provide that:

A. the definition of Re-Opened Businesses in the Order is expanded to include the following:

Offices, provided that the offices operate:

1. At the greater of ten individuals or 25 percent of the workforce; and
2. In compliance the Social Distancing Requirements of this section;

Massage establishments and other facilities where licensed massage therapists or other persons licensed or otherwise authorized to practice under Chapter 455 of the Texas Occupations Code practice their trade; provided, however, that all such facilities must ensure at least six feet of social distancing between operating work stations;

Personal-care and beauty services that have not already been reopened, such as tattoo studios, piercing studios, hair removal services, and hair loss treatment and growth services; provided, however, that (i) all such facilities must ensure at least six feet of social distancing between operating work stations; and (ii) to the extent such services are licensed or otherwise regulated by Texas law, such services may operate only as permitted by Texas law; and

Child-care services other than youth camps as described below; provided, however, that to the extent such services are licensed or otherwise regulated by Texas law, such services may operate only as permitted by Texas law.

- B. effective 12:01 a.m. on Friday, May 22, 2020, the definition of Re-Opened Businesses in the Order is expanded to include the following:

Dine-in restaurant services, for restaurants that operate at up to 50 percent of the total listed occupancy of the restaurant; provided, however that (i) this applies only to restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages; and (ii) any components of the restaurants that have interactive functions or exhibits, including child play areas, interactive games, and video arcades, must remain closed;

Bars and similar establishments that are not restaurants as defined above, that hold a permit from the Texas Alcoholic Beverage Commission, and that are not otherwise expressly prohibited in this executive order, for such establishments that operate at up to 25 percent of the total listed occupancy of the establishment; provided, however, that any components of the establishments that have interactive functions or exhibits, including child play areas, interactive games, and video arcades, must remain closed;

Aquariums, natural caverns, and similar facilities (excluding zoos) that operate at up to 25 percent of the total listed occupancy or, for outdoor areas, at up to 25 percent of the normal operating limits as determined by the facility owner; provided, however, that (i) local public facilities may so operate only if permitted by the local government; and (ii) any components of the facilities that have interactive functions or exhibits, including child play areas, must remain closed;

Bowling alleys, bingo halls, simulcast racing to the extent authorized by state law, and skating rinks that operate at up to 25 percent of the total listed occupancy of the establishment; provided, however, that (i) bowling alleys must ensure at least six feet of social distancing between operating lanes; and (ii) components of the establishments that have video arcades must remain closed;

Rodeos and equestrian events that operate at up to 25 percent of the total listed occupancy or, for outdoor areas, at up to 25 percent of the normal operating limits as determined by the facility owner; provided, however, that this authorizes only the rodeo or equestrian event and not larger gatherings, such as county fairs, in which such an event may be held;

Drive-in concerts, under guidelines that facilitate appropriate social distancing, that generally require spectators to remain in their vehicles, and that minimize in-person contact between people who are not in the same household or vehicle; and

Amateur sporting events (i) at which there is no access to the general public allowed; and (ii) for which all participants have tested negative for COVID-19 prior to the event, are quarantined for the duration of the event, are temperature-checked and monitored for symptoms daily, and are tested again for COVID-19 at the end of the event.

- C. effective 12:01 a.m. on Friday, May 29, 2020, the definition of Re-Opened Businesses in the Order is expanded to include the following:

Outdoor areas of zoos that operate at up to 25 percent of the normal operating limits as determined by the zoo owner; provided, however, that (i) indoor areas of zoos, other than restrooms, must remain closed; (ii) any components of the zoos that have interactive functions or exhibits, including child play areas, must remain closed; and (iii) local public zoos may so operate only if permitted by the local government.

D. effective 12:01 a.m. on Friday, May 31, 2020, the definition of Re-Opened Businesses in the Order is expanded to include the following:

Professional basketball, baseball, softball, golf, tennis, football, and car racing events, with no spectators physically present on the premises of the venue, as approved on a league-by-league basis by the Texas Department of State Health Services (“DSHS”), in consultation with the Office of the Governor and any recommendations by the advisory Strike Force to Open Texas, based on whether the league has submitted a plan that applies to all events and that meets the minimum health and safety standards; provided, however, that each league must submit, along with a request for approval in the manner prescribed by DSHS, a plan that incorporates applicable minimum standard health protocols recommended by DSHS, as applicable, and such additional measures as are needed to ensure a safe plan for conducting the event;

Youth camps, including but not limited to those defined as such under Chapter 141 of the Texas Health and Safety Code, and including all summer camps and other daytime and overnight camps for youths; and

Youth sports programs; provided, however, that practices may begin, but games and similar competitions may not begin until June 15, 2020.

E. movie theaters must maintain the video arcades or interactive games as closed.

F. the total listed occupancy for Re-Opened Businesses does not include staff members of the business, except for manufacturing businesses and offices. That the total listed occupancy for Re-Opened Businesses does not apply to outdoor areas, events, facilities, or establishments.

G. the County is affirming the requirements as to schools and school graduations found in GA-23

5. That this Order is effective immediately.

PASSED, APPROVED and ORDERED this 19th day of May, 2020.



Scott M. Felton, County Judge
McLennan County, Texas

Attest:

J.A. “Andy” Harwell, County Clerk
McLennan County, Texas



By: Deputy County Clerk