

FILED this 30<sup>th</sup> day of Mar 20 20  
1:45 P M

TERESA RODRIGUEZ

COUNTY CLERK, CALDWELL COUNTY, TEXAS

By Teresa Rodriguez

**ORDER OF COUNTY JUDGE OF CALDWELL COUNTY, TEXAS  
FOR  
STAY HOME STAY SAFE**

**WHEREAS**, the CDC, in accordance with its guidance for large events and mass gatherings, has recommended that for the next eight (8) weeks, organizers (whether groups or individuals) cancel or postpone in-person events that consist of fifty (50) people or more throughout the United States and for events of any size to only be continued if they can be carried out with adherence to guidelines for protecting vulnerable populations, hand hygiene, and social distancing; and the CDC stated that its recommendation does not apply to the day to day operation of organizations such as schools, institutes of higher learning, or businesses; and

**WHEREAS**, on **March 15, 2020**, the Center for Disease Control and Prevention (CDC) issued guidance and a statement that large events and mass gatherings such as conferences, festivals, parades, concerts, sporting events, weddings, and other types of assemblies currently pose a risk to the health and safety of persons in the United States; and

**WHEREAS**, on **March 16, 2020**, Caldwell County Judge Hoppy Haden issued a proclamation declaring a local state of disaster for Caldwell County; and

**WHEREAS**, on **March 17, 2020**, Caldwell County Judge Hoppy Haden issued a subsequent Order wherein gatherings of fifty (50) people or more were prohibited from being held in Caldwell County, Texas; and

**WHEREAS**, on **March 18, 2020**, Caldwell County Judge Hoppy Haden issued a subsequent Order wherein community gatherings of fifty (50) people or more were prohibited from being held in Caldwell County, Texas effective until April 8, 2020; and

**WHEREAS**, on **March 18, 2020** the Caldwell County Commissioners Court extended the local state of disaster until April 8, 2020 or until otherwise terminated sooner or extended by action of the County Judge or Caldwell County Commissioners Court

**WHEREAS**, on **March 19, 2020**, Texas Governor Greg Abbott issued Executive Order GA 08 Relating to COVID-19 Preparedness and Mitigation stating people shall avoid social gatherings in groups of more than 10 people and closed all schools until April 3, 2020; and

**WHEREAS**, the conditions necessitating a declaration of a local state of disaster continue to exist in Caldwell County, Texas in relation to the substantial risk to the health and safety of the Caldwell County residents; and

**WHEREAS**, pursuant to Section 418.108(g) of the Texas Government Code, a county judge may control the movement of persons and the occupancy of premises in a disaster area; and

**WHEREAS**, pursuant to Section 418.108(h) of the Texas Government Code, the jurisdiction and authority of a county judge to control the movement of persons and the occupancy of premises in a disaster area includes the incorporated and unincorporated areas of a county and

to the extent of a conflict between decisions of a county judge and a mayor, the decision of the County Judge prevails; and

**WHEREAS**, gatherings of individuals for the health and safety of the people continue to pose a risk for the spread of infectious disease; and

**NOW, THEREFORE PURSUANT TO AND IN ACCORDANCE WITH THE TEXAS DISASTER ACT OF TEXAS GOVERNMENT CODE CHAPTER 418, BE IT ORDERED BY THE COUNTY JUDGE OF CALDWELL COUNTY, TEXAS THAT:**

**SECTION 1.** All individuals currently living within Caldwell County, Texas ("the County") are ordered to remain and stay at their place of Residence. To the extent individuals are using shared or outdoor spaces as allowed hereunder, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person when they are outside their Residence. All persons may leave their Residences only for Essential Activities or for performing or accessing Essential Governmental Functions, Healthcare Operations, Essential Businesses, and Essential Critical Infrastructure, all as defined in Section 5. Individuals experiencing homelessness are exempt from this Section but are strongly urged to obtain shelter and to utilize Social Distancing Requirements.

**SECTION 2.** All businesses operating in the County, except Essential Businesses as defined below in Section 5, are required to cease all activities at facilities located within the County except Minimum Basic Operations, as defined in Section 5. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own Residences (i.e., working from home) without regard to homeowner's association restrictions providing otherwise. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 5 below, including six-foot social distancing for both employees and the general public.

**SECTION 3.** All public and private gatherings of any number of people occurring outside a Residence are prohibited, except for the limited purposes as expressly permitted herein and defined in Section 5. Nothing in this Stay Home Stay Safe Order prohibits the gathering of members of the same household or family unit at their place of Residence, provided they maintain social distancing wherever reasonably possible.

**SECTION 4.** All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, except Essential Travel and Essential Activities as defined below in Section 5, is prohibited. People riding on public transit must comply with Social Distancing Requirements as defined in Section 5 below, to the greatest extent feasible. This Stay Home Stay Safe Order allows travel into or out of the County to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.

**SECTION 5. Definitions and Exemptions:**

- a. **Residence.** For purposes of this Stay Home Stay Safe Order, the term "Residence" means the physical place where a person, group or family resides, including single family houses, apartment units, townhomes, condos, multi-family homes, such as duplexes, triplexes, and quadplexes, manufactured homes and recreational vehicles (RVs), and hotels, motels, shared rentals, and other related facilities. Where applicable, the term

“residence” shall include the entire area within a property’s boundary lines, including porches, yards and balconies

- b. **Covered Businesses and Covered Entities.** For the purposes of this **Stay Home Stay Safe Order**, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.
- c. **Essential Activities.** For purposes of this **Stay Home Stay Safe Order**, individuals may leave their Residence only to perform any of the following "**Essential Activities**":
  - 1. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, and visiting a health care professional.
  - 2. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others and to food banks and food bank depositories, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of Residences, and obtaining supplies they need to work from home.
  - 3. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, or running or cycling.
  - 4. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this **Stay Home Stay Safe Order**, including Minimum Basic Operations.
  - 5. To care for a family member or pet in another household.
  - 6. To exchange children between parents, guardians, or managing conservators pursuant to a child custody order or agreement between the parties.
- d. **Healthcare Operations.** For purposes of this **Stay Home Stay Safe Order**, individuals may leave their Residence to work for or obtain services at any "**Healthcare Operations**" including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered Healthcare Operations. Healthcare Operations also includes veterinary care and all healthcare and welfare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. Healthcare Operations does not include fitness and exercise facilities, athletic gyms, exercise gyms and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures. 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 the current public health and safety concerns.

- e. **Essential Critical Infrastructure.** For purposes of this **Stay Home Stay Safe Order**, individuals may leave their Residence to provide any services or perform any work necessary to the operations and maintenance of "**Essential Critical Infrastructure**," including, but not limited to, work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) and as outlined at <https://www.cisa.gov/critical-infrastructure-sectors>, including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, and essential manufacturing operations, provided that they carry out those services or that work in compliance with the Social Distancing Requirements as defined in this Section, including the six foot social distancing, to the extent possible. Essential Businesses providing Essential Critical Infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with Social Distancing Requirements.
  
- f. **Essential Governmental Functions.** For purposes of this **Stay Home Stay Safe Order**, all services provided by governmental entities needed to ensure the continuing operation of the governmental entities to provide for the health, safety, and welfare of the public are categorically exempt from this **Stay Home Stay Safe Order**. Further, nothing in this **Stay Home Stay Safe Order** shall prohibit any individual from performing or accessing "**Essential Governmental Functions**," as determined by the governmental entity performing those functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, including the six-foot social distancing, to the extent possible. This order does not apply to the Federal or State Government.
  
- g. **Essential Businesses.** For purposes of this **Stay Home Stay Safe Order**, "**Essential Businesses**" means:
  - 1. Healthcare Operations, Essential Critical Infrastructure, and Essential Government Functions;
  - 2. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of Residences;

3. Food cultivation, including farming, livestock, fishing, and garden centers;
4. Residential, transportation and commercial construction;
5. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
6. Newspapers, television, radio, and other media services;
7. Gas stations and fuel suppliers;
8. Auto-supply, auto-repair, auto parts, auto-maintenance, vehicle manufacturing, vehicle sales and related facilities;
9. Banks and related financial institutions;
10. Hardware stores;
11. Trash and recycling collection, processing and disposal;
12. Cleaning, maintenance and security for facilities;
13. Warehouse distribution and fulfillment;
14. Storage for Essential Businesses;
15. Funeral homes, crematoriums, cemeteries, burial, and related services, provided that Social Distancing Requirements are maintained to the greatest extent possible;
16. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of Residences, Essential Activities, and Essential Businesses, in addition to emergency repairs for facilities of non-essential businesses;
17. Certain real estate functions limited to real estate property management, including scheduling necessary repairs that effect the safety and wellbeing of residents, executing and managing leases (commercial and residential), renewal and adjustments of leases (commercial and residential); real estate recordings and transfers, including the execution and documentation of real estate transfers; and real property related services such as permitting, inspections, construction, procurement, representation and title searches;
18. Businesses and providers providing mailing and shipping services, including post office boxes;
19. Educational institutions-including public and private pre-K establishments, K-12 schools, colleges, and universities-for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
20. Laundromats, drycleaners, and laundry service providers;
21. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this **Stay Home Stay Safe Order** on the condition that the food is provided to students or members of the public on a pick-up or carry-out basis only;
22. Businesses that supply products needed for people to work from home;
23. Businesses that provide Information Technology (IT) services that are necessary to maintain internet and telecommunications systems, including the provision of essential global, national and local infrastructure for computing services, business infrastructure, communications and web-based services;
24. Businesses that provide residential and/or commercial moving services and necessary moving supplies;
25. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;

26. Businesses that ship or deliver groceries, food, goods or services directly to Residences;
27. Any business or manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing products intended to be directly utilized for the COVID-19 response;
28. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this **Stay Home Stay Safe Order**;
29. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
30. Childcare, daycare and child watch facilities and providers providing services that enable employees exempted in this **Stay Home Stay Safe Order** to work as permitted. To the extent possible, childcare, daycare and child watch facilities and providers must operate under the following mandatory conditions:
  - a. Childcare, daycare and child watch be carried out in stable groups of 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day).
  - b. Children should not change from one group to another.
  - c. If more than one group of children is cared for at one facility, each group should be in a separate room. Groups should not mix with each other.
  - d. Childcare providers should remain solely with one group of children.

**h. Minimum Basic Operations.** For purposes of this **Stay Home Stay Safe Order**, "**Minimum Basic Operations**" include the following, provided that employees comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:

1. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
2. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their Residences.

**i. Essential Travel.** For purposes of this **Stay Home Stay Safe Order**, "**Essential Travel**" includes travel for any of the following purposes:

1. Any travel related to the provision of or access to Essential Activities, Healthcare Operations, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.
2. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
3. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
4. Travel to return to a place of Residence from outside the jurisdiction.
5. Travel required by law enforcement or court order.
6. Travel required for non-residents to return to their place of Residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.

Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.

- j. Social Distancing Requirements.** For purposes of this **Stay Home Stay Safe Order**, "**Social Distancing Requirements**" includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

**SECTION 6:** Religious and worship services may only be provided by video and teleconference. Religious institutions must limit in-person staff to ten (10) people or less when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Requirements, including the six-foot social distancing.

**SECTION 7:** All public park equipment and fixtures including all playscapes are closed for public use for the duration of this order. Parks are open to the public during regular hours, but their use is limited exercise activity and Social Distancing Requirements must be followed at all times.

**SECTION 8:** Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. A number of Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this **Stay Home Stay Safe Order** hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Caldwell County for the next 60 days.

**SECTION 9:** Due to increased demand for bath or toilet tissue (toilet paper) resulting from stock up buying and private non-retail individuals who purchase for resale, a mandatory limit on toilet paper sales is instituted in order to allow the supply chain to meet the demand. During the effective period of this **Stay Home Stay Safe Order**, all sales of toilet paper occurring in the County are limited to the greater of (a) twelve (12) rolls per purchase; or (b) one (1) package per purchase.

**SECTION 10:** Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.

**SECTION 11.** The intent of this **Stay Home Stay Safe Order** is to ensure that the maximum number of people self-isolate in their places of Residence to the maximum extent feasible, while enabling essential services to continue, to reduce the risk to the health and safety of the people to the maximum extent possible. When people need to leave their places of Residence, whether to obtain or perform authorized services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times reasonably possible comply with Social Distancing Requirements as defined in **Section 5**. All provisions of this **Stay Home Stay Safe Order** should be interpreted to effectuate this intent. Failure to comply with any of the provisions of this **Stay Home Stay Safe Order** constitutes

an imminent threat to public health.

**SECTION 12.** This **Stay Home Stay Safe Order** is issued based on evidence of an increasing risk to the health and safety of the residents within the County, throughout the United States of America and the State of Texas, and scientific evidence and best practices regarding the most effective approaches to address the concerns for the health and safety of the public. The notable risk to the health and safety of the public has resulted in a public health emergency throughout the County.

**SECTION 13.** This **Stay Home Stay Safe Order** also is issued based on known risks to the health and safety to the people of Caldwell County. This **Stay Home Stay Safe Order** is necessary to protect the health and safety of the people and to limit the factors creating the risks.

**SECTION 14:** This **Stay Home Stay Safe Order** is issued pursuant to and in accordance with the local state of disaster issued by County Judge Hoppy Haden for Caldwell County, Texas on March 16, 2020, which was thereafter extended on March 17 and March 18, 2020 by the Caldwell County Commissioners Court pursuant to Section 418.108(b) of the Texas Government Code.

**SECTION 15.** The findings and recitations set out in the preamble to this **Stay Home Stay Safe Order** are found to be true and correct and they are hereby adopted by the Caldwell County Judge and made a part hereof for all purposes.

**SECTION 16.** This **Stay Home Stay Safe Order** is issued in accordance with and incorporates by reference declarations, findings, and recitations set out in the preamble to this Order and prior Orders issued by the County Judge and/or Commissioners Court, except that where any such previous Orders or Declarations are in conflict with this order, this Order prevails.

**SECTION 17.** Pursuant to Section 418.108(h) of the Texas Government Code, this **Stay Home Stay Safe Order** shall control the movement of persons and the occupancy of premises in Caldwell County, Texas and includes the incorporated and unincorporated areas of Caldwell County, Texas; and to the extent of a conflict between this **Stay Home Stay Safe Order** and any decisions of a Mayor of municipality in Caldwell County, Texas, the orders set out herein of the Caldwell County Judge shall prevail.

**SECTION 18. AS AUTHORIZED BY SECTION 418.173 OF THE TEXAS GOVERNMENT CODE AND AS ADOPTED IN CALDWELL COUNTY'S EMERGENCY MANAGEMENT PLAN, A FAILURE TO COMPLY WITH THE CALDWELL COUNTY EMERGENCY MANAGEMENT PLAN OR WITH ANY RULE, ORDER OR ORDINANCE ADOPTED UNDER SAID PLAN, INCLUDING, BUT NOT LIMITED TO THIS STAY HOME STAY SAFE ORDER, SHALL BE A CRIMINAL OFFENSE PUNISHABLE BY A FINE THAT DOES NOT EXCEED \$1,000.00 OR CONFINEMENT IN JAIL FOR A TERM NOT TO EXCEED 180 DAYS. THE CALDWELL COUNTY SHERIFF'S OFFICE, CALDWELL COUNTY CONSTABLES, CALDWELL COUNTY**



**FIRE MARSHAL'S OFFICE, AND OTHER LICENSED PEACE OFFICERS ARE HEREBY AUTHORIZED TO ENFORCE THIS ORDER AND ORDERS REFERENCED HEREIN.**

**SECTION 19.** If any provision of this **Stay Home Stay Safe Order** or its application to any person or circumstance is held to be invalid, the remainder of the **Stay Home Stay Safe Order**, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this **Stay Home Stay Safe Order** are severable.

**SECTION 20.** This **Stay Home Stay Safe Order** will be posted on Caldwell County's website at [www.co.caldwell.tx.us](http://www.co.caldwell.tx.us) and filed with the Caldwell County Clerk. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this **Stay Home Stay Safe Order** is strongly encouraged to post a copy of this **Stay Home Stay Safe Order** onsite and to provide a copy to any member of the public asking for a copy.

**SECTION 21.** This **Stay Home Stay Safe Order** shall become effective at **10:00 p.m. on March 31, 2020** and will continue to be in effect until **11:59 p.m. on April 8, 2020**, or until it is extended, rescinded, superseded, or amended in writing or by the Caldwell County Judge or the Commissioners Court.

**ORDERED this the 30th day of March, 2020 to be effective as of the date and time set out herein.**



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Hoppy Haden  
Caldwell County Judge

## **Frequently Asked Questions**

### **Regarding New Order Directing Individuals to Stay at Home except to Provide or Receive or Engage in Essential Activities**

The **Stay Home Stay Safe Order** is effective as of **10:00 p.m., March 31, 2020**, and it limits activity, travel and business functions to only the most essential needs. This **Stay Home Stay Safe Order** is in effect until **11:59 p.m. on April 8, 2020**, unless extended, rescinded, superseded, or amended by the Caldwell County Judge and/or Commissioners Court.

Please note that this FAQ is intended to assist the public with understanding their obligations and duties under the **Stay Home Stay Safe Order**. However, if anything in the FAQ is inconsistent with the terms of the **Stay Home Stay Safe Order** itself, the provisions of the **Stay Home Stay Safe Order** shall control.

#### **What is the difference between "sheltering in place" or "staying home" and "social distancing"?**

Sheltering in place requires people to stay at home and only leave home after being told that it is safe to venture out. This stay at home order allows people to leave home for "Essential Activities," as defined in the **Stay Home Stay Safe Order**. Social Distancing refers to staying 6 feet or more away from others and to avoid gathering in groups of any size, as well as washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

#### **When does the Stay Home Stay Safe Order go into effect?**

The **Stay Home Stay Safe Order** goes into effect at **10:00 p.m. on March 31, 2020**. Although this is soon, please do not panic. The **Stay Home Stay Safe Order** allows for people to conduct Essential Activities outside of their Residences as listed in the **Stay Home Stay Safe Order**.

#### **How long does the Stay Home Stay Safe Order last?**

The **Stay Home Stay Safe Order** will continue to be in effect until **11:59PM on April 8, 2020**, or until it is extended, rescinded, superseded, or amended in writing by the Caldwell County Judge and/or the Commissioners Court.

#### **Is this mandatory or is it just guidance?**

This **Stay Home Stay Safe Order** is a legal Order that must be followed by all persons located in Caldwell County, Texas. Failure to comply with this **Stay Home Stay Safe Order** shall be a criminal offense punishable by fine that does not exceed \$1,000.00 or confinement in jail for a term not to exceed 180 days. See Section 18 of the **Stay Home Stay Safe Order**.

#### **Am I allowed to leave my home while this Stay Home Stay Safe Order is in effect?**

The intent of this **Stay Home Stay Safe Order** is to ensure that people remain in their Residences and minimize social interactions outside of their immediate family unit. However, you may leave your Residence for reasons specified in the **Stay Home Stay Safe Order**. These "Essential Activities" include ensuring the health and safety of yourself and your family, engaging in outdoor activity that does not involve close contact with other people, obtaining services and supplies for yourself and your family, and performing employment functions that are permissible under the **Stay Home Stay Safe Order**.

### **What is "Essential Activity"?**

"Essential Activity" means engaging in activities or performing tasks that are deemed essential to your wellbeing and that of the community. Essential Activities include, but are not limited to activities such as:

- Activities or tasks essential to the health and safety of you and your family or household members, including your pets
- Obtaining food, household goods, and supplies to work from home
- Engaging in limited outdoor activity such as walking, running, hiking, or cycling as long as Social Distancing Requirements are followed
- Working for or going to an "Essential Business"
- Conducting "Minimum Basic Operations" for a non-essential business
- Caring for a family member or pet in another household
- Exchanging children between parents, guardians, or managing conservators pursuant to a child custody order or agreement between the parties.

### **Can I go to the grocery store?**

Yes. However, families should not use grocery stores as a group outing. Only family members should shop whenever possible. People should quickly and efficiently shop and not use the grocery store as a "hang-out" location. Get what you need and leave.

### **Can I go to the County owned or funded parks?**

All public park equipment and fixtures including all playscapes are closed for public use for the duration of this order. Parks are open to the public during regular hours, but their use is limited exercise activity and Social Distancing Requirements must be followed at all times.

### **Can I leave home to visit friends or family members if there is no urgent need?**

No, this is not an "Essential Activity." For your safety as well as other's safety, we need to help each other fight the spread of COVID-19 by staying at home.

### **Can I leave home to care for my elderly parents or friends who require assistance to care for themselves, or a friend or family member who has disabilities?**

Yes. Please follow all health and safety guidelines such as washing hands, using hand sanitizer, maintaining at least six feet of distance when possible, and coughing or sneezing into a tissue. Please note that this activity should be limited to essential care only.

### **What if I can't get out of the home? How can I get supplies and food?**

Please contact friends, family, or others you know who can provide support, as well as social service groups, food banks and area churches. They are permitted to pick up and deliver any of your necessities. You can also order food and other supplies and have them delivered to your Residence.

**Will all business offices and stores be required to close? What are "Essential Businesses"?**

"Essential Businesses" may stay open and their employees may leave home to go to work. The **Stay Home Stay Safe Order** includes the following list of Essential Businesses:

- a. Healthcare Operations, Essential Critical Infrastructure, and Essential Government Functions;
- b. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of Residences;
- c. Food cultivation, including farming, livestock, fishing, and garden centers;
- d. Residential, transportation and commercial construction;
- e. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- f. Newspapers, television, radio, and other media services;
- g. Gas stations and fuel suppliers;
- h. Auto-supply, auto-repair, auto parts, auto-maintenance, vehicle manufacturing, vehicle sales and related facilities;
- i. Banks and related financial institutions;
- j. Hardware stores;
- k. Trash and recycling collection, processing and disposal;
- l. Cleaning, maintenance and security for facilities;
- m. Warehouse distribution and fulfillment;
- n. Storage for Essential Businesses;
- o. Funeral homes, crematoriums, cemeteries, burial, and related services, provided that Social Distancing Requirements are maintained to the greatest extent possible;
- p. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of Residences, Essential Activities, and Essential Businesses, in addition to emergency repairs for facilities of non-essential businesses;
- q. Certain real estate functions limited to real estate property management, including scheduling necessary repairs that effect the safety and wellbeing of residents, executing and managing leases (commercial and residential), renewal and adjustments of leases (commercial and residential): real estate

recordings and transfers, including the execution and documentation of real estate transfers; and real property related services such as permitting, inspections, residential and commercial construction, procurement, representation and title searches;

- r. Businesses and providers providing mailing and shipping services, including post office boxes;
- s. Educational institutions-including public and private pre-K establishments, K-12 schools, colleges, and universities-for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
- t. Laundromats, drycleaners, and laundry service providers;
- u. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this **Stay Home Stay Safe Order** on the condition that the food is provided to students or members of the public on a pick-up or carry-out basis only;
- v. Businesses that supply products needed for people to work from home;
- w. Businesses that provide Information Technology (IT) services that are necessary to maintain internet and telecommunications systems, including the provision of essential global, national and local infrastructure for computing services, business infrastructure, communications and web-based services;
- x. Businesses that provide residential and/or commercial moving services and necessary moving supplies;
- y. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
- z. Businesses that ship or deliver groceries, food, goods or services directly to Residences;
- aa. Any business or manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing products intended to be directly utilized for the COVID-19 response;
- bb. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this **Stay Home Stay Safe Order**;
- cc. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
- dd. Childcare, daycare and child watch facilities and providers providing services that enable employees exempted in this **Stay Home Stay Safe Order** to work as permitted. To the extent possible, childcare, daycare and child watch facilities and providers must operate under the following mandatory conditions:
  - i. Childcare, daycare and child watch be carried out in stable groups of 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day).
  - ii. Children should not change from one group to another.

- iii. If more than one group of children is cared for at one facility, each group should be in a separate room. Groups should not mix with each other.
- iv. Childcare providers should remain solely with one group of children.

### **What is "Essential Travel"?**

- Any travel related to the provision of or access to Essential Activities, Healthcare Operations, Essential Governmental Functions, Essential Critical Infrastructure, Essential Businesses, or Minimum Basic Operations.
- Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
- Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
- Travel to return to a place of Residence from outside the jurisdiction.
- Travel required by law enforcement or court order.
- Travel required for non-residents to return to their place of Residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.

### **What if my business IS NOT considered an Essential Business?**

Your employees can work from home if their jobs are ones that can be performed remotely. Non-essential businesses may still conduct "Minimum Basic Operations," as defined in Section 5(h) of the Stay Home Stay Safe Order.

### **Can I leave home to go to my church, synagogue, or mosque?**

No. However, places of worship can offer remote access to services, such as by emails, video streaming, or teleconference.

### **If my child's school is providing food or meals, can I leave home to go to the school to pick up the food or meals?**

Yes.

### **Where can I go for more information?**

To stay up to date on COVID-19 issues in Caldwell County, including county office closures, please visit Caldwell County's webpage at <http://www.co.caldwell.tx.us>.

## **GLOSSARY/KEY TERMS**

### **Failure to Comply - Section 18**

Failure to comply shall be a criminal offense punishable by fine that does not exceed \$1,000.00 or confinement in jail for a term not to exceed 180 days.

### **Stay Home Stay Safe**

The term "**Stay Home Stay Safe**" means to stay in your home and not leave unless necessary for one of the designated exceptions listed in the **Stay Home Stay Safe Order** (discussed more below)

### **Residence- Section 5(a)**

Means the physical place where a person, group or family resides, including single family houses, apartment units, townhomes, condos, multi-family homes, such as duplexes, triplexes, and quadplexes, manufactured homes and recreational vehicles (RVs), and hotels, motels, shared rentals, and other related facilities. Where applicable, the term "residence" shall include the entire area within a property's boundary lines, including porches, yards and balconies.

### **Covered Businesses and Covered Entities - Section 5 (b)**

Covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.

### **Essential Activities - Section 5(c)**

Individuals may leave their Residence only to perform any of the following:

1. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, and visiting a health care professional.
2. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others and to food banks and food bank depositories, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of Residences, and obtaining supplies they need to work from home.
3. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, running or cycling.
4. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this **Stay Home Stay Safe Order**, including Minimum Basic Operations.
5. To care for a family member or pet in another household.

6. To exchange children between parents, guardians, or managing conservators pursuant to a child custody order or agreement between the parties.

#### **Healthcare Operations - Section 5(d)**

Individuals may leave their Residence to work for or obtain services at any "**Healthcare Operations**," including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, or any related and/or ancillary healthcare services. Home-based and residential-based care for seniors, adults, or children are also considered Healthcare Operations. Healthcare Operations also includes veterinary care and all healthcare and welfare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. Healthcare Operations does not include fitness and exercise facilities, athletic gyms, exercise gyms and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures. 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 the current public health and safety concerns.

#### **Essential Critical Infrastructure - Section 5(e)**

Individuals may leave their Residence to provide any services or perform any work necessary to the operations and maintenance of "**Essential Critical Infrastructure**," including, but not limited to, work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) and as outlined at <https://www.cisa.gov/critical-infrastructure-sectors>, including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), financial institutions, defense and national security-related operations, and essential manufacturing operations, provided that they carry out those services or that work in compliance with the Social Distancing Requirements as defined in this Section, including the six-foot social distancing, to the extent possible. Essential Businesses providing Essential Critical Infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with Social Distancing Requirements.

#### **Essential Governmental Functions - Section 5(f)**

All services provided by governmental entities needed to ensure the continuing operation of the governmental entities to provide for the health, safety, and welfare of the public are categorically exempt. Nothing prohibits any individual from performing or accessing "**Essential Governmental Functions**," as determined by the governmental entity performing those functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, including the six-foot social distancing, to the extent possible.



## **Essential Businesses - Section 5(g)**

1. Healthcare Operations, Essential Critical Infrastructure, and Essential Government Functions;
2. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of Residences;
3. Food cultivation, including farming, livestock, and fishing, and garden centers;
4. Residential, transportation and commercial construction;
5. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
6. Newspapers, television, radio, and other media services;
7. Gas stations and fuel suppliers;
8. Auto-supply, auto-repair, auto parts, auto-maintenance, vehicle manufacturing, vehicle sales and related facilities;
9. Banks and related financial institutions;
10. Hardware stores;
11. Trash and recycling collection, processing and disposal;
12. Cleaning, maintenance and security for facilities;
13. Warehouse distribution and fulfillment;
14. Storage for Essential Businesses;
15. Funeral homes, crematoriums, cemeteries, burial, and related services, provided that Social Distancing Requirements are maintained to the greatest extent possible;
16. Plumbers, electricians, exterminators, and other trades involved in residential and commercial construction and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of Residences, Essential Activities, and Essential Businesses, in addition to emergency repairs for facilities of non-essential businesses;
17. Certain real estate functions limited to real estate property management, including scheduling necessary repairs that effect the safety and wellbeing of residents, executing and managing leases (commercial and residential), renewal and adjustments of leases (commercial and residential); real estate recordings and transfers, including the execution and documentation of real estate transfers; and real property related services such as permitting, inspections, residential and commercial construction, procurement, representation and title searches;
18. Businesses and providers providing mailing and shipping services, including post office boxes;
19. Educational institutions-including public and private pre-K establishments, K-12 schools, colleges, and universities-for purposes of facilitating distance

- learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
20. Laundromats, drycleaners, and laundry service providers;
  21. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this **Stay Home Stay Safe Order** on the condition that the food is provided to students or members of the public on a pick-up or carry-out basis only;
  22. Businesses that supply products needed for people to work from home;
  23. Businesses that provide Information Technology (IT) services that are necessary to maintain internet and telecommunications systems, including the provision of essential global, national and local infrastructure for computing services, business infrastructure, communications and web-based services;
  24. Businesses that provide residential and/or commercial moving services and necessary moving supplies;
  25. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
  26. Businesses that ship or deliver groceries, food, goods or services directly to Residences;
  27. Any business or manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing products intended to be directly utilized for the COVID-19 response;
  28. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this **Stay Home Stay Safe Order**;
  29. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
  30. Childcare, daycare and child watch facilities and providers providing services that enable employees exempted in this **Stay Home Stay Safe Order** to work as permitted. To the extent possible, childcare, daycare and child watch facilities and providers must operate under the following mandatory conditions:
    - a. Childcare, daycare and child watch be carried out in stable groups of 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day).
    - b. Children should not change from one group to another.
    - c. If more than one group of children is cared for at one facility, each group should be in a separate room. Groups should not mix with each other.
    - d. Childcare providers should remain solely with one group of children.

**Minimum Basic Operations - Section 5(h)**

Include the following, provided that employees comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:

1. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
2. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their Residences.

**Essential Travel - Section 5(i)**

Includes travel for any of the following purposes:

1. Any travel related to the provision of or access to Essential Activities, Healthcare Operations, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.
2. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
3. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
4. Travel to return to a place of Residence from outside the jurisdiction.
5. Travel required by law enforcement or court order.
6. Travel required for non-residents to return to their place of Residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.

Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.

**Social Distancing Requirements - Section 5(j)**

Includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands. Parents are urged to use their own judgement with care and safety of their children.