

**ORDER AND DECLARATION OF THE MCLENNAN COUNTY COMMISSIONERS COURT
EXTENDING THE COUNTY JUDGE'S DIASTER DECLARATION AND ORDER OF MARCH
18, 2020 AS AMENDED BY THE COMMISSIONERS COURT HEREIN, AND DECLARING A
STATE OF DISASTER AND PUBLIC HEALTH EMERGENCY FOR MCLENNAN COUNTY,
TEXAS**

WHEREAS, in December 2019, a novel coronavirus, now designated Coronavirus disease 2019 (COVID-19), was detected in Wuhan City, Hubei Province, China; and

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 as a pandemic and urged that all countries take urgent and aggressive action; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency regarding COVID-19; and

WHEREAS, on March 13, 2020, Governor Greg Abbott declared a state of disaster in Texas due to COVID-19; and

WHEREAS, on March 13, 2020, the Waco-McLennan County Public Health District ("Health District") continued to urge persons to cancel, reschedule, and/or not attend gatherings attended by more than 250 people and made other recommendations regarding social distancing; and

WHEREAS, on March 15, 2020, the Centers for Disease Control ("CDC") lowered the recommended number of persons at mass gatherings to 50 persons; and

WHEREAS, large gatherings of individuals pose a risk of the spread of COVID-19. COVID-19 spreads between people who are in close proximity to each other through respiratory droplets produced when a person coughs or sneezes. The CDC recommends that persons maintain a distance of six feet from others when possible; and

WHEREAS, limiting large gatherings is essential and proactive to prevent and slow down community spread of COVID-19; and

WHEREAS, the Waco-McLennan County Public Health District ("Health District") has strongly recommended canceling, rescheduling, or not attending non-essential events with more than 10 persons; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation; and

WHEREAS, extraordinary and immediate measures needed to be taken to respond quickly to prevent and slow down community spread of COVID-19; and

WHEREAS, on March 18, 2020, County Judge Scott M. Felton issued a disaster declaration and order restricting community gatherings (as defined herein) to 50 or fewer persons; and restricting the number of patrons in restaurants, bars and certain other businesses; and

WHEREAS, later in the day on March 18, 2020, Governor Abbott requested that all counties restrict restaurants to drive-through or take-out only, close all bars, and restrict community gatherings to 10 persons; and

WHEREAS, based on the Governor's request and the fact that there are now reported cases of individuals testing positive for COVID-19 in McLennan County, there is the need to take further action.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF MCLENNAN COUNTY, TEXAS UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108:

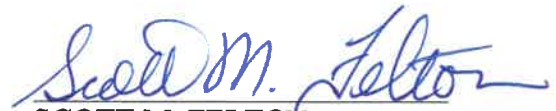
1. That the local state of disaster and public health emergency declared for McLennan County, Texas by the County Judge is hereby EXTENDED, and that the County Judge's Order is ADOPTED AND RESTATED except as AMENDED herein by this Court based on new developments. A local state of disaster and public health emergency in McLennan County is DECLARED.
2. Pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this Order and Declaration unless continued or renewed by this Court.
3. Although applicable to McLennan County, nothing in this order is intended to prohibit or shall prohibit a city in this County from ordering any measure allowed by Section 418.108 of the Texas Government Code, including stricter measures than are contained herein.
4. Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the County Clerk.
5. Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the County's emergency management plan.
6. Public or private Community Gatherings (as defined in Section 7 below) of more than 10 people are PROHIBITED anywhere in McLennan County. The uses in subsections (i), (ii), and (iii) of this section are not considered Community Gatherings, but are limited or prohibited as provided in subsections (i), (ii), and (iii):
 - (i) A restaurant with or without drive-through services; drive-through restaurant; microbrewery, micro-distillery, or winery **may only provide take out, delivery, or drive-through services as allowed by law.** No dine-in option shall be allowed;
 - (ii) A location with alcoholic beverage consumption for on-premise consumption, including a bar, lounge, or tavern, or private club **shall close until further notice;** and
 - (iii) Indoor recreational facilities, including a gym or health studio; indoor amusement facility, including a bowling alley or a pool hall; or theater (theatre) **shall close until further notice.**

7. Definitions:

- a. For purposes of this Order, a “Community Gathering” is any indoor or outdoor event or convening, subject to the exceptions and clarifications below, 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, such as an auditorium, stadium (indoor or outdoor), tent, arena or event center, music venue, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.
 - b. 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 barrier, or other structure and (ii) where people are present and they are within six feet of one another for extended periods.
 - c. For purposes of clarity, a “Community Gathering” does not include the following, or other similar uses, so long as the persons involved are generally not within six feet of one another for extended periods:
 - (i) spaces where ten (10) or more persons may be in transit or waiting for transit such as airports, bus stations, or terminals;
 - (ii) office space, public and private schools, institutions of higher learner, child-care facilities, residential buildings, or any type of temporary sheltering or housing;
 - (iii) grocery stores, shopping centers or malls, or other retail establishments where large numbers of people are present, but it is unusual for them to be within six feet of one another for extended periods: or
 - (iv) hospitals and medical facilities.
8. Government operations, including operations of the judiciary, and gatherings required to carry them out are not a “Community Gathering” under this Order.
 9. Sections 6 and 7 **as amended** shall become effective at 11:59 pm on March 19, 2020; until then, the restrictions as set forth in the County Judge’s Order of March 18, 2020 shall apply.
 10. The County will promptly provide copies of this Order by posting it on the County’s 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.
 11. That a violation of this order shall be a Class C misdemeanor and the penalty for violating this order shall be a fine of not less than one dollar (\$1.00) and no more than one thousand dollars (\$1,000.00), and each day a violation exists shall be a separate offense. That this declaration also hereby authorizes the use of any other lawfully available enforcement tools.

12. If any subsection, sentence, clause, phrase, or word of this Order or any 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 remaining portions or applications of this Order.

ORDERED BY THE COMMISSIONERS COURT OF MCLENNAN COUNTY, TEXAS
on this the 19th day of March, 2020.



SCOTT M. FELTON
COUNTY JUDGE
MCLENNAN COUNTY, TEXAS

ATTEST:



McLennan County Clerk
or Designated Deputy Clerk