



ORDER OF COUNTY JUDGE RUDY MADRID
REGARDING HEALTH AND SAFETY POLICY AND FACE COVERINGS
ISSUED JUNE 22, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Kleberg County Judge Rudy Madrid issued a Declaration of Local Disaster for Public Health Emergency on March 16, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and

WHEREAS, the Declaration of Local Disaster for Public Health Emergency has been continued several times with the consent of the Kleberg County Commissioners Court; and

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of COVID-19 pandemic; and

WHEREAS, on May 12, 2020, Texas Governor Greg Abbott issued a proclamation renewing the Disaster Declaration for all counties in Texas in accordance with Section 418.014 of the Texas Government Code; and

WHEREAS, the COVID-19 virus is contagious and spreads through person-to-person contact, especially in group settings; and

WHEREAS, the transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the Kleberg County community and rates of infection are increasing at an alarming exponential rate and the number of people ending up in the hospital, ICU, or on ventilators is also dramatically rising despite efforts by local authorities to control the spread; and

WHEREAS, the County Judge acts as the emergency management director for the county and serves as the Governor's designated agent in the administration and supervision of duties during a state of emergency declared by the Governor in accordance with Section 418.1015(a) and (b) of the Texas Government Code; and

WHEREAS, the County Judge serving as the Governor's designated agent in the administration and supervisions of duties during a state of emergency declared by the Governor, "may exercise the powers granted to the governor under this chapter on an appropriate local scale" in accordance with Section 418.1015(b) of the Texas Government Code; and

WHEREAS, the County Judge has determined that extraordinary emergency measures must be taken to try and mitigate the effects of this public health emergency and to facilitate a response to the public health threat; and

WHEREAS, it is the intent of this Executive Order to remain as consistent with and to harmonize, to the extent possible, the executive orders of Texas Governor Greg Abbott, as extended or modified; and

WHEREAS, by the authority vested in me as Kleberg County Judge and as the Emergency Management Director for Kleberg County to continue to protect the health and safety of the community and address developing and rapidly changing circumstances when presented by the current public health emergency, I issue this Executive Order to protect the lives, health, welfare and safety of the County's residents from the devastating impacts of this pandemic.

NOW THEREFORE, I, COUNTY JUDGE RUDY MADRID FOR KLEBERG COUNTY, TEXAS, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:

That this findings and recitations set out in the preamble to this Order are found to be true and correct and they are hereby adopted by the County Judge and made a part hereof for all purposes.

Effective as of 11:59 p.m. on June 22, 2020, ("**Effective Date**") and continuing until 11:59 p.m. on July 2, 2020, unless extended, modified, or terminated early by Kleberg County Judge Rudy Madrid:

1. **Public Health Emergency.** This Executive Order shall incorporate and adopt the most recent executive order GA-26 issued by Texas Governor Greg Abbott on June 3, 2020, and any subsequent orders by the Governor relating to the expanded opening in Texas in response to the COVID-19 disaster.
2. **Health and Safety Policy – Commercial Entities.** From the Effective Date of this Order, all commercial entities in Kleberg County providing goods and services directly to the public must develop and implement a health and safety policy ("Health and Safety Policy"). The Health and Safety Policy must require, at a minimum, that all employees or visitors to the commercial entity's business premises or other facilities wear face coverings when in an area or while performing an activity which will necessarily involve close contact or proximity to co-workers or the public where six feet of separation is not feasible. The Health and Safety Policy required to be developed and implemented by this

Order may also include the implementation of other mitigating measures designed to control or reduce the transmission of COVID-19 such as temperature checks or health screenings. COMMERCIAL ENTITIES MUST POST THE HEALTH AND SAFETY POLICY REQUIRED BY THIS ORDER IN A CONSPICUOUS LOCATION SUFFICIENT TO PROVIDE NOTICE TO EMPLOYEES AND VISITORS OF ALL HEALTH AND SAFETY REQUIREMENTS.

3. **Face Coverings – General Public.** All people 10 years or older shall wear a face covering over their nose and mouth when in a public place where it is difficult to keep six (6) feet away from other people or working in areas that involve close proximity with other coworkers. The Centers for Disease Control and Prevention (“CDC”) advises face covering for people 2 years or older. Face coverings may include homemade masks, scarfs, bandanas, or a handkerchief. Kleberg County residents should continue to maintain social distancing of at least six feet while outside their homes. Kleberg County employees are also required to wear face coverings under the same circumstances as the general public.

IT IS STRONGLY RECOMMENDED THAT YOU NOT OBTAIN OR WEAR MEDICAL MASKS OR N-95 RESPIRATORS AS THEY ARE A NEEDED RESOURCE FOR HEALTH CARE PROVIDERS AND FIRST RESPONDERS. Our healthcare workers and first responders on the front-line combating COVID-19 must have priority access to medical masks or other personal protective equipment. Face coverings do not need to be worn in the following circumstances provided that the Governor’s minimum standard protocols and social distancing measures are followed:

- When exercising outside, engaging in physical activity outside, or inside a work out facility;
- While driving alone or with passengers who are part of the same household as the driver;
- When doing so poses a greater mental or physical health, safety, or security risk;
- While pumping gas or operating outdoor equipment;
- While in a building or activity that requires security surveillance or screening, for example, banks; or
- When consuming food or drink, for example, when inside a restaurant, in a drive-thru, or other beverage and dining facilities.

Please note that face coverings are a secondary strategy to other mitigating efforts. FACE COVERINGS ARE NOT A REPLACEMENT FOR SOCIAL DISTANCING, FREQUENT

HANDWASHING, AND SELF-ISOLATION WHEN SICK. All people should follow CDC recommendations for how to wear and take off a mask. Residents should keep up the following habits while in public:

- Washing hands before you leave home and when you return;
- Staying at least six feet away from others;
- Avoid touching nose or face;
- Not using disposable masks more than three times; and
- Washing reusable cloth masks regularly to prevent the spread of the virus.

CONSISTENT WITH TEXAS GOVERNOR'S EXECUTIVE ORDER GA-26, NO CIVIL OR CRIMINAL PENALTY WILL BE IMPOSED ON INDIVIDUALS FOR FAILURE TO WEAR A FACE COVERING.

4. **Severability.** If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, 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.
5. **Interpretation and Additional Terms.** To the greatest extent possible, this Executive Order shall be interpreted as consistent with and supplemental to any executive order issued by the Texas Governor. All provisions of the executive orders of the Texas Governor either existing or as, if and when issued, which are made applicable to all jurisdictions by law shall be automatically incorporated into and constitute terms of this Executive Order, enforceable as if set forth herein without necessity for the issuance of further orders.
6. **Enforcement.** Excepting Section 3 of this Executive Order and in accordance with the limitation contained in the executive orders of Texas Governor Greg Abbott, any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Executive Order in accordance with the authority granted under the Texas Disaster Act of 1975.

ORDERED this 22nd day of June, 2020

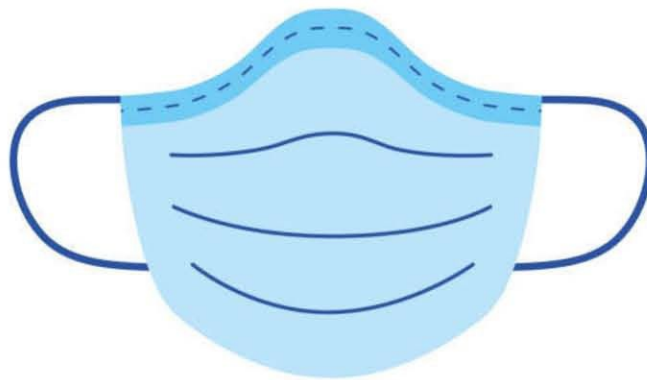
RUDY MADRID
KLEBERG COUNTY JUDGE

A large, stylized handwritten signature in black ink, likely belonging to Rudy Madrid, the Kleberg County Judge. The signature is fluid and cursive, with a prominent loop at the end.



OFFICIAL EXECUTIVE ORDER REQUIRED HEALTH AND SAFETY POLICY

FACE COVERING REQUIRED FOR ENTRY



**CUSTOMERS INSIDE THIS FACILITY
MUST WEAR A FACE COVERING**

The virus that causes COVID-19 can be spread to others by infected individuals who have few or no symptoms. To reduce the public health threat and for the community to do their part to protect our community, this business has adopted and implemented at a minimum, the face covering requirement as part of its required Health and Safety Policy per Executive Order issued by Kleberg County Judge Rudy Madrid.

Pursuant to County Judge Executive Order, The Health and Safety Policy must require at a minimum, that all employees or visitors to the commercial entity's business premises or other facilities wear face coverings when in an area or while performing an activity which will necessarily involve close contact or proximity to co-workers or the public where six feet of separation is not feasible.