

**ORDER NO. 2020-1-E**

**FIFTH AMENDED ORDER OF THE MAYOR OF THE CITY OF RIO GRANDE CITY INSTITUTING ADDITIONAL EMERGENCY MEASURES DUE TO PUBLIC HEALTH EMERGENCY RELATED TO CORONA VIRUS DISEASE (COVID-19), PROVIDING FOR A CITY-WIDE CURFEW, EXTENDING THE CITY'S DISASTER DECLARATION AND EXISTING EMERGENCY MEASURES ORDER UNTIL JULY 24, 2020, PROVIDING FOR A SEVERABILITY CLAUSE, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the City of Rio Grande City community and rates of infection are increasing at an alarming rate and the number of people ending up in the hospital is also dramatically rising despite efforts by individuals to control the spread; and

**WHEREAS**, the City has determined that it is reasonable and necessary to impose a city-wide curfew in order to preserve the public health and safety of all residents and visitors of the City of Rio Grande City, Texas; and

**WHEREAS**, the City of Rio Grande City Commission's Disaster Declaration and Emergency Measures Order were set to expire on June 19, 2020; and

**WHEREAS**, the City of Rio Grande City Commission has determined that it is reasonable and necessary to extend the Disaster Declaration until July 24, 2020 and approve the revised Emergency Measures Order as set forth in more detail below, as compliant with the all of the Texas Governor's Executive Orders, to remain effective until July 24, 2020.

**NOW, THEREFORE, I, MAYOR OF THE CITY OF CITY OF RIO GRANDE CITY, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:**

**Section 1.** Effective on June 18, 2020, all persons in the City of Rio Grande City must abide by a city-wide curfew between the hours of 11 PM and 5 AM. This does not apply to essential employees or as otherwise allowed by any other state or federal regulation, including orders issued by the Texas Governor.

**Section 2.** All residents, visitors, and businesses, shall comply with the Texas Governor's Executive Orders and the Starr County's Amended Emergency Order and Recommendations Related to the Expanded Reopening of Select Services During the Public Health Emergency, such regulations as identified shall be made available upon request with the City Secretary's Office.

**Section 3.** Health and Safety Policy – Commercial Entities. Effective immediately, all commercial entities in the City of Rio Grande City providing goods or 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 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 other mitigating measures designed to control and 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. Failure to develop and implement the Health and Safety Policy required by this order within five (5) calendar days following the Order may result in a fine not to exceed \$1,000 for each violation.

**Section 4.** 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 feet from other people or working in areas that involve close proximity with other coworkers. The CDC advises faces coverings for people 2 years or older. Face coverings may include handmade masks, scarfs, bandanas, or handkerchief. City of Rio Grande City residents should continue to maintain social distancing of at least six-feet while outside their home. City of Rio Grande City employees are also required to wear face coverings under the same circumstances as the general public.

**Section 5.** The following businesses are explicitly closed: that operate coin operated amusement machines, tattoo shops, bar and night clubs, massage establishments, piercing studios, sexually oriented businesses, and interactive amusement venues such as bowling alleys, video arcades, amusement parks, water parks, and splash pads.

**Section 6.** People shall not visit nursing homes, state supported living centers, assisted living facilities, or long-term facilities unless to provide critical assistance as determined through guidance from the Texas Health and Human Services Commission. Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by the HHSC, including minimizing the movement of staff between facilities as appropriate.

**Section 7.** People at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residences to the extent possible except as necessary to seek medical care.

**Section 8.** The City Commission insists that any person, including international travelers, who enters the City of Rio Grande City from outside of the Rio Grande Valley self-quarantine, to the extent possible, for a period of 14 days from the time of entry into Rio Grande City, Texas or duration of the person's presence in Rio Grande City, Texas. Self-quarantine shall not apply to people traveling in connection with employment, commercial activity, military service, emergency response, health response, or critical infrastructure functions, as allowed under Governor's Executive Order GA-18, or as allowed under GA-21, "Reopened Services."

**Section 9.** In accordance with Governor Abbott's Executive Orders, "Reopened Services" shall meet all State of Texas Minimum Health Protocols for each corresponding business and service sector that can be found at <https://www.starrcounty.org/texas-opens-checklists> or that can be requested by email at the Starr County Judge's office prior to being operational.



**Section 10.** The City of Rio Grande City shall post this Order on its 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.

**Section 11.** In the event of any conflict or inconsistency between the provisions set herein and the National Emergency Declaration, Governor Abbott’s Declaration of Disaster and Executive Orders, the Starr County Disaster Declaration, and the Emergency Management Orders and Recommendations, then the priority of interpretation shall be the following order: National Emergency Declaration, Governor Abbott’s Declaration of Disaster and Executive Orders, the Starr County Disaster Declaration, and the Emergency Management Orders and Recommendations, the City of Rio Grande City’s Disaster Declaration and Fourth Amended Emergency Order.

**Section 12.** If any subsection, sentence, clause, phrase or word of this Order or 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 rest of the order that can be given the effect without the invalid provision, and to this end, the provisions of this Order are severable.

**Section 13.** This Disaster Declaration and Order is extended and shall expire upon **July 24, 2020**, unless otherwise terminated or renewed earlier by the City of Rio Grande City –City Commission.

**ORDERED AND MADE EFFECTIVE** on this the 18th day of June 2020.

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**JOEL VILLARREAL, MAYOR**

Attest:

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Melissa Garza, Interim City Secretary

Approved as to Form:

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Calixtro Villarreal, City Attorney