

## **Second Amended Order to Stay at Home** City of Corpus Christi

This declaration and order implementing emergency powers is issued pursuant to Texas Government Code Chapter 418 (including, but not limited to Texas Government Code § 418.108 and authority to control ingress, egress, movement, and premises' occupancy), and the Mayoral *Declaration of a Local State of Disaster Due to a Public Health Emergency*. In accordance with said Chapter and Declarations, the Mayor hereby finds and orders as follows:

### **NOW THEREFORE, UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, MAYOR ORDERS:**

1. Effective upon execution and continuing until the earlier of 7 days following issuance or the date it is rescinded, superseded, or amended pursuant to applicable law:
  - (a) All individuals currently living within City of Corpus Christi are ordered to stay at home at their place of residence. For the purposes of this Order, residences include homes, condominiums, townhomes, apartments, duplexes, hotels, motels, shared rentals, recreational vehicles, motor homes, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonable as possible maintain social distancing of at least six (6) feet from any other person when they are outside their residence. All persons may leave their residences or enter or leave the territorial limits of City of Corpus Christi only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 2.
  - (b) All businesses operating within City of Corpus Christi, except Essential Businesses as defined below in Section 2, are required to cease all activities at facilities located within City of Corpus Christi. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines attached as **Exhibit "A"** and incorporated in its entirety, including maintaining six (6) feet social distancing for both employees and the general public.
  - (c) All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit.
  - (d) Restaurants with or without drive-in or drive-through services and microbreweries, and micro-distilleries may only provide take out, delivery, or drive-through services in such manner consistent with Texas Governor Greg Abbott's waiver.
  - (e) The Governor, County Judge, and Mayor all recognize that religious services conducted in churches, congregations, and houses of worship are considered Essential Services. All religious and worship services should be provided through remote telework from home unless they are essential services that cannot be provided through remote telework. If religious services cannot be conducted from home or through remote services, they should be conducted consistent with the Guidelines from the President and CDC by practicing good hygiene, environmental cleanliness, and sanitation, and by implementing social distancing to prevent the spread of COVID-19.
  - (f) All elective medical, surgical, and dental procedures are prohibited anywhere in City of Corpus Christi. 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 COVID-19 response. Elective surgeries and procedures that are designed to reduce risk to patients or treat painful or potentially disabling conditions may be continued.

- (g) “Short-term rentals” are prohibited unless persons are temporarily occupying said short-term rentals for the purpose of dwelling, lodging or sleeping during or between periods of engaging in “Essential Activities”, “Essential Businesses”, “Essential Government Functions” or “Essential Services” or are occupied by persons subject to a temporary quarantine or self-quarantine. For purposes of this subsection, “Short-term rental” means a residential dwelling rented by the public for consideration, other than a hotel or motel, and used for dwelling, lodging, or sleeping purposes for any period of less than 30 consecutive days.

## 2. Definitions:

- a. For purposes of this Order, individuals may leave their residence only to perform any of the following “Essential Activities”:
- i. 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 (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies needed to work from home).
  - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.)
  - iii. To engage in outdoor activity, provided the individuals comply with the social distancing requirement of 6 feet (for example, walking, biking, hiking, fishing, running, boating, wading, hunting or surfing). All beaches within the geographic boundaries of City of Corpus Christi are open for regular hours of operation but with an 8 p.m. curfew, although access to such beaches may be monitored and/or limited to assure that no vehicles park within 100 feet of another vehicle. All City public parks within the geographic boundaries of City of Corpus Christi are open for regular hours of operation.
  - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
  - v. To care for a family member(s) or a pet (or pets) in another household.
- b. For purposes of this Order, “Essential Businesses” means:
- i. **Essential Healthcare Operations.** Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, physical therapy, Ronald McDonald house, 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 health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms and similar facilities. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with Subsection 1(f) of this Order.
  - ii. **Essential Government Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public, including any local government entities that are required

by law to furnish medical and hospital care for the indigent and needy persons residing in the City. Further, nothing in this order shall prohibit any individual from performing or accessing “Essential Government Functions.” All Essential Government Functions shall be performed in compliance with social distancing requirements of 6 feet, to the extent possible.

- iii. **Essential Critical Infrastructure.** Work necessary to the operations and maintenance of any of the 16 critical infrastructure sectors, including suppliers and distributors, as identified by the National Cybersecurity and Infrastructure Agency (including, but not limited to the following sectors: chemical, commercial facilities, communications, critical manufacturing, dams, defense industrial base, emergency services, energy, financial services, food & agriculture, government facilities, healthcare & public health, information technology, nuclear reactors, materials & waste, transportation systems, water & wastewater systems), Port of Corpus Christi Authority of Nueces County, Texas’ industries and related support businesses, NAS Corpus Christi, Corpus Christi Army Depot, public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil and gas industry, crude oil storage and transport facilities, refining processes, oil and gas/industry disposal facilities, roads and highways, public transportation, automobile repair, 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, bail bond sureties, defense and national security-related operations, warehouses, essential manufacturing operations, provided that they carry out those services or that work in compliance with social distancing requirement of six (6) feet, to the extent possible. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with the Social Distancing Guidelines attached. Essential Businesses also include businesses that supply Essential Businesses with the services, support, storage, repairs, equipment or supplies necessary or useful to operate or function effectively. Essential Businesses also include airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order.
- iv. **Essential Retail.** Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, liquor stores, gas stations and convenience stores, farmers’ markets that sell food products and household staples. Food cultivation, including farming, fishing, and livestock. Businesses that ship or deliver groceries, food, goods or services directly to residences. Restaurants and other facilities and conveyances that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free services to students or member of the public on a pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas Stations, auto-supply, auto and bicycle repair, hardware stores, landscaping, and related facilities. Businesses that supply products needed for people to work from home.
- v. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
- vi. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries, hotels and motels, recreational vehicles parks, and public storage facilities. Plumbers, electricians, roofers, exterminators, air conditioner repair, appliance repair, equipment repair, and other service providers who provide services that

are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Professional services, such as insurance, title, real estate, legal or accounting services when necessary to assist in compliance with legally mandated, prohibited, or necessary activities, including the entry of contracts for Essential Businesses or support thereof. Automobile, large truck, and RV dealerships (sales and services centers) in support of transportation. Businesses that supply other essential businesses with support or supplies needed to operate.

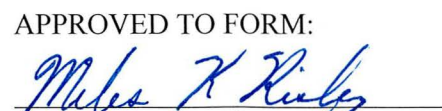
- vii. **News Media.** Newspapers, television, radio, and other media services.
- viii. **Childcare Services.** Childcare facilities providing services that enable employees exempted in this Order to work as permitted.

3. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home for a period of at least 14 days after the person has tested negative for coronavirus or left the household or such longer period as determined by the Health Department. Members of the household cannot go to work, school, or any other community function.
4. 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.
5. Additionally, the Mayor and the Health Authority instructs all employees to remain at home if sick, and to promptly communicate with an appropriate health care professional.
6. The City of Corpus Christi will provide copies of this Order by posting on the City of Corpus Christi website. 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.
7. All typical routes of ingress and egress (roads and streets, county roads, state and other highways, Interstate highways) throughout City of Corpus Christi shall remain open and accessible, except to the extent specifically limited by Section 2.a.iii of this Order to Stay At Home.
8. a. A violation of this order and other orders issued pursuant to this disaster is a violation of the emergency management plans of the City of Corpus Christi. A violation by any person of any provision of this Order to Stay at Home is punishable by a fine of up to \$500 per violation or separate day of violation.  
  
b. Any person knowingly violating this order and other orders issued pursuant to this disaster after being warned that a specific act or omission would be a violation of the City's emergency management plan and being convicted of a first offense pursuant to subsection a. of this section may be punished by a fine of up to \$1,000 per violation or separate day of violation and up to 180 days in jail.

ORDERED this the 7<sup>th</sup> day of April, 2020.

  
Joe McComb, Mayor

ATTEST:  
  
Rebecca Huerta, City Secretary

APPROVED TO FORM:  
  
Miles K. Risley, City Attorney

## Exhibit "A"

### Social Distancing Guidelines

- 1) **Avoid traveling to other jurisdictions unless essential for work or health.**
- 2) **Vulnerable Populations: Limit Outings**
  - Vulnerable populations include people who are:
    - 60 years old and older.
    - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
  - For vulnerable populations, do not go to gatherings unless it is essential. Stay home. Avoid people who are sick.
- 3) **Workplace and Businesses: Minimize Exposure**
  - Suspend nonessential employee travel
  - Ensure employees practice social distancing and do not work within six (6) feet of one another.
  - Urge essential employees to stay home when they are sick and maximize flexibility in sick leave benefits.
  - Do not require a doctor's note for employees who are sick.
  - Maximize telecommuting options.
  - Persons who need to be at work to provide essential services of great benefit to the community must take steps in their workplace to minimize risk.
- 4) **Cancel Non-essential events**
  - Cancel non-essential events.
  - Do not attend any events or gatherings if sick.
  - For events that aren't cancelled, we recommend:
    - Provide hand washing, hand sanitizers stations and make tissues available.
    - Frequently clean high-touch surface areas like counter tops and handrails.
    - Finding ways to implement social distancing.
- 5) **Schools Safety First**
  - Do not have your child attend school if sick.
  - If you have a child with chronic health conditions, consult the child's doctor about school attendance.
  - Schools should equip all classrooms with hand sanitizers and tissues.
  - Recommend rescheduling or cancelling events that are not essential.
  - Explore remote teaching and online options to continue learning.
  - Schools should develop a plan for citywide school closures, and families should prepare for further closures.
- 6) **Transit: Cleaning and Protection**
  - Increase cleaning of vehicle and high touch surface areas.
  - Provide hand washing/hand sanitizers and tissues in stations and on vehicles.
  - Ensure social distancing practices are implemented to the full extent possible.
- 7) **Health Care Setting: Avoid as possible, protect the vulnerable.**
  - Long-term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
  - Long-term care facilities should restrict all visitation except for certain compassionate care situations, such as end of life situations.
  - The general public should avoid going to medical settings such as hospitals, nursing homes and

- long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Follow guidance and directions of all facilities.

**8) Recommended Drive In religious services at places of worship**

- Drive in services are allowed.
- Social distancing of cars is necessary, i.e. one car length apart

**9) Everyone: Do your part**

The best way for all Corpus Christi residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least twenty (20) seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidelines.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.

You can also prepare for the disruption caused by an outbreak. Preparedness actions include:

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a child care plan if you or a caregiver are sick.
- Make arrangements about how your family will manage school closures.
- Plan for how you can care for as sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.