



THIRD DECLARATION OF LOCAL DISASTER
PUBLIC HEALTH EMERGENCY

KCDD-3

WHEREAS, the novel coronavirus (COVID-19) has been recognized globally as a contagious respiratory virus; and

WHEREAS, The World Health Organization ("WHO") declared a Public Health Emergency of International Concern on January 30, 2020 and Dr. Tedros Adhanom Ghebreyesus, WHO's Director-General, declared the COVID-19 can be characterized as a worldwide pandemic on March 12, 2020; and

WHEREAS, I, Darrel L. Lux, Kendall County Judge, issued a disaster declaration on March 16, 2020, certifying that COVID-19 poses an imminent threat of disaster for Kendall County, Texas; and

WHEREAS, I, Darrel L. Lux, Kendall County Judge, issued a second disaster declaration on March 19, 2020, certifying that COVID-19 poses an imminent threat of disaster for Kendall County, Texas; and

WHEREAS, COVID-19 continues to spread and to pose an increasing, imminent threat of disaster throughout Kendall County, Texas, the United States, and the World; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has advised that person-to-person contact heightens the risk of COVID-19 transmission; and

WHEREAS, the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16, 2020, call upon Americans to slow the spread of COVID-19 by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps; and

WHEREAS, the Texas Department of State Health Services has now determined that, as of March 19, 2020, COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the County Judge may declare a local state of disaster in and for the County and may exercise the powers granted therein on an appropriate local scale.

NOW, THEREFORE, I, Darrel L. Lux, Kendall County Judge, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a countywide basis effective 11:59 p.m. on April 3, 2020, and continuing until 11:59 p.m. on May 1, 2020, subject to extension thereafter based on the status of COVID-19 in Texas and the recommendations of the CDC:

Emergency Order No. 1 In agreement with the Guidelines from the President and the CDC, every person in Texas shall avoid gatherings in groups of more than 10 people.

Emergency Order No. 2 In accordance with the Guidelines from the President and the CDC, people shall avoid eating or drinking at bars, restaurants, and food courts, however the use of drive-thru, pickup, or delivery options is allowed and highly encouraged throughout the limited duration of this executive order. People shall avoid visiting gyms, massage establishments, tattoo studios, piercing studios, or cosmetology salons.

Emergency Order No. 3 In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance.

Emergency Order No. 4 In accordance with the Guidelines from the President and the CDC, schools shall temporarily close.

Emergency Order No. 5 Joshua Springs Park, James Kiehl Riverbend Park, Comfort Park, and Kreutzberg Canyon Natural Area shall be temporarily closed.

Emergency Order No. 6 All persons who come in contact with a person diagnosed, or later diagnosed with COVID-19 shall self-quarantine for a period of fourteen days following the recovery of the contacted person diagnosed with COVID-19. "Recover" means the restoration of health and strength after an illness.

Emergency Order No. 7 River crossings at state and county roads are closed to the public. This Emergency Order No. 7 does not prevent private land owners from accessing the river adjacent or within their property.

This Declaration does not prohibit people from visiting a variety of places, including grocery stores, gas stations, parks (except those parks closed by Emergency Order No. 5), and banks, so long as the necessary precautions are maintained to reduce the transmission of COVID-19. This Declaration does not mandate sheltering in place. All critical infrastructure will remain operational, domestic travel will remain unrestricted, and government entities and businesses will continue providing essential services. For offices and workplaces that remain open, employees should practice good hygiene and, where feasible, work from home in order to achieve optimum isolation from COVID-19. The more that people reduce their public contact, the sooner COVID-19 will be contained and the sooner this executive order will expire.

Any violation of any Emergency Order issued under this DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY may result in a fine, not to exceed, \$1,000 or confinement in jail for a term, not to exceed, 180 days. In addition, the Kendall County Health Department may take action to enforce any Emergency Order issued under this DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY, including the issuance of citation and/or the suspension or revocation of a Kendall County Health Permit.

This Declaration supersedes all previous declarations and orders on this matter that are in conflict or inconsistent with its terms, and this Declaration shall remain in effect and in full force until 11:59 p.m. on May 1, 2020, subject to being extended, modified, amended, rescinded, or superseded by me.

Given under my hand this the 3rd day of April, 2020.



Darrel L. Lux
Kendall County Judge

**Kendall County Explanatory Notes for
THIRD DECLARATION OF LOCAL DISASTER
PUBLIC HEALTH EMERGENCY**

KCDD-3

Effective 3 April, 2020 at 23:59

Emergency Order No. 1: In agreement with the Guidelines from the President and the CDC, every person in Texas shall avoid gatherings in groups of more than 10 people.

*Explanation: **Any** gathering of 10 or more people at any single location is a violation of Order No. 1. For example, 5 groups of 10 persons at a single location is a violation.*

Emergency Order No. 2 In accordance with the Guidelines from the President and the CDC, people shall avoid eating or drinking at bars, restaurants, and food courts, however the use of drive-thru, pickup, or delivery options is allowed and highly encouraged throughout the limited duration of this executive order. People shall avoid visiting gyms, massage establishments, tattoo studios, piercing studios, or cosmetology salons.

Explanation: Gyms, massage establishments, tattoo studios, piercing studios, or cosmetology salons must close and remain closed until the Declaration is rescinded.

Restaurants, bars, and saloons shall be closed to entry by public and open only for to-go sales and deliver sales. Patrons shall not be allowed inside the restaurant, bar, or saloon. Patrons may not remain on the premises after they have received their purchased meal or beverage. This includes outdoor dining facilities (picnic tables for example).

All TABC licensed facilities must remain in compliance with their TABC license/permit.

<https://www.tabc.state.tx.us/coronavirus/index.asp>

In addition to the criminal penalty described in the Declaration, bars, restaurants, food courts, gyms, massage establishments, tattoo studios, piercing studios, and cosmetology salons licensed by Kendall County Health Department may face additional penalties including suspension or revocation of license to operate.

Emergency Order No. 3 In accordance with the Guidelines from the President and the CDC, people shall not visit nursing homes or retirement or long-term care facilities unless to provide critical assistance.

Explanation: Self-explanatory

Emergency Order No. 4 In accordance with the Guidelines from the President and the CDC, schools shall temporarily close.

Explanation: Self-explanatory

Emergency Order No. 5: All four Kendall County Parks shall be temporarily closed.

Explanation: Self explanatory

Emergency Order No. 6 All persons who come in contact with a person diagnosed, or later diagnosed with COVID-19 shall self-quarantine for a period of fourteen days following the recovery of the contacted person diagnosed with COVID-19. "Recover" means the restoration of health and strength after the illness.

Explanation: Self-explanatory. Those violating Order No. 6 may be transferred to a secured quarantine facility in San Antonio.

Emergency Order No. 7 River crossings at state and county roads are closed to the public. This Emergency Order No. 7 does not prevent private land owners from accessing the river adjacent or within their property.

Explanation: Signs will be placed at river crossings and a map or listing from GIS will be attached to this document (when available).