



# ANGELINA COUNTY

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## **AMENDED DECLARATION OF LOCAL DISASTER FOR PUBLIC HEALTH EMERGENCY IN ANGELINA COUNTY, TEXAS**

WHEREAS, beginning in December 2019, a novel coronavirus, now designated as COVID-19, was detected in mainland China, and has since spread throughout the world; and

WHEREAS, the World Health Organization declared COVID-19 a worldwide pandemic on March 11, 2020; and

WHEREAS, President Donald J. Trump has proclaimed the COVID-19 outbreak a national emergency in the United States; and Governor Greg Abbott has declared a state of disaster for all counties in Texas; and

WHEREAS, counties in close proximity of Angelina County, Smith, Rusk, Van Zandt, Gregg, and Montgomery counties all have positive tests of the COVID-19 Virus; and

WHEREAS, the County of Angelina on March 19, 2020 is under an imminent threat of a public health emergency due to the COVID-19 Virus which has been known to cause serious health problems and possible death if contracted; and

WHEREAS, costs incurred to prepare for and respond to COVID-19 are beginning to mount at the county level; and

WHEREAS, Angelina County has already taken significant measures to prepare for and prevent the spread of COVID-19; and

WHEREAS, some schools, universities and other governmental entities are beginning to alter their schedules, and some venues are beginning to temporarily close, as precautionary responses to the increasing presence of COVID-19 in Texas; and

WHEREAS, extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout Angelina County, Texas;

WHEREAS, A Declaration of Local Disaster for Public Health Emergency in Angelina County was previously signed and filed with the Angelina County Clerk on March 19<sup>th</sup>, 2020;

WHEREAS, the original Declaration of Local Disaster for Public Health Emergency in Angelina County did not include an Order imposing criminal penalties for violation of the orders and regulations imposed by the Declaration; and

WHEREAS; the original Declaration of Local Disaster for Public Health Emergency in Angelina County is hereby being amended for the purpose of including an Order imposing criminal penalties for violation of the orders and regulations imposed by the Declaration;

NOW, THEREFORE, BE IT PROCLAIMED BY THE COUNTY JUDGE OF ANGELINA COUNTY, TEXAS:

**SECTION 1. Declaration of Local State of Disaster.** That a local state of disaster for public health emergency is hereby declared for Angelina County, Texas, pursuant to Section 418.108(a) of the Texas Government Code.

**SECTION 2. Duration.** That pursuant to Section 418.108(b) of the Texas Government Code the state of disaster for public health emergency shall continue for a period of not more than seven (7) days from the date of this declaration, unless continued or renewed by the Commissioners Court of Angelina County, Texas.

**SECTION 3. Publicity and Filing.** That pursuant to Section 418.108(c) of the Texas Government Code this declaration of a local state of disaster for public health emergency shall be given prompt and general publicity and shall be filed promptly with the County Clerk.

**SECTION 4. Activation of the County Emergency Management Plan.** That pursuant to Section 418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the Angelina County Texas, Emergency Management Plan, and authorizes the furnishing of aid and assistance under the declaration.

**SECTION 5. Prohibited and Limited Gatherings.**

a) That this declaration hereby prohibits public or private gatherings of more than 10 people and mandates the cancellation of all such gatherings until further notice. A "gathering" refers generally to a scheduled or unscheduled event or common endeavor where 10 persons are present in a confined space, room, or area. This includes recreational gatherings of more than 10 people. A "recreational gathering" is a gathering that is primarily for a social purpose – backyard barbecue, social event, pickup basketball game, or other similar gathering.

- i. A prohibited gathering does not include the following, so long as persons present are generally not within six feet of one another for extended periods:
  - a. office space, public and private schools, child-care facilities, or residential buildings, or any type of temporary sheltering or housing;
  - b. grocery stores, or 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; and
  - c. hospital and medical facilities.



b) That this declaration limits restaurants and food service establishments, with or without drive-through services, to take out delivery, or drive-in or drive-through services as allowed by law.

c) That this declaration requires a bar, lounge, or tavern; private club; public gym, fitness club, or health studio; inside commercial amusement; or theater to close.

## **SECTION 6. Order & Penalties.**

a) These emergency regulations shall have the effect of and constitute an Order adopted by the Angelina County Judge, under the local emergency management plan, when duly filed with the County Clerk.

b) This Order is adopted in accordance with the authority vested in the Angelina County Judge by Chapter 418 of the Texas Government Code.

c) Any ordinances, orders or regulations that conflict with these regulations are suspended or modified as necessary to make these regulations effective.

d) Suspension or modification of the ordinances, orders and regulations shall remain in effect until these regulations are terminated or until the state of disaster is terminated, whichever is sooner.

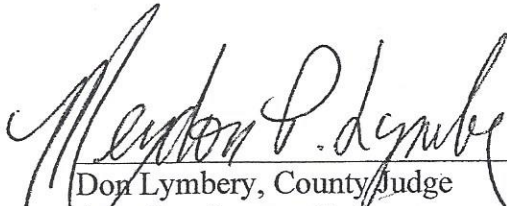
e) Pursuant to Section 418.173 of the Texas Government Code, a person who knowingly or intentionally violates this declaration and Order commits an offense, punishable by a fine up to \$1,000.00 or confinement in jail for a term that does not exceed 180 days.

**SECTION 7.** That this declaration hereby authorizes the use of all lawfully available enforcement tools.

**SECTION 8.** That this declaration **shall take effect at 11:59 p.m. on March 20, 2020**, and shall remain in effect until it is either rescinded, superseded, or amended, or until it expires pursuant to applicable law.

The amendments and orders contained in this Amended Declaration shall take effect immediately and shall likewise remain in effect until the Amended Declaration is either rescinded, superseded, or amended, or until it expires pursuant to applicable law.

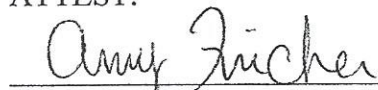
DECLARED and ORDERED, with amendments, this 24<sup>th</sup> day of March, 2020

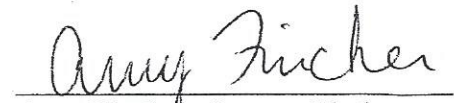

  
Don Lymbery, County Judge  
Angelina County, Texas

Filed this 24<sup>th</sup> day of March 2020 at  
8:58 a.m.



ATTEST:

  
Amy Fincher, County Clerk  
Angelina County, Texas

  
Amy Fincher, County Clerk  
  
By \_\_\_\_\_

FILED  
AT 8:58 O'CLOCK A.M.

MAR 24 2020

AMY FINCHER  
County Clerk, County Court at Law  
Angelina County, Texas  
By 