



The Office of the Mayor

**Second Amended Renewal and Continuation of Declaration of Local Disaster and Public Health Emergency Related to Communicable Disease**

WHEREAS, on March 16, 2020, I, Dr. Andy Mack, as Mayor of the City of Longview, Texas, issued a declaration of local disaster and public health emergency for the City of Longview resulting from the global pandemic of the novel coronavirus designated SARS-CoV2 which causes the disease COVID-19; and,

WHEREAS, the conditions necessitating the aforesaid declaration continue to exist; and,

WHEREAS, pursuant to Texas Government Code §418.108(b), the City Council of the City of Longview, Texas, on March 23, 2020, enacted Ordinance No. 4262 consenting to the renewal and continuation of the declaration of local disaster and public health emergency for the City of Longview, Texas; and,

WHEREAS, pursuant to the consent granted by the aforesaid Ordinance No. 4262, on March 23, 2020, I, Dr. Andy Mack, as Mayor of the City of Longview, Texas, issued a renewal and continuation of the aforesaid declaration of local disaster and public health emergency; and,

WHEREAS, pursuant to the consent granted by the aforesaid Ordinance No. 4262, on March 25, 2020, I, Dr. Andy Mack, as Mayor of the City of Longview, Texas, issued a first amended renewal and continuation of the aforesaid declaration of local disaster and public health emergency; and,

WHEREAS, since March 25, 2020, additional persons in Gregg County have tested positive for the aforesaid SARS-CoV2 virus; and,

WHEREAS, in his March 22, 2020, press conference, the Governor of the State of Texas acknowledged that cities may need to enact more stringent measures to address this public health emergency; and,

WHEREAS, on March 31, 2020, the Governor of the State of Texas issued Executive Order No. GA-14 ordering every person in Texas to minimize social gatherings and minimize in-person contact with people who are not in the same household except where necessary to provide or obtain essential services; and,

WHEREAS, said Executive Order No. GA-14 provides that local officials may enforce said executive order as well as local restrictions that are consistent with said executive order; and,

WHEREAS, this Second Amended Renewal and Continuation of Declaration of Local Disaster and Public Health Emergency Related to Communicable Disease (herein sometimes called this "Order") is required because of the risk of the rapid spread of the virus, the need to protect the most vulnerable members of the community, the intent to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, and the desire to slow the spread of COVID-19 to the maximum extent possible; and,

WHEREAS, this Order is issued based on evidence of increasing occurrence of COVID-19 within the City and throughout the Northeast Texas area, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population of the City places it at risk for serious health complications, including death, from COVID-19; and,

WHEREAS, making the problem worse, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus; and,

WHEREAS, because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, gatherings can result in preventable transmission of the virus; and,

WHEREAS, the scientific evidence shows that at this stage of the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the healthcare system from being overwhelmed; and,

WHEREAS, one proven way to slow the transmission of the COVID-19 virus is to limit interactions among people to the greatest extent practicable; and,

WHEREAS, by reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in the City;

NOW, THEREFORE, BE IT PROCLAIMED AND ORDERED BY DR. ANDY MACK, MAYOR OF THE CITY OF LONGVIEW, TEXAS:

1. The declaration of local disaster and public health emergency issued for the City of Longview on March 16, 2020, pursuant to §418.108(a) of the Texas Government Code is hereby renewed and continued.

2. This declaration of local disaster and public health emergency shall continue in effect until the Longview City Council terminates its consent to the continuation of this declaration or until this declaration is terminated by order of the Mayor, whichever occurs first.
3. Pursuant to §418.108(c) of the Texas Government Code, this renewal and continuation of the declaration of local disaster and public health emergency issued for the City of Longview on March 16, 2020, shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to §418.108(d) of the Texas Government Code, this renewal and continuation of the aforesaid declaration of local disaster and public health emergency continues to activate the Longview Emergency Management Plan.
5. Pursuant to Ordinance No. 4262 of the City of Longview, the Mayor is authorized, without further action of the City Council, to exercise any powers, take any actions and issue any orders authorized by law, including but not limited to, any measures authorized by Chapter 418 of the Texas Government Code, including without limitation §418.108 and §418.1015 of said chapter.
6. All officers and employees of the City of Longview, including without limitation all law enforcement officers employed by the City of Longview and all emergency medical personnel employed by the City of Longview, are hereby authorized and directed to continue to cooperate to the fullest extent allowed by law with the health authority designated by the City of Longview pursuant to Chapter 121 of the Texas Health and Safety Code to enforce any and all communicable disease control measures imposed by said health authority pursuant to Chapter 81 of the Texas Health and Safety Code or other applicable law.
7. All individuals currently living within the City of Longview, Texas (the "City") are ordered to shelter at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only to engage in essential daily activities or to provide or obtain essential services. In this Order, the terms "essential daily activities" and "essential services" shall have the meanings assigned to those terms in Executive Order No. GA-14 issued by Texas Governor Gregg Abbott on March 31, 2020 ("GA-14"), as said executive order may from time to time be amended. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter, and entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable and to comply with the social distancing rules set forth in Exhibit B. Individuals at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.

8. Unless expressly provided otherwise in GA-14, all businesses in the City shall cease operations except to the extent necessary to provide essential services or conduct minimum basic operations. In this Order, the term “minimum basic operations” means (i) the minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions; (2) work conducted by a person remotely from that person’s residence; and (3) the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences. In providing essential services or conducting minimum basic operations, all businesses shall, to the greatest extent possible, comply with all applicable provisions of GA-14 and with the applicable provisions of Exhibit A and Exhibit B. In providing essential services or conducting minimum basic operations, all businesses shall determine staff who are essential to operations and shall send non-essential staff home.
9. Except as expressly provided otherwise in GA-14, all public and private gatherings of any number of people occurring outside a household or living unit are prohibited. Nothing in this Order prohibits the gathering of members of a household or living unit.
10. Except as expressly provided otherwise in GA-14, all travel is prohibited except for the purposes of engaging in essential daily activities or providing or obtaining essential services. People must use public transit only for the purposes of engaging in essential daily activities or providing or obtaining essential services. People riding on public transit must comply with the social distancing rules set forth in Exhibit B to the greatest extent feasible. Individuals engaged in any travel must comply with the social distancing rules set forth in Exhibit B to the greatest extent feasible. This Order allows travel into or out of the City for the purposes of engaging in essential daily activities or providing or obtaining essential services.
11. All persons over the age of five (5) are urged to wear some form of covering over their nose and mouth at all times except:
  - A. when engaging in a permissible outside physical activity (such as running, jogging, walking dog);
  - B. when riding in a personal vehicle;
  - C. when alone in a separate single space;
  - D. when no one but the person’s shelter group (household members) is present;
  - E. when necessary for purposes of a health emergency;

- F. when necessary for consumption purposes;
- G. when necessary for another health & safety reason.

In complying with this section, persons are urged to avoid the purchase or acquisition of respirators, surgical masks and other masks and face coverings intended for use in a healthcare setting. Medical respirators and surgical masks are in short supply and will be increasingly needed by healthcare professionals to safely provide care for persons with COVID-19. Accordingly, it is critical that these medical items not be used outside of the healthcare setting.

Instead, persons are urged to use homemade masks, scarves, bandanas, handkerchiefs, and masks manufactured for home use to voluntarily comply with the recommendations contained in this section.

12. All playgrounds located in City parks or on City-owned property are hereby closed. No person shall enter upon any such playground, use any equipment on any such playground, or allow any minor under the person's supervision to enter upon any such playground or use any equipment on any such playground. The City Manager shall direct the placement of appropriate signage at each such playground informing people of the closure of the playground and of the prohibitions contained in this section.
13. All persons are urged to stay in their residences between the hours of 10:00 PM and 5:00 AM each day, unless that person is providing or obtaining essential services.
14. When people need to leave their places of residence, they shall at all times comply with the social distancing rules set forth in Exhibit B to the greatest extent feasible.
15. Sections 7 through 14 in this Order shall become effective at 11:59 p.m. on April 8, 2020, and shall continue in effect until 11:59 p.m. on April 30, 2020.
16. All provisions of this Order should be interpreted to effectuate its intent.
17. Failure to comply with any of the provisions of this Order constitutes an imminent threat to public health.
18. In accordance with Texas Government Code §418.173, a person who knowingly or intentionally violates this Order commits an offense punishable by a fine up to \$1,000.00 and/or confinement in jail for a term that does not exceed 180 days, and each day or portion of a day that such a violation continues shall constitute a separate offense.

19. The City of Longview shall promptly provide copies of this Order by posting it on the City of Longview 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.
20. 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.
21. In the event of a conflict between this Order and a prior declaration or order pertaining to COVID-19, this Order prevails.
22. Except as expressly provided otherwise herein, this Order shall take effect immediately from and after its issuance.

PROCLAIMED and ORDERED this 7<sup>th</sup> day of April 2020.



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Dr. Andy Mack  
Mayor

## Exhibit A

### *Rules for Essential Retailers*

The guidelines set forth in this Exhibit A apply to all retail businesses that are open to the public (“retailers”).

1. Retailers shall implement an organized line system where employees, customers, and other persons are not less than six feet apart at all times.
2. To the greatest extent practicable, retailers shall designate shopping times for vulnerable populations, as the term “vulnerable populations” is defined in Exhibit B.
3. To the greatest extent possible, retailers shall implement a system to restrict the number of customers who are physically present inside the retailer’s building so that six-foot spacing between persons may be maintained. At a minimum, all retailers must limit access to the inside of any facility open to the public to no more than five persons (excluding employees) per one thousand square feet of area open to the public or 450 persons (excluding employees) total, whichever is less. In addition, all retailers must take affirmative steps to ensure that any customer waiting in a queue either inside or outside of the physical retail store location does not violate the social distancing rules set forth in Exhibit B.
4. Retailers shall implement purchase limits on high-demand items (toilet paper, soap, hand sanitizer). These purchase limits do not apply to a purchaser that is a government organization or an essential business.
5. To the greatest extent possible, retailers shall offer pick up services or delivery services of grocery items and other essential supplies.
6. Self-service food stations are prohibited. Self-service stations are defined as areas where customers use common serving utensils to serve themselves, including but not limited to, salad bars, hot dog stands, self-service bulk food items, and other related food items.
7. Retailers must designate a member of management as the COVID-19 Safety Monitor and a senior hourly worker (that is not a member of management) as the COVID-19 Vice Safety Monitor at each store to have the authority to work together to enforce these rules.

## Exhibit B

### *Social Distancing Rules*

#### **1) Vulnerable Populations: Limit Outings**

- Vulnerable populations include people who are:
  - 60 years old and older.
  - Pregnant persons
  - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to gatherings unless it is essential. Stay home. Avoid people who are sick.

#### **2) Workplace and Businesses: Minimize Exposure**

- Suspend nonessential employee travel.
- Ensure employees practice social distancing and do not work within six 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.

#### **3) 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:
  - Having hand washing capabilities, hand sanitizers and tissues available.
  - Frequently cleaning high touch surface areas like counter tops and hand rails.
  - Finding ways to implement social distancing.



#### **4) Transportation: Cleaning and Protection**

- Increase cleaning of vehicles 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.

#### **5) Health Care Settings:**

- 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.

#### **6) Everyone: Do your part**

- Maintain at least six-foot social distancing from other individuals.
- Frequently wash hands with soap and water for at least 20 seconds or use hand sanitizer when soap and water are not immediately available.
- 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.
- Avoid shaking hands. 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 guidance.
- Limit the number of people from the same household going to a retail store at the same time. Choose one person in your household to go to the store when you have a need. Leave children at home with another adult if at all possible.

**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 a 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.