FILED FOR RECORD
APR 21 2020
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County Clerk, Williamson Co., TX

ORDER OF COUNTY JUDGE OF WILLIAMSON COUNTY, TEXAS FOR HOSPITAL CAPACITY AND RETAIL DURING STAY HOME STAY SAFE ORDER

WHEREAS, on **March 14, 2020**, Williamson County Judge Bill Gravell, Jr. issued a proclamation declaring a local state of disaster for Williamson County, Texas after making a determination based on statements and information provided to him by the Office of the Texas Governor, Williamson County Emergency Management personnel, the Williamson County and Cities Health District, health professionals and other emergency services agencies serving Williamson County, Texas, and other health agencies serving the State of Texas that extraordinary measures had to be taken in order to protect the health and safety of the Williamson County residents in relation to the Coronavirus Disease 2019 (COVID-19); and

WHEREAS, on **March 18, 2020**, the Williamson County Commissioners Court, pursuant to Section 418.108(b) of the Texas Government Code, extended Williamson County Judge Bill Gravell, Jr.'s proclamation declaring a local state of disaster for Williamson County, Texas until it is otherwise terminated by formal action of the Williamson County Commissioners Court; and

WHEREAS, on **March 24, 2020**, Williamson County Judge Bill Gravell, Jr. issued a Stay Home Stay Safe Order whereby people may leave their residences only for "Essential Activities" or for performing or accessing "Essential Governmental Functions", "Healthcare Operations", "Essential Businesses", and "Essential Critical Infrastructure"; and

WHEREAS, on **April 7, 2020**, Williamson County Judge Bill Gravell, Jr. issued an Order Amending and Extending Stay Home Stay Safe Order; and

WHEREAS, on **April 17, 2020**, Governor Greg Abbott issued Executive Order GA 15, relating to hospital capacity during the COVID-19 disaster; and

WHEREAS, on **April 17, 2020**, Governor Greg Abbott issued Executive Order GA 16, relating to reopening certain retail businesses during the COVID-19 disaster; and

WHEREAS, to ensure consistency between the orders applicable to Williamson County, Texas and those applicable to the State of Texas, it is now necessary to set out directives and requirements regarding healthcare operations and reopening certain retail businesses in Williamson County, Texas; and

NOW, THEREFORE PURSUANT TO AND IN ACCORDANCE WITH THE TEXAS DISASTER ACT OF TEXAS GOVERNMENT CODE CHAPTER 418, BE IT ORDERED BY THE COUNTY JUDGE OF WILLIAMSON COUNTY, TEXAS THAT:

SECTION 1. The findings and recitations set out in the preamble to this Order are found to be true and correct and they are hereby adopted by the Williamson County Judge and made a part hereof for all purposes.

SECTION 2. Effective beginning at 11:59 p.m. on April 21, 2020, Section 10(d) of the Stay Home Stay Safe Order issued March 24, 2020 is amended, in its entirety, as follows:

d. **Healthcare Operations.** For purposes of this **Stay Home Stay Safe Order**, individuals may leave their Residence to work for or obtain services at any "**Healthcare Operations**" including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, substance abuse service providers, blood banks, medical research, laboratory services, 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 healthcare and welfare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. Healthcare Operations does not include fitness and exercise facilities, athletic gyms, exercise gyms and similar facilities.

Healthcare operations shall not include surgeries and procedures that are not medically necessary to diagnose or correct a serious medical condition of, or to preserve the life of, a patient who without timely performance of the surgery or procedure would be at risk for serious adverse medical consequences or death, as determined by the patient's physician; provided, however, that this prohibition shall not apply to either of the following:

• any procedure that, if performed in accordance with the commonly accepted standard of clinical practice, would not deplete the hospital capacity or the personal protective equipment needed to cope with the COVID-19 disaster; or

• any surgery or procedure performed in a licensed health care facility that has certified in writing to the Texas Health and Human Services Commission both:

(1) that it will reserve at least 25% of its hospital capacity for treatment of COVID-19 patients, accounting for the range of clinical severity of COVID-19 patients; and
(2) that it will not request any personal protective equipment from any public source, whether federal, state, or local, for the duration of the COVID-19 disaster.

SECTION 3. Effective beginning at 12:01 a.m. on April 24, 2020, Section 10(g) of the Stay Home Stay Safe Order issued March 24, 2020 is amended to add the following subsection 10(g)(31):

31. retail businesses that are not otherwise defined as essential businesses herein but that may be provided through pickup, delivery by mail, or delivery to the customer's

doorstep in strict compliance with the terms required by the Texas Department of State Health Services ("DSHS"). The DSHS requirements may be found at www.dshs.texas.gov/coronavirus.

SECTION 4: This Order is issued pursuant to and in accordance with the local state of disaster issued by County Judge Bill Gravell, Jr. for Williamson County, Texas on March 14, 2020, which was thereafter extended on March 18, 2020 by the Williamson County Commissioners Court pursuant to Section 418.108(b) of the Texas Government Code, and the Stay Home Stay Safe Order issued by County Judge Bill Gravell, Jr. for Williamson County, Texas on March 24, 2020 and later extended by the Order Amending and Extending Stay Home Stay Safe Order issued by County Judge Bill Gravell, Jr. for Williamson County, Texas on April 7, 2020.

SECTION 5. Pursuant to Section 418.108(h) of the Texas Government Code, this Order shall control the movement of persons and the occupancy of premises in Williamson County, Texas and includes the incorporated and unincorporated areas of Williamson County, Texas; and to the extent of a conflict between this Order and any decisions of a Mayor of municipality in Williamson County, Texas, the orders set out herein of the Williamson County Judge shall prevail.

SECTION 6. AS AUTHORIZED BY SECTION 418.173 OF THE TEXAS GOVERNMENT CODE AND AS ADOPTED IN WILLIAMSON COUNTY'S EMERGENCY MANAGEMENT PLAN, A FAILURE TO COMPLY WITH THE WILLIAMSON COUNTY EMERGENCY MANAGEMENT PLAN OR WITH ANY RULE, ORDER OR ORDINANCE ADOPTED UNDER SAID PLAN, INCLUDING, BUT NOT LIMITED TO THIS ORDER, SHALL BE A CRIMINAL OFFENSE PUNISHABLE BY A FINE THAT DOES NOT EXCEED $1,000.00 OR CONFINEMENT IN JAIL FOR A TERM NOT TO EXCEED 180 DAYS. THE WILLIAMSON COUNTY SHERIFF'S OFFICE, WILLIAMSON COUNTY CONSTABLES, WILLIAMSON COUNTY FIRE MARSHAL'S OFFICE, AND OTHER LICENSED PEACE OFFICERS ARE HEREBY AUTHORIZED TO ENFORCE THIS ORDER AND ORDERS REFERENCED HEREIN.

SECTION 7. The terms, orders and directives of the Stay Home Stay Safe Order and any prior amendments, determinations, orders or directives issued thereunder which have not been specifically amended herein shall remain the same and shall continue in full force and effect during the effective period set out herein. This shall include any previous or future determination of "Essential" that is less restrictive, but not in contravention to, Executive Order GA 14.

SECTION 8. If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

SECTION 9. This Order will be posted on Williamson County's website at www.wilco.org. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order shall post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.

This Order is adopted at 1:00 p.m. on this the 21st day of April 2020 to be effective immediately.

Bill Gravell, Jr.,
Williamson County Judge

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