

**CLAY COUNTY**  
**Mike Campbell**  
**County Judge**

**ORDER CJ 492020**

**WHEREAS**, on March 13, 2020, President Donald Trump declared a national emergency regarding COVID-19; and,

**WHEREAS**, March 13, 2020, Governor Greg Abbott declared a national emergency regarding COVID-19; and,

**WHEREAS**, on March 18, 2020, Clay County Judge Mike Campbell signed a Declaration of Local Disaster for Public Health Emergency for the County of Clay, Texas related to COVID-19 pursuant to §418.108(a) of the Texas Government Code; and

**WHEREAS**, Governor Greg Abbott issued an Executive Order GA14 on Monday, March 31, 2020, issuing orders for Texans Relating to statewide continuity of essential services and activities during the COVID-19 disaster; and

**WHEREAS**, the Texas Commissioner of State Health Services declared a Public Health Disaster for the entire State of Texas on Thursday, March 19, 2020, and outlines specific control measures and mitigation strategies; and

**WHEREAS**, the State of Texas Governor is currently reporting over 1,000 positive cases of COVID-19 with 175 fatalities; and

**WHEREAS**, extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout Clay County while protecting the Constitutional liberties of citizens by utilizing the least restrictive means possible and encouraging the highest level of personal responsibility

BE IT THEREFORE ORDERED BY THE COUNTY JUDGE OF CLAY COUNTY:

- Per the Guidelines from the President and the CDC, every person in Clay County shall avoid social gatherings in groups of more than ten people.
- Per Texas Governor Greg Abbott's Executive Order GA-14 the following are NOT considered "essential services":
  - Cosmetology Salons
  - Gyms
  - Massage Establishments
  - Tattoo Studios
  - Piercing Studios
  - Eating/Drinking Inside of Bars/Restaurants/Food Courts. The use of drive-thru, pickup, or delivery options for food and drinks is allowed and highly encouraged throughout the limited duration of the executive order.

**1. Per ORDER CJ 492020**

**Effective as of 11:59 p.m. on April 9, 2020, and continuing until 11:59 p.m. on April 24, 2020:**

- **If someone in a household has tested positive for coronavirus, the household shall isolate at home for 14 days. This order will continue until or unless otherwise directed by Dr. Greer, the Clay Health Authority. Members of the household cannot go to work, school, or any other community functions during the isolation period.**

When to Seek Medical Attention:

If you develop emergency warning signs for COVID-19, get medical attention immediately. Emergency warning signs include\*:

- Trouble breathing
- Persistent pain or pressure in the chest
- New confusion or inability to arouse
- Bluish lips or face

\*This list is not all-inclusive. Please consult your medical provider for any other symptoms that are severe or concerning.

- To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence.
- All public or private gatherings of more than ten people occurring outside a single household or residence are prohibited, except as otherwise provided herein. Nothing in this Order prevents the gathering of members of a household or residence. This prohibition includes all non-social gatherings.
  - Exceptions are that a gathering can be held with more than ten people in a space where there is a minimum of 6 feet between each individual in that gathering for the duration of the gathering.
  - For example, a 6 ft. radius around an individual is 113.1 square feet. To conduct a business meeting or a church worship service of 20 people, the space in which the meeting is conducted must contain at least 2,262 square feet, which could equate to a room that is roughly 48' x 48'.
- Religious institutions are strongly urged to provide religious and worship services by video and or teleconference. Religious institutions may also be permitted to conduct worship services outdoors as long as at least six feet distance is maintained between individuals or family units. For example, churches may use local FM transmitters or public address systems to broadcast to those attending a service while remaining in their car with their family.
- Restaurants with or without drive-in or drive-through services and bars, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.
- Nursing homes, retirement, and long-term care facilities by this order are to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for an end-of-life event, as allowed by the facility.
- Per the Guidelines from the Governor, the President, and the CDC, schools shall remain closed until May 4, 2020, unless rescinded by the Governor of Texas.
- Governmental entities in Clay County are encouraged to maintain essential services and infrastructure necessary for the public good and safety while complying with the spirit of this order as much as practicable in their continued daily operations.

- Clay County residents shall remain in their residences as much as possible unless engaging in the lawn or home maintenance. Any exercise that utilizes social distancing is also encouraged. Clay County residents shall limit trips outside their residences to work and travel for essential items only. Any residents that are AT RISK should to the greatest extent feasible, remain at home at all times.
- For Outdoor Activity. Individuals may engage in outdoor activity, such as, by way of example and without limitation, walking, hiking, bicycling, or running, provided the individuals comply with Social Distancing Requirements as defined in this order. Individuals shall not use public playground equipment, public picnic tables, public basketball courts, and other public sports and recreational equipment;
- Lawn Maintenance Services. Essential lawn maintenance services are limited to the mowing of weeds and grass and to the emergency removal of trees or limbs that pose a health and safety hazard. Non-Essential lawn maintenance and spraying services are required to operate according to the requirements of Social Distancing.
- Non-Essential Business and Operations Must Cease. All businesses or operations with a facility in Clay County, except Essential Businesses and Essential Government Functions, as defined below, are required to cease all activities at facilities located within the County except Minimum Basic Operations as defined in this order.
- Non-Essential businesses are allowed to transact business through the use of mail, including the United States Postal Service and like businesses, or through virtual, telephonic or other electronic means through charge accounts, credit or debit cards. Under no circumstances will these non-essential transactions take place in person, and the related businesses/storefronts will not be open physically, but only electronically, to the public. Deliver all purchases or services with no in-person contact with the buyer. Returns must be picked up by the seller if allowed, and credits or refunds handled in the same manner as the purchase. Employees will observe all rules relating to social distancing. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their residences or while practicing social distancing as defined in this order.
- All Essential Businesses, Essential Government Service, and Critical Infrastructure are strongly encouraged to remain open, especially those that provide the necessities for food water and shelter.

**Essential Businesses shall comply with Social Distancing Requirements as defined below.**

Pursuant to Government Code §418.173, violation of this order is an offense punishable by a fine not to exceed \$1,000 and may also include confinement in jail for a term not to exceed 180 days.

*Per Texas Government Code section 418.108(c), this order shall be given prompt and general publicity and shall be filed promptly with the County Clerk of Clay County.*

## **Definitions and Exemptions.**

**“Essential services”** shall consist of everything listed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, Version 2.0, plus religious services conducted in churches, congregations, and houses of worship.

Go to [www.tdem.texas.gov/essentialservices](http://www.tdem.texas.gov/essentialservices). to determine whether your business is an “essential service” as defined by Texas Executive Order GA-14

- a. **Social Distancing is defined** as a minimum of 6 feet between each individual in that gathering for the duration of the gathering.

For example, a 6 ft. radius around an individual is 113.1 square feet. To conduct a business meeting or a church worship service of 20 people, the space in which the meeting is conducted must contain at least 2,262 square feet, which could equate to a room that is roughly 48’ x 48’.

- b. **Essential Activities.** For purposes of this order, individuals may leave their residence only to perform any of the following “Essential Activities.” But people 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.
- i. **For Health and Safety.** Individuals may engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), to work for or obtain services at any “Healthcare Operations,” as defined in Section 7.e.i., below;
  - ii. **For Necessary Supplies and Services.** Individuals may obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries, and food, including pet supplies and food, supplies they need to work from home, household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;
  - iii. **For Certain Types of Work.** Individuals may perform work in providing essential products and services at an Essential Business, Government Service, or Critical Infrastructure, or to carry out

activities otherwise explicitly permitted in this order, including Minimum Basic Operations; or

- iv. **To Take Care of Others.** Individuals may care for a family member or pet in another household.

**c. Essential Government Functions:**

- i. All sworn Police Department
- ii. Fire Department
- iii. Emergency Medical Services
- iv. Emergency management personnel
- v. Emergency dispatchers
- vi. Essential court personnel, legal personnel; child protection and child welfare personnel
- vii. All military personnel
- viii. All personnel working for companies (including their subcontractors) who perform under contract to the Department of Defense providing materials and services to the Department of Defense
- ix. All personnel working for companies (including their subcontractors) who perform work under contract to State or Federal Governmental Entities for which they are required under state or federal law to remain open
- x. All law enforcement personnel
- xi. Housing and shelter personnel
- xii. Clay County employees who are responsible for road maintenance, record protection, and retention.

**This order does not apply to the Federal or State Government.**

For purposes of this order, “Essential Government Functions” means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety, and welfare of the public and all agencies that provide for the health, safety, and welfare of the public. The County Judge shall determine its Essential Government Functions and identify employees and contractors necessary to perform those functions. To the extent feasible, all Essential Governmental Functions shall comply with Social Distancing Requirements as defined in this section.

- a. **Businesses Covered by this Order.** For this order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or it’s corporate or entity structure.
- b. **Essential Businesses.** For this order, “Essential Businesses” means:
  - i. **Healthcare Operations.** Healthcare Operations and Critical Infrastructure, including but not limited to caregivers, hospital and laboratory personnel, and pharmacy employees, including hospitals, clinics, dentists, pharmacies,

pharmaceutical, and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, and related retail sales or any related or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and all healthcare and life-saving services provided to animals. This order shall be construed broadly to avoid any impacts on the delivery of healthcare, broadly defined. "Healthcare Operations" does not include fitness and exercise gyms or other similar facilities and does not include retail outlets that specialize in the selling of electronic cigarette products or cannabidiol products;

- ii. **Stores that sell Groceries and Certain Other Essential Supplies** Grocery stores, supermarkets, farmers' markets, food banks, convenience stores, liquor stores and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, and any other household consumer products {such as cleaning and personal care products). This order includes stores that sell groceries and also sell other non-grocery products and products necessary to maintain the safety, sanitation, and essential operation of residences.
- iii. **Food Cultivation.** Food cultivation, including farming, livestock, and fishing;
- iv. **Social Services and Charitable Organizations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- v. **News Media.** Newspapers, television, radio, and other news media services;
- vi. **Gas Stations and Businesses Needed for Transportation.** Gas stations, auto-manufacturing and assembly, auto mechanics, auto- supply, auto-repair, and other related facilities;
- vii. **Petroleum and Natural Gas Production** Individuals responsible for the production of oil and gas in Clay County. This order includes pumpers, oil field workers, and supervisors.
- viii. **Financial Institutions.** Banks and related financial institutions, consumer lenders, sales and finance lenders, credit unions, appraisers, entities that issue bonds, insurance companies, underwriters, agents, brokers, and related insurance claims and agents;
- ix. **Hardware and Supply Stores.** Hardware stores and businesses that sell electrical, plumbing, and other material necessary to support Essential Businesses, Critical Infrastructure, and Essential Government Functions;
- x. **Critical Trades.** Plumbers, electricians, welders, exterminators, pool cleaners, and other service providers who provide services that are necessary to maintain the safety, sanitation, and essential operation of residences, essential activities, Essential Businesses, essential Government Functions, or Critical Infrastructure, including but not limited to utilities such as electricity, gas, water and wastewater, and other public works;
- xi. **Mail and Delivery services.** Businesses providing mailing and shipping services, including post office boxes;
- xii. **Laundry Services.** Laundromats, dry cleaners, and laundry service providers;
- xiii. **Restaurants for Consumption Off-Premises.** Restaurants and other facilities that prepare and serve food or alcohol, but only for delivery, drive-through, or carry out. **All individuals who obtain food or beverages from these establishments are required to leave the premises of said establishment**

**within five minutes of receiving their food or beverage.** Premises of these establishments include all indoor and outdoor facilities, including parking lots. Individuals shall not consume food or beverages on the premises of any establishment regulated under this subsection. Truck drivers holding COL licenses and who are operating a semi-tractor-trailer truck for commercial purposes are exempt from the food requirements of this subsection. At the same time, they are on the premises of any truck stop or travel center. Said truck drivers are limited to eating only in their semi- trucks while on said premises.

- xiv. **Schools and other entities** that typically provide free food services to students or members of the public may continue to do so under this order on the condition that the food is provided either delivered to students or provided to students or members of the public on a pick- up and take-away basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- xv. **Supplies to Work from Home.** Businesses that supply products needed for people to work from home;
- xvi. **Supplies for Essential Businesses, Critical Infrastructure, and Essential Government Functions.** Businesses that supply other Essential Businesses, Critical Infrastructure, and essential Government Functions with the support, supplies, or components necessary to operate, including but not limited to computers, audio and video electronics, microelectronics, semiconductors, hardware, paint, electrical and plumbing material, sanitary equipment, medical equipment, and food and beverages;
- xvii. **Food Delivery Services.** Businesses that ship or deliver groceries, food, goods or services directly to residences;
- xviii. **Transportation.** Aircraft, taxis, and other private transportation providers (such as Uber and Lyft) that provide transportation services necessary for the performance of essential activities, essential Businesses, Critical Infrastructure, Essential Government Functions, or Essential Travel;
- xix. **Home-Based Care and Services.** Home-based care for seniors, adults, or children, including caregivers who may travel to provide care;
- xx. **Residential Facilities and Shelters.** Residential facilities and shelters for seniors, adults, children, and animals;
- xxi. **Professional Services.** Professional services, such as legal or accounting services, and insurance services when necessary to assist in compliance with legally mandated activities or to further Essential Businesses, essential Government functions, or Critical Infrastructure;
- xxii. **Real Estate Services.** Real estate services are limited to those necessary to assist in compliance with legally mandated activities or to further Essential Businesses, Essential Government Functions, or Critical Infrastructure. Real Estate companies are allowed to perform property management services and are allowed to finalize closing activities for all real estate contracts in existence as of March 30, 2020. Beginning April 9, 2020, any service involving the acceptance of new real estate listings, showing any real estate listing, or closing any real estate transaction shall be done via electronic, telephonic, or “virtual” communication, using technologies in place that are industry-accepted. No real estate business shall take place with physical contact or meeting in person.



- xxiii. **Lawn Maintenance Services.** Essential lawn maintenance services are limited to the mowing of weeds and grass and to the emergency removal of trees that pose a health and safety hazard.
- xxiv. **Automobile dealerships.** Car dealerships may provide repairs and parts services. Car dealers may remain open only for individuals who need to purchase vehicles to perform essential functions and travel and for businesses that need vehicles for essential business and essential government services. Showrooms are to be open to such individuals by appointment only. However, transactions done via electronic, telephonic, or “virtual” communication, using technologies in place that are industry-accepted, are acceptable. No transactions shall take place with physical contact or meeting in person other than those for essential functions.
- xxv. **Information Technology Services.** IT and IT services and their essential services vendors, including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, web-based services, and critical manufacturing, as well as telecommunications services, internet access, and broadband/communications services;
- xxvi. **Moving Supply Services.** Businesses that provide rental or commercial moving services and necessary moving supplies;
- xxvii. **Hotels and Motels.** Hotels and motels, to the extent used for lodging or delivery or carry-out food services;
- xxviii. **Funeral, mortuary, cremation, burial, cemetery, and related services,** must maintain social distancing of six feet per person to the greatest extent possible and no more than ten (10) persons are present during the activity;
- xxix. **Childcare Facilities.** Childcare facilities that are providing services that enable individuals exempted in this order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions;
- i. Childcare shall be carried out in stable groups of 10 or fewer (“stable” means that the same ten or fewer children are in the same group each day);
  - ii. Children shall not change from one group to another;
  - iii. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix.
  - iv. Childcare providers shall remain solely with one group of children.
- c. **Minimum Basic Operations.** For this order, “Minimum Basic Operations” include the following, provided that employees comply with Social Distancing Requirements as defined in this section, to the extent possible, while carrying out such operations:
- 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; or
  - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
- d. **Essential Travel.** For this order, “Essential Travel” includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this section.


- i. Any travel related to the provision of or access to Essential Activities, essential Governmental Functions, Essential Businesses, Critical Infrastructure, or Minimum Basic Operations;
  - ii. Travel to care for the elderly, minors, dependents, persons with disabilities, or other vulnerable persons;
  - iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, or any other related services;
  - iv. Travel to return from or to a place of residence from outside the jurisdiction (e.g., returning home from a closing university);
  - v. Travel required by law enforcement or court order;
  - vi. Travel by church staff/clergy to produce remote delivery of religious services or other ministries requiring travel; or,
  - vii. Travel required for non-residents to return to their place of residence outside the City. Individuals are strongly encouraged to verify that their transportation out of the City remains available and functional before commencing such travel.
- e. **Residences.** For purposes of this order, residences include single-family homes, multiple-family homes, hotels, motels, shared rental units, and similar facilities.

I am basing this order on current data that shows while Clay County has successfully limited positive cases to 3, surrounding counties are reporting an increase in identified COVID-19.

County	Tested	Positive	Recovered
Wichita	1367	50	8
Archer	5	0	0
Montague	22	2	0
Jack	1	1	0
Clay	15	3	0

We sincerely appreciate the citizens of Clay County for your diligence in fighting this disease and encourage everyone to continue to utilize common sense measures in fighting the disease. I know this is frustrating, but our hope is that this will be remembered as a time when families were able to spend valuable time together.

ORDERED this 9<sup>th</sup> day of April 2020.

  
 Mike Campbell  
 Clay County Judge

**FILED FOR RECORD**  
 AT: 12:30 P M

APR 09 2020

**SASHA KELTON**  
 County Clerk, Clay County, Texas