

**ORDER OF THE COMMISSIONERS COURT OF BROWN COUNTY, TEXAS
EXTENDING A DECLARATION OF LOCAL DISASTER; ESTABLISHING RULES
AND REGULATIONS FOR THE DURATION OF THE DISASTER; RESTRICTING
CERTAIN ACTIVITIES; ESTABLISHING PENALTIES FOR VIOLATIONS.**

WHEREAS, in December 2019 a novel coronavirus, now designated COVID-19, was detected in Wuhan City, Hubei Province, China. Symptoms of COVID-19 include fever, cough, and shortness of breath. Outcomes have ranged from mild to severe illness, and in some cases death; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared the outbreak of COVID-19 as a Public Health Emergency of International Concern (PHEIC), advising countries to prepare for the containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, on March 5, 2020, the World Health Organization Director General urged aggressive preparedness and activation of emergency plans to aggressively change the trajectory of this epidemic; and

WHEREAS, on March 11, 2020, the World Health Organization declared that the COVID-19 outbreak should be characterized as pandemic; and

WHEREAS, the Center for Disease Control and Prevention is closely monitoring the growing number of COVID-19 cases that have spread into the United States; and

WHEREAS, over 33,000 cases of COVID-19 have been reported in the United States, including 419 deaths; and

WHEREAS, a large gathering of unidentifiable individuals without necessary mitigation for the spread of infection may pose a risk of the spread of infectious disease; and

WHEREAS, President Trump declared a national emergency on March 13, 2020; and

WHEREAS, Governor Greg Abbott declared a public health disaster on March 13, 2020; and

WHEREAS, the Center for Disease Control recommends that citizens stop handshaking, clean hands at the door, schedule regular hand washing, avoid touching faces and cover coughs and sneezes, disinfect surfaces like doorknobs, tables, desks, and handrails regularly, and increase ventilation by opening windows or adjusting air conditioning; and

WHEREAS, the Center for Disease Control recommends the use of videoconferencing for meetings when possible, and adjusting or postponing large meetings or gatherings; and

WHEREAS, the Center for Disease Control recommends citizens stay home if they are feeling sick or when they have a sick family member in their home; and

March 23, 2020
(Exhibit #4)

WHEREAS, households with vulnerable seniors and those with underlying health conditions should conduct themselves as if they were a significant risk to the person with underlying conditions; and

WHEREAS, the identification of “community spread” cases of COVID-19 in the United States has signaled that transmission of the virus is no longer limited to those who traveled to China, or had contact with travelers who have visited china; and

WHEREAS, the COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, the continued worldwide spread of COVID-19 presents an imminent threat of widespread illness, which requires emergency action; and

WHEREAS, a declaration of local disaster includes the ability to take measures to reduce the possibility of exposure to disease, control the risk, and promote the health and safety of Brownwood residents; and

WHEREAS, Brown County will work collaboratively with the City of Brownwood, the City of Early and the City of Bangs to ensure that all appropriate and necessary measures are taken to limit the development, contraction and spread of COVID-19; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the County Judge is designated as the emergency management director of Brown County, and may exercise the powers granted to the governor on an appropriate local scale; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation, including the provision of temporary housing or emergency shelters for persons misplaced or evacuated and request assistance from the governor of state resources; and

WHEREAS, the County Judge has made a Declaration of Disaster and Public Health Emergency, and by this declaration has the authority to suspend all rules and regulations that may inhibit or prevent prompt response to this threat for the duration of the incident; and

WHEREAS, the County Judge, under the Texas Disaster Act of 1975, has authorized the use of all available resources of state government and political subdivisions to assist in the County’s response to this situation; and

WHEREAS, the County Judge has determined that extraordinary and immediate measures must be taken to respond quickly, prevent and alleviate the suffering of people exposed to and those infected with the virus, as well as those that could potentially be infected or impacted by COVID-19;

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF BROWN COUNTY, TEXAS:

- Section 1. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Order for all purposes and are adopted as a part of the judgment and findings of the Commissioners Court.
- Section 2. That the local state of disaster and public health emergency declared by County Judge Paul Lilly for Brown County pursuant to §418.108(a) of the Texas Government Code on March 18, 2020 is hereby renewed and extended indefinitely, including all rules and regulations set forth therein, or until such time as it is terminated by order of the Commissioners Court pursuant to §418.108(b) of the Government Code. This extension shall not limit the County Judge's powers to issue orders and/or declarations to amend the rules and regulations contained in the local state of disaster and public health emergency declaration.
- Section 3. Pursuant to §418.108(c) of the Government Code, this declaration of a local state of disaster and public health emergency shall be given prompt and general publicity and shall be filed promptly with the County Clerk.
- Section 4. Pursuant to §418.108(d) of the Government Code, this declaration of a local state of disaster and public health emergency activates Brown County's emergency management plan.
- Section 5. Pursuant to §418.108(f) and (g), this declaration authorizes the County to take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospitals, regulating ingress and egress from the County, and fining those who do not comply with the County's rules.
- Section 6. All orders or parts thereof, which are in conflict or inconsistent with any provision of this Order are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters herein.
- Section 7. This Order shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 8. 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 or confinement in jail for a term that does not exceed 180 days.
- Section 9. If any provision of this Order or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Order and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Commissioners Court hereby declares that this Order would have been enacted without such invalid provision.
- Section 10. It is officially found, determined, and declared that the meeting at which this Order is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Order,

was given, all as required by Chapter 551, Texas Government Code, as amended.

Section 11. This Order shall take effect immediately upon its adoption.

PASSED, ADOPTED, APPROVED, AND EFFECTIVE THE 23rd DAY OF MARCH, 2020.

BROWN COUNTY COMMISSIONERS COURT

By: _____

Paul Lilly, County Judge

ATTEST:

Sharon Ferguson, County Clerk