

AMENDED

STAY HOME – WORK SAFE

ORDER

BY

**THE MAYOR OF THE CITY OF
BEAUMONT, TEXAS**

WHEREAS, on March 16, 2020, a Declaration of Local Disaster was issued as amended March 19, 2020 by Mayor Becky Ames to allow the City of Beaumont to take measures to reduce the possibility of exposure to COVID- 19 and promote the health and safety of Beaumont residents; and,

WHEREAS, on March 23, 2020, the Beaumont City Council passed Ordinance No. 20-010 Extending the Public Health Emergency Disaster Declaration as amended to continue until such time as the disaster is terminated; and,

WHEREAS, on March 13, 2020, a Declaration of State of Disaster was issued by Governor Abbott to take additional steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans; and,

WHEREAS, the COVID-19 virus is contagious and spreads through person-to-person contact, especially in group settings; and,

WHEREAS, on March 19, 2020, Governor Abbott issued Executive Order GA 08 Relating to COVID-19 Preparedness and Mitigation stating people shall avoid social gatherings in groups of more than 10 people and closed all schools until April 3, 2020; and,

WHEREAS, pursuant to §122.006 of the Texas Health and Safety Code, the City is authorized to take any actions necessary to promote health and suppress disease, including quarantine, examining and regulating hospital. It is hereby declared that those persons under investigation, person under management, and quarantined persons remain within the confines of their homes or in safe, secure facilities during the quarantine period following their exposure to the virus; and,

WHEREAS, further restriction of movement of persons is necessary to reduce the substantial risk of harm to the public and, therefore, as long as this Order is in effect, all individuals anywhere in the City of Beaumont are required to stay at home or place of residence, except to perform certain essential activities, or to perform work in or obtain services from an Essential Business, Essential Government Service, or in Critical Infrastructure;

NOW THEREFORE, I, MAYOR OF THE CITY OF BEAUMONT, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER THAT:

SECTION 1. Stay at Home or Place of Residence. Effective upon signing and continuing until April 3, 2020, unless terminated, modified, or extended by a subsequent Order, the Mayor of the City of Beaumont, Texas, deems it in the public interest to issue this Order and **ORDERS** that all individuals currently living within the City of Beaumont stay at home or their place of residence except as allowed by this Order. To the extent individuals are using shared or outdoor spaces, they shall, to the greatest extent feasible, maintain social distancing of at least six feet from any other person, consistent with the Social Distancing Requirements, as defined in Section 6 below. All persons may leave their residences only to perform certain Essential Activities, to perform work in or obtain services from an Essential Business, Essential Government Service, or in Critical Infrastructure, or to engage in Essential Travel or Minimum Basic Operations all as defined in Section 6 below.

SECTION 2. Non-Essential Business and Operations Must Cease. All businesses or operations with a facility in the City of Beaumont, except Essential Businesses and Essential Government Functions as defined in Section 6 below, are required to cease all activities at facilities located within the City except Minimum Basic Operations as defined in Section 6 below. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

All **Essential Businesses Essential Government Service, and Critical Infrastructure** are strongly encouraged to remain open, especially those that provide the basic necessities for food, water, and shelter. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 6 below.

SECTION 3. Prohibited Activities. All public and private gatherings of any number of people occurring outside a single household or dwelling unit are strongly discouraged, except for the limited purposes as expressly permitted by this Order. Nothing in this Order prohibits the gathering of members of a household or dwelling unit.

SECTION 4. Travel. All travel, including, but not limited to, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit, is prohibited except for purposes of Essential Travel, performing Essential Activities or going to work in an Essential Business, Government Facility, or Critical Infrastructure as defined in Section 6 below. To the greatest extent feasible, people riding on public transit shall comply with Social Distancing Requirements as defined in Section 6 below.

SECTION 5. One Adult Rule. Only one **adult** member of a household can enter any retail/wholesale establishments at one time. **This applies to those essential activities, businesses, critical infrastructure, travel, and basic operations outlined in Section 6 below.**

SECTION 6. Definitions and Exemptions.

- a. **Individuals experiencing homelessness** are exempt from this Order except that, to the extent individuals are using shared or outdoor spaces, they shall, to the greatest extent feasible, maintain social distancing of at least six feet from any other person, consistent with the Social Distancing Requirements, as defined in this Section, below. Individuals experiencing homelessness are strongly urged to obtain shelter.
- 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 6(f)(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 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 Section;
 - iv. **For Certain Types of Work.** Individuals may perform work providing essential products and services at an Essential Business, Government Service, or Critical Infrastructure, or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations; or
 - v. **To Take Care of Others.** Individuals may care for a family member or pet in another household.
- c. **Critical Infrastructure.** As defined in Exhibit A, incorporated in this Order by reference.

- d. **Essential Government Functions.** All sworn Police Department, Fire Department, and Emergency Medical Services personnel, emergency management personnel, and emergency dispatchers; all court personnel, child protection and child welfare personnel; all military personnel; 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; 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; and all law enforcement personnel, housing and shelter personnel, and others working for or to support Essential Businesses or Critical Infrastructure are categorically exempt from this Order. 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. Each governmental body shall determine its Essential Government Functions and identify employees and/or contractors necessary to perform those functions. To the extent feasible, all Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section,

- e. **Businesses Covered by this Order.** For the purposes of 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 its corporate or entity structure.
- f. **Essential Businesses.** For the purposes of 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 and/or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and all healthcare and life-saving services provided to animals. This shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. "Healthcare Operations" does not include fitness and exercise gyms or other similar facilities and does not include barber shops, beauty and nail salons and massage parlors;
 - ii. **Stores that sell Groceries and Certain Other Essential Supplies.** Grocery stores, supermarkets, big-box stores, farmers' markets, food banks,

convenience stores, smoke shops, liquor stores, firearm sales and services, 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 includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining 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, automobile dealerships, auto-manufacturing and assembly, auto-supply, auto-repair, self-service or drive through car washes and other related facilities;
- vii. **Financial Institutions.** Banks and related financial institutions, consumer lenders, sales and finance lenders, credit unions, appraisers, title companies, pawnshops, entities that issue bonds, insurance companies, underwriters, agents, brokers, and related insurance claims and agents;
- viii. **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;
- ix. **Critical Trades.** Plumbers, electricians, exterminators, pool cleaners, and other service providers who provide services that are necessary to maintaining 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;
- x. **Mail and Delivery Services.** Businesses providing mailing and shipping services, including post office boxes;
- xi. **Laundry Services.** Laundromats, dry cleaners, and laundry service providers;
- xii. **Restaurants for Consumption Off-Premises.** Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. 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 to students or members of the public on a pick-up and takeaway 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;

- xiii. **Supplies to Work from Home.** Businesses that supply products needed for people to work from home;
- xiv. **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;
- xv. **Food Delivery Services.** Businesses that ship or deliver groceries, food, goods or services directly to residences;
- xvi. **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;
- xvii. **Home-Based Care and Services.** Home-based care for seniors, adults, or children, including caregivers who may travel to provide care;
- xviii. **Residential Facilities and Shelters.** Residential facilities and shelters for seniors, adults, children, and animals;
- xix. **Professional Services.** Professional services, such as legal or accounting services, insurances services, and real estate services when necessary to assist in compliance with legally mandated activities or to further Essential Businesses, Essential Government functions, or Critical Infrastructure;
- xx. **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;
- xxi. **Moving Supply Services.** Businesses that provide residential and/or commercial moving services and necessary moving supplies;
- xxii. **Hotels and Motels.** Hotels and motels, to the extent used for lodging or delivery or carry-out food services;

- xxiii. **Funeral Services.** Funeral, mortuary, cremation, burial, cemetery, and related services, provided that social distancing of six feet per person is maintained to the greatest extent possible;
 - xxiv. **Educational Institutions.** Educational institutions- including public and private K-12 schools, colleges, and universities - for purposes of facilitating distance learning, performing critical research, or performing other essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible; and
 - xxv. **Childcare Facilities.** Childcare facilities 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:
 - 1. Childcare must be carried out in stable groups of 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day).
 - 2. 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 with each other.
 - xxvi. **Religious Services.** Religious and worship services may only be provided by video, teleconference or by parking lot services where attendees remain inside vehicles. Religious institutions must limit in-person staff to ten (10) people or less when preparing for or conducting video, teleconference or parking lot services, and all individuals must follow the Social Distancing Guidelines including the six foot social distancing.
- g. **Minimum Basic Operations.** For the purposes of 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.
- h. **Essential Travel.** For the purposes of 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 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 for the purpose of producing 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 prior to commencing such travel.
- i. **Residences.** For purposes of this Order, residences include hotels, motels, shared rental units, and similar facilities.
 - j. **Social Distancing Requirements.** For purposes of this Order Social Distancing Requirements include maintaining at least a six-foot distance from other individuals, washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

SECTION 7. The City of Beaumont SUSPENDS all deadlines imposed by City Code, ordinance, rule, or other regulation until further notice.

SECTION 8. The City of Beaumont suspends the collection of fares for fixed route transit service for the Beaumont Municipal Transit System. Beaumont Municipal Transit shall enforce the social distancing requirements. Travel shall be limited to the essential travel as outlined herein.

SECTION 9. Any person who shall violate any provision of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000.00. Each day of violation shall constitute a separate offense.

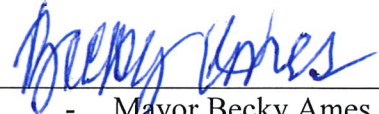
SECTION 10. Prior Order. This Order does not rescind or replace any prior Order of the City of Beaumont.

SECTION 11. Savings Clause. If any provision of this Order or its application to any person or circumstance is held by a court of competent jurisdiction to be invalid or unconstitutional, then 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 12. This Order shall take effect immediately upon signing.

ORDERED this the 31st day of March, 2020, in the City of Beaumont, Jefferson County, Texas.


- Mayor Becky Ames -

ATTEST:



City Clerk



EXHIBIT A
Critical Infrastructure Designations and Obligations

1. "Critical Infrastructure" is defined as all public and private facilities and assets, including both physical and cyber systems, and other functions and sectors vital to the security, governance, public health, safety, and economic continuity of the City of Beaumont.

2. Critical Infrastructure, includes but is not limited to the following:
 - a. banking and financial institutions;
 - b. transit and transit facilities, transportation services, equipment and facilities;
 - c. power, water, telecommunications, natural gas, and public utilities;
 - d. critical manufacturing including components for primary metals, machinery, electrical equipment and components, health and safety products and equipment, and transportation equipment;
 - e. auto and vehicle parts manufacturing and assembly plants;
 - f. technology manufacturing companies;
 - g. information and communications, including press;
 - h. emergency services;
 - I. public health and medical services;
 - J. fire and law enforcement;
 - k. public works;
 - l. agriculture and food;
 - m. airport facilities and operations;
 - n. sanitation services;
 - o. other City government buildings or facilities, as designated by the City Manager;
 - p. Construction, including public works construction, and construction of affordable housing or housing for individuals experiencing homelessness, social services construction, and other construction that supports essential uses, including essential businesses, government functions, or critical infrastructure, or otherwise as required in response to this public health emergency; and

3. Recommendations for Employees:
 - a. Employees who work in and around Critical Infrastructure should refrain from reporting to work when falling within any of the following criteria and should follow the initial self-quarantine recommendations:
 - i. Has signs or symptoms of a respiratory infection, such as a cough, shortness of breath, or sore throat;
 - ii. Has a fever greater than 99.6°F;
 - iii. In the previous 14 days has had contact with someone with a

- confirmed diagnosis of COVID-19 and did not have the appropriate personal protective equipment designated by the Centers for Disease Control and Prevention (CDC); is under investigation for COVID-19; or is ill with a respiratory illness; or
- iv. has traveled to an area the World Health Organization or CDC considers a "Hotspot."

4. Requirements for Employers:

- a. Employers include public and private employers located and operating in and out of Critical Infrastructure. To prevent stigma and discrimination in the workplace, employers shall only adhere to the recommendations described in this Order to determine risk of COVID-19. Employers should contact their own human resources advisors and shall not make determinations of risk based on race, color, religion, sex, sexual orientation, gender identity, age, familial status, disability, marital status, student status, creed, national origin. To the extent possible, employers should maintain confidentiality of people with suspected or confirmed COVID-19.
- b. Employers shall follow the Requirements in this Exhibit, as applicable.
- c. Employers shall only allow persons in and around Critical Infrastructure that are:
 - (1) employees not subject to any of the criteria in 3(a) above, (2) customers or members of the public to the extent Social Distancing can be maintained and
 - (3) persons with legal authority to enter such as law enforcement.
- d. Prior to allowing employees into its facility, employers may ask all employees if they meet any of the criteria in 3(a) above, and may direct employees to return home if the employee is exhibiting symptoms and presenting a threat of infecting other employees at the Critical Infrastructure facility.
- e. Employers shall immediately separate an employee who becomes sick or demonstrates a temperature greater than 99.6°F while at work from other employees and send that employee home.
- f. Human resources departments at Critical Infrastructure facilities may create alternate work plans to help employees remain productive while keeping the workforce safe and healthy.