



****** Press Release ******

March 25, 2020
11:30am

After much collaboration, Burnet County will join other Counties and Communities across Texas and the nation to ensure responsible activity during this pandemic. As advised by the Burnet County Local Health Authority and supported by all the Mayors of incorporated municipalities within Burnet County, I am enacting a “Stay in Place and Stay Safe” order to be effective at 11:59 pm tonight. This measure is being take to protect the health, safety and welfare of the citizens of Burnet County. Your cooperation, patience and understanding is appreciated.

Please take time to read the order as well as the “Frequently Asked Questions” section at the end. Many definitions and exemptions are included within the order. For additional questions please contact your city’s administration or the Courthouse at 512-756-5420 or burnetcountytexas.org

A handwritten signature in blue ink that reads "J. Oakley".

James Oakley
Burnet County Judge

BURNET COUNTY ORDER TO STAY IN PLACE AND STAY SAFE

WHEREAS, on March 13, 2020, Governor Greg Abbott declared a state of disaster due to COVID-19; and

WHEREAS, on March 16, 2020, the CDC lowered the recommended number of persons at mass gatherings to 10 persons; and

WHEREAS, on March 19, 2020, Texas Governor Greg Abbott issued orders, prohibiting social gatherings in excess of 10 people; and

WHEREAS, 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, this Order is required; and

WHEREAS, this Order is issued based on evidence of increasing occurrence of COVID-19 within Burnet County and throughout the Central 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 Burnet County places it at risk for serious health complications, including death, from COVID-19; 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 health care system from being overwhelmed. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. By reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in Burnet County; and

WHEREAS, the Local Health Authority Dr. Juliette Madrigal, City of Marble Falls Mayor John Packer, City of Burnet Mayor Crista Goble-Bromley, the City of Granite Shoals Mayor Carl Brugger, City of Bertram Mayor Adam Warden, City of Meadowlakes Mayor Mary Ann Raesner, City of Cottonwood Shores Mayor Donald Orr, City of Highland Haven Mayor Olan Kelly, City of Horseshoe Bay Mayor Cynthia Clinesmith, and City of Double Horn Mayor Cathy Sereno all support this action; 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; and

FILED THIS 25 DAY OF Mar A.D. 2020
at
11:52 AM
JP
BY Janet Parker
COUNTY CLERK, BURNET COUNTY, TEXAS
DEPUTY

WHEREAS, extraordinary and immediate measures must be taken to respond quickly to prevent and slow down community spread of COVID-19.

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 BURNET COUNTY, TEXAS THAT:

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

SECTION 2. This Stay in Place and Stay Safe terminates, rescinds and replaces any prior Order(s) issued by Burnet County Judge James Oakley under the Disaster Declaration dated March 18, 2020 and ratified by the Burnet County Commissioners Court on March 19, 2020.

SECTION 3. The intent of this Stay in Place and Stay Safe is to ensure that the maximum number of people remain in their places of residence to the maximum extent feasible, while enabling essential services to continue, to reduce the risk to the health and safety of the people to the maximum extent possible. When people need to leave their places of residence, whether to obtain or perform authorized services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times reasonably possible comply with Social Distancing Requirements as defined in Section 10 below. All provisions of this Stay in Place and Stay Safe should be interpreted to effectuate this intent. Failure to comply with any of the provisions of this Stay in Place and Stay Safe constitutes an imminent threat to public health.

SECTION 4. All individuals currently living within Burnet County, Texas ("the County") are restricted to stay at their place of residence. To the extent individuals are using shared or outdoor spaces as allowed, they shall 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 for Essential Activities or for performing or accessing Essential Governmental Functions, Healthcare Operations, Essential Businesses, and Essential Critical Infrastructure, all as defined in Section 10.

SECTION 5. All businesses operating in the County, except Essential Businesses as defined below in Section 10, shall restrict activities at facilities located within the County except Minimum Basic Operations, as defined in Section 10. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 10 below, including six-foot social distancing for both employees and the general public.

SECTION 6. All public and private gatherings of any number of people occurring outside a residence are prohibited, except for the limited purposes as expressly defined in Section 10. Nothing in this Stay in Place and Stay Safe prohibits the gathering of members of the same Residence at their place of Residence.

SECTION 7. Travel is restricted except as allowed and defined in Section 10. This Stay in Place and Stay Safe allows travel into or out of the County to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.

SECTION 8. This Stay in Place and Stay Safe is issued based on evidence of an increasing risk to the health and safety of the residents within the County, throughout the United States of America and the State of Texas, and scientific evidence and best practices regarding the most effective approaches to address the concerns for the health and safety of the public. The notable risk to the health and safety of the public has resulted in a public health emergency throughout the County.

SECTION 9. This Stay in Place and Stay Safe also is issued based on known risks to the health and safety to the people of Burnet County. This Stay in Place and Stay Safe is necessary to protect the health and safety of the people and to limit the factors creating the risks.

SECTION 10. Definitions and Exemptions:

- a. **Residence.** For purposes of this Stay in Place and Stay Safe, the term "residence" means the physical place where a person, group or family resides, including single family houses, apartment units, townhomes, condos, multi-family homes, such as duplexes, triplexes, and quadplexes, manufactured homes and recreational vehicles (RVs), and hotels, motels, shared rentals, and other related facilities.
- b. **Covered Businesses and Covered Entities.** For the purposes of this Stay in Place and Stay Safe Order, the term "Business" includes 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.
- c. **Essential Activities.** For purposes of this Stay in Place and Stay Safe, individuals may leave their Residence to perform any of the following "Essential Activities":
 1. To 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), such as, by way of example only and without limitation, obtaining medical supplies or medication, and visiting a health care professional.
 2. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others and to food banks and food bank depositories, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of Residences, and obtaining supplies they need to work

from home.

3. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section. For example, running, walking, hiking, fishing, golfing, or boating are allowable outdoor activities.
4. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this **Stay in Place and Stay Safe**, including Minimum Basic Operations.
5. To care for a family member or pet in another household.
6. To exchange children between parents, guardians, or managing conservators pursuant to a child custody order or agreement between the parties.

d. **Healthcare Operations.** For purposes of this **Stay in Place and Stay Safe**, 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 massage parlors, hair salons, barber shops, nail salons, fitness and exercise facilities, athletic gyms, exercise gyms and similar facilities.**

e. **Essential Critical Infrastructure.** For purposes of this **Stay in Place and Stay Safe**, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "**Essential Critical Infrastructure**," including, but not limited to, work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) and as outlined at <https://www.cisa.gov/critical-infrastructure-sectors>, including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, radio communications, and web-based services), financial institutions, defense and national security-related operations, and essential manufacturing operations, provided that they carry out those services or that work in compliance with the Social Distancing Requirements as defined in this Section, including the six foot social distancing, to the extent possible. Essential Businesses providing Essential Critical Infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with Social Distancing Requirements.

- f. **Essential Governmental Functions.** For purposes of this **Stay in Place and Stay Safe**, all services provided by governmental entities needed to ensure the continuing operation of the governmental entities to provide for the health, safety, and welfare of the public are categorically exempt from this **Stay in Place and Stay Safe**. Further, nothing in this **Stay in Place and Stay Safe** shall prohibit any individual from performing or accessing "**Essential Governmental Functions**," as determined by the governmental entity performing those functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined in this Section, including the six-foot social distancing, to the extent possible.
- g. **Essential Businesses.** For purposes of this **Stay in Place and Stay Safe**, "**Essential Businesses**" means:
1. Healthcare Operations, Essential Critical Infrastructure, and Essential Government Functions;
 2. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, feedstores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, 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;
 3. Food cultivation, including farming, livestock, and fishing, and garden centers;
 4. Residential, transportation and commercial construction;
 5. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
 6. Newspapers, television, radio, and other media services;
 7. Gas stations and fuel suppliers;
 8. Auto-supply, auto-repair, auto parts, auto-maintenance, vehicle manufacturing, vehicle sales and related facilities;
 9. Banks and related financial institutions;
 10. Hardware stores;
 11. Trash and recycling collection, processing and disposal;
 12. Cleaning, maintenance and security for facilities;
 13. Warehouse distribution and fulfillment;
 14. Storage for Essential Businesses;
 15. Funeral homes, crematoriums, cemeteries, burial, and related services, provided that Social Distancing Requirements are maintained to the greatest extent possible;
 16. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of Residences, Essential Activities, and Essential Businesses, in addition to emergency repairs for facilities of non-essential businesses;
 17. Certain real estate functions limited to real estate property management,

- including scheduling necessary repairs that effect the safety and wellbeing of residents, executing and managing leases (commercial and residential), renewal and adjustments of leases (commercial and residential); real estate recordings and transfers, including the execution and documentation of real estate transfers; and real property related services such as permitting, inspections, construction, procurement, representation and title searches;
18. Businesses and providers providing mailing and shipping services, including post office boxes;
 19. Educational institutions-including public and private pre-K establishments, K-12 schools, colleges, and universities-for purposes of facilitating distance learning, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
 20. Laundromats, drycleaners, and laundry service providers;
 21. 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 **Stay in Place and Stay Safe** on the condition that the food is provided to students or members of the public on a pick-up and take-away basis only;
 22. Businesses that supply products needed for people to work from home;
 23. Businesses that provide Information Technology (IT) services that are necessary to maintain internet and telecommunications systems, including the provision of essential global, national and local infrastructure for computing services, business infrastructure, communications and web-based services;
 24. Businesses that provide residential and/or commercial moving services and necessary moving supplies;
 25. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
 26. Businesses that ship or deliver groceries, food, goods or services directly to Residences;
 27. Any business or manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing products intended to be directly utilized for the COVID-19 response;
 28. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this **Stay in Place and Stay Safe**;
 29. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities or essential court services as specified by the Texas Supreme Court;
 30. Childcare, daycare and child watch facilities and providers providing services that enable employees exempted in this **Stay in Place and Stay Safe** to work as permitted. To the extent possible, childcare, daycare and child watch facilities and providers must operate under the following mandatory conditions:
 - a. Childcare, daycare and child watch 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).
 - b. Children should not change from one group to another.

- c. If more than one group of children is cared for at one facility, each group should be in a separate room. Groups should not mix with each other.
 - d. Childcare providers should remain solely with one group of children.
- h. **Minimum Basic Operations.** For purposes of this Stay in Place and Stay Safe, "**Minimum Basic Operations**" include the following, provided that employees comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:
- 1. 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. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their Residences.
- i. **Essential Travel.** For purposes of this Stay in Place and Stay Safe, "**Essential Travel**" includes travel for any of the following purposes:
- 1. Any travel related to the provision of or access to Essential Activities, Healthcare Operations, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.
 - 2. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
 - 3. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
 - 4. Travel to return to a place of Residence from outside the jurisdiction.
 - 5. Travel required by law enforcement or court order.
 - 6. Travel required for non-residents to return to their place of Residence outside the County. Individuals are strongly encouraged to verify that their transportation out of the County remains available and functional prior to commencing such travel.

Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.

- J. **Social Distancing Requirements.** For purposes of this Stay in Place and Stay Safe, "**Social Distancing Requirements**" includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty 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 11: Religious and worship services may only be provided by video and teleconference. Religious institutions must limit in-person staff to ten (10) people or less when preparing for or conducting video or teleconference services, and all individuals must follow the Social Distancing Requirements, including the six-foot social distancing.

SECTION 12: Nursing homes, retirement, and long-term care facilities are instructed by this order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.

SECTION 13. AS AUTHORIZED BY SECTION 418.173 OF THE TEXAS GOVERNMENT CODE AND AS ADOPTED IN BURNET COUNTY'S EMERGENCY MANAGEMENT PLAN, A FAILURE TO COMPLY WITH THE BURNET COUNTY EMERGENCY MANAGEMENT PLAN OR WITH ANY RULE, ORDER OR ORDINANCE ADOPTED UNDER SAID PLAN, INCLUDING, BUT NOT LIMITED TO THIS STAY IN PLACE AND STAY SAFE, 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 BURNET COUNTY SHERIFF'S OFFICE, BURNET COUNTY CONSTABLES, AND OTHER LICENSED PEACE OFFICERS ARE HEREBY AUTHORIZED TO ENFORCE THIS ORDER AND ORDERS REFERENCED HEREIN.


SECTION 14. If any provision of this Stay in Place and Stay Safe or its application to any person or circumstance is held to be invalid, the reminder of the Stay in Place and Stay Safe, 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 Stay in Place and Stay Safe are severable.

SECTION 15. This Stay in Place and Stay Safe will be posted on Burnet County's website at www.burnetcountytexas.org and filed with the Burnet County Clerk. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Stay in Place and Stay Safe is strongly encouraged to post a copy of this Stay in Place and Stay Safe onsite and to provide a copy to any member of the public asking for a copy.

SECTION 20. This Stay in Place and Stay Safe shall become effective at 11:59 pm on March 25, 2020 and will continue to be in effect until it is extended, rescinded, superseded, or amended in writing by the Burnet County Judge.

This Stay in Place and Stay Safe is adopted on this the 25th day of March, 2020 to be effective as of the date and time set out herein.




Hon. James Oakley, Burnet County Judge

ATTEST


Janet Parker, Burnet County Clerk

Frequently Asked Questions
**Regarding New Order Directing Individuals to Stay at Home Except to Provide
or Receive or Engage in Essential Activities**

The **Stay in Place and Stay Safe** is effective as of **11:59 pm on March 25, 2020**, and it limits activity, travel and business functions to only the most essential needs. This **Stay in Place and Stay Safe** is in effect until rescinded, superseded, or amended by the Burnet County Judge.

Please note that this FAQ is intended to assist the public with understanding their obligations and duties under the **Stay in Place and Stay Safe**. However, if anything in the FAQ is inconsistent with the terms of the **Stay in Place and Stay Safe** itself, the provisions of the **Stay in Place and Stay Safe** shall control.

What is the difference between "sheltering in place" or "staying home" and "social distancing"?

Sheltering in place requires people to stay at home and only leave the home for "Essential Activities," as defined in the **Stay in Place and Stay Safe**. Social Distancing refers to staying 6 feet or more away from others and to avoid gathering in groups of any size, as well as washing hands with soap and water for at least twenty 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.

When does the Stay in Place and Stay Safe go into effect?

The **Stay in Place and Stay Safe** goes into effect at **11:59 pm on March 25, 2020**. Although this is soon, please do not panic. The **Stay in Place and Stay Safe** allows for people to conduct Essential Activities outside of their Residences as listed in the **Stay in Place and Stay Safe**.

How long does the Stay in Place and Stay Safe last?

The **Stay in Place and Stay Safe** will continue to be in effect until rescinded, superseded, or amended in writing by the Burnet County Judge.

Is this mandatory or is it just guidance?

This **Stay in Place and Stay Safe** is a legal Order that must be followed by all persons located in Burnet County, Texas. Failure to comply with this **Stay in Place and Stay Safe** shall be a criminal offense punishable by fine that does not exceed \$1,000.00 or confinement in jail for a term not to exceed 180 days.

Am I allowed to leave my home while this Stay in Place and Stay Safe is in effect?

The intent of this Stay in Place and Stay Safe is to ensure that people remain in their Residences and minimize social interactions outside of their immediate family unit. However, you may leave your Residence for reasons specified in the Stay in Place and Stay Safe. These "Essential Activities" include ensuring the health and safety of yourself and your family, engaging in outdoor activity that does not involve close contact with other people, obtaining services and supplies for yourself and your family, and performing employment functions that are permissible under the Stay in Place and Stay Safe.

What is "Essential Activity"?

"Essential Activity" means engaging in activities or performing tasks that are deemed essential to your wellbeing and that of the community. Essential Activities include, but are not limited to activities such as:

- Activities or tasks essential to the health and safety of you and your family or household members, including your pets
- Obtaining food, household goods, and supplies to work from home
- Engaging in limited outdoor activity such as walking, running, or hiking, as long as Social Distancing Requirements are followed
- Working for or going to an "Essential Business"
- Conducting "Minimum Basic Operations" for a non-essential business
- Caring for a family member or pet in another household
- Exchanging children between parents, guardians, or managing conservators pursuant to a child custody order or agreement between the parties.

Can I go to the grocery store?

Yes. However, families should not use grocery stores as a group outing. Family should shop for needed items only. Hoarding food and other supplies is discouraged. People should quickly and efficiently shop and not use the grocery store as a "hang-out" location. Get what you need and leave.

Can I go to the park?

Yes, if open. Burnet County owns only one public park which can be accessed during regular hours for exercise and outdoor activity as long as the Social Distancing Requirements are followed. Please check with individual cities or State agencies regarding parks which they control located inside of Burnet County.

Can I leave home to visit friends or family members if there is no urgent need?

No, this is not an "Essential Activity.". For your safety as well as other's safety, we need to help each other fight the spread of COVID-19 by staying at home.

Can I leave home to care for my elderly parents or friends who require assistance to care for themselves, or a friend or family member who has disabilities?

Yes, but please follow all health and safety guidelines such as washing hands, using hand sanitizer, maintaining at least six feet of distance when possible, and coughing or sneezing into a tissue. Please note that this activity should be limited to essential care only.

Will all business offices and stores be required to close? What are "Essential Businesses"?

"Essential Businesses" may stay open and their employees may leave home to go to work. Please refer to Section 10 for a description of "Essential Businesses."

What if my business IS NOT considered an Essential Business?

Your employees can work from home if their jobs are ones that can be performed remotely. Non-essential businesses may still conduct "Minimum Basic Operations," as defined in Section 10(h) of the Stay in Place and Stay Safe.

Can I leave home to go to my church, synagogue, or mosque?

No. However, places of worship can offer remote access to services, such as by emails, video streaming, or teleconference.

If my child's school is providing food or meals, can I leave home to go to the school to pick up the food or meals?

Yes.