



\*UG-98-2020-26770\*

BEXAR COUNTY



SUPPLEMENTAL EXECUTIVE ORDER **NW-04** OF

COUNTY JUDGE NELSON W. WOLFF ISSUED April 3, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Bexar County Judge Nelson W. Wolff declared a state of local disaster on March 13, 2020 due to imminent threat arising from COVID-19;

WHEREAS, in accordance with Texas Government Code Section 418.108(b), on March 18, 2020, the Bexar County Commissioners Court approved an Order Continuing Declaration of State of Local Disaster for Bexar County (hereafter, the “*Order of Continuation of Declaration*”);

WHEREAS, in accordance with Texas Government Code Section 418.108(b), the consent by Commissioners Court authorizes the Bexar County Judge to continue to exercise the powers granted by the Texas Disaster Act of 1975 for the period specified in the Order of Continuing Declaration;

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott issued a declaration of public health disaster in and for the State of Texas;

WHEREAS, on March 18, 2020 the Bexar County Commissioners Court approved the Order of Continuation of Declaration and authorized the Bexar County Judge to take such actions as are necessary in order to protect the health, safety and welfare of the citizens of Bexar County;

WHEREAS, the County Judge has determined that extraordinary emergency measures must be taken to mitigate the effects of this public health emergency and to facilitate a response to the public health threat;

WHEREAS, a County Judge is authorized to control ingress to and egress from a disaster area and control the movement of persons and occupancy of premises on an appropriate local scale in accordance with Section 418.108(g) of the Texas Government Code and his authority as Emergency Management Director; and

WHEREAS, by the authority vested in me as Bexar County Judge and as the Emergency Management Director for the County of Bexar and in order to continue to protect the health and safety of the community and address developing and the rapidly changing circumstances when presented by the current public health emergency, I hereby issue this executive order pursuant to the Texas Disaster Act of 1975, *which shall supplement but not replace or rescind my previous executive order.*

**PURSUANT TO THE TEXAS DISASTER ACT OF 1975, BEXAR COUNTY JUDGE NELSON W. WOLFF HEREBY ISSUES THIS SUPPLEMENTAL EXECUTIVE ORDER AS FOLLOWS:**

1.e Effective as of 11:59 p.m. on Saturday, April 4, 2020, and continuing through 11:59 p.m. on April 9, 2020, unless extended, modified or terminated early by Bexar County Judge Nelson W. Wolff or as otherwise indicated below:

a.e Long-term Care Facilities. The Centers for Disease Control and Prevention (CDC) has identified that staff members working in multiple long-term care facilities can contribute to intra- and interfacility spread of COVID-19. Based on this guidance, I hereby order that any individual that provides in-person services, or is otherwise employed or staffs a long-term care facility (e.g. nursing home, or assisted living facility), and has direct patient contact shall hereafter be prohibited from working in, or visiting, more than (1) long-term care facility for any purpose as a result of the increased risk for transmission of COVID-19 to an at-risk population. The prohibition shall extend to any agency or organization who employs individuals for purposes of staffing or on a temporary basis. Notwithstanding the foregoing, this prohibition does not, and is not intended to, impact or restrict the ability of an individual, organization or entity to operate as an exempted business under the order/declaration of either the Texas Governor or the County Judge for Bexar County, but shall only restrict the ingress/egress and movement of persons into or out of more than one nursing home facility. Additionally, long-term care facilities should follow all additional CDC guidance to take proactive steps to protect the health of residents and preserve the health care workforce by identifying and excluding potentially infected staff members, restricting visitation consistent with the Governor's Executive Order, the Mayor's Fifth Declaration and the County Judge's Executive Order, ensuring early recognition of potentially infected patients, and implementing appropriate infection control measures..e

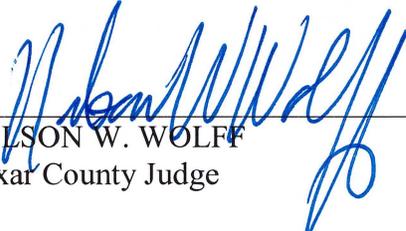
b.e That the Bexar County Justice Center Complex shall have two points of access – one at the Paul Elizondo Tower at the Nueva Street entrance and one at the Bexar County Courthouse Bexar Heritage Center entrance - and that all other county-owned or leased buildings shall have a single controlled point of entrance. Further, all citizens and employees shall be appropriately screened before entering any Bexar County owned or leased building. At the control points, citizens and employees shall be asked certain risk-related questions and their temperature taken by least obtrusive means. Any individual with a

temperature exceeding 100 °F or who fails the screening process will be not be allowed to enter the building. Citizens are encouraged to call the department or office you are attempting to visit prior to visiting a county-owned or leased facility. All social distancing measures must be implemented at the above-described control points.

- c.e That all food, household staples retail establishments, including those doing pick-up/delivery shall:
  - i.e Limit the amount of people at pickup or in an establishment so that social distancing may be maintained;
  - ii.e Implement an organized line system where people are spaced at least 6 feet apart; and
  - iii. Post in a highly visible location, the establishment's guidelines that meet (a) and (b) above.
  
- d.e County Parks and Community Property. I hereby order:
  - i.e That all recreational areas where social distancing and sanitizing requirements are difficult or impossible to meet, including community and school playgrounds, outdoor exercise equipment, tennis courts, skate plazas, splash pads and basketball courts including those located in apartment complexes or HOA areas, shall hereafter be closed for the duration of this Executive Order.
  - ii.e That certain facilities located within Bexar County parks be closed to further reduce the spread of COVID-19. Use of County parks must continue to be consistent with guidance from the Centers for Disease Control and Prevention regarding social distancing.
  - iii. Beginning at 11:59 PM on Tuesday, March 31, 2020, that County-owned community centers, civil centers, clubhouses, adult and senior centers (except for meal pick up), park basketball courts, outdoor exercise equipment, playgrounds, tennis courts, skate plazas, and splash pads be closed to the public. These closures will remain in effect until the Executive Order NW-03 of the County Judge and the Texas Governor's Executive Order GA-14 are rescinded or expire.
  - iv. Beginning at 11:59 PM on Friday, April 10, 2020, that all persons must vacate County parks and all County parks will be closed to the public until 5:00 AM on Monday, April 13, 2020. The park trails, linear parks, and greenways will remain open for walking, running, or biking as long as users consistently follow social distancing.
  - v.e Beginning at 11:59 PM on Friday, April 3, 2020, that all golf courses, and driving ranges, will be closed for golf or frisbee play until further notice.

2. That any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Executive Order in accordance with the authority granted under the Texas Disaster Act of 1975. Any person who violates this Executive Order may be subject to a fine not exceeding \$1,000 or confinement for a period not exceeding 180 days.
3. The sections, paragraphs, sentences, clauses and phrases of this executive order are severable and if any phrase, clause, sentence, paragraph or section of this executive order should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections that can be given effect without the invalid provision, and to this end, the provisions of this executive order are severable.
4. The provisions of this Executive Order shall hereafter constitute and become a part of, and act as a supplemental addition to, Executive Order NW-03 and the items set out herein shall be fully incorporated into Executive Order NW-03 as if set forth therein.

**DECLARED this 3<sup>rd</sup> day of April, 2020**

  
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NELSON W. WOLFF  
Bexar County Judge

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