



## **STAY SAFE AT HOME ORDER BY THE MAYOR OF THE CITY OF PEARLAND (TR 4)**

**WHEREAS**, pursuant to Texas Government Code Section 418.108, Pearland Mayor, Tom Reid, issued a Declaration of Local Disaster for Public Health Emergency on March 18, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and

**WHEREAS**, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and

**WHEREAS**, Governor Abbott issued an Executive Order on Thursday, March 19, 2020, issuing orders for Texas to adhere to certain control measures and mitigation strategies; and

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

**WHEREAS**, it is necessary 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, to slow the spread of COVID-19; and

**WHEREAS**, despite the current state of this public health crisis, individuals will be required to leave self-isolation to obtain or perform vital services or to otherwise facilitate authorized activities necessary for the continuity of social and commercial life. As such, individuals should, at all times, and as reasonably as possible, comply with Social Distancing Requirements as defined by the Centers of Disease Control and Prevention.

**NOW THEREFORE, I, MAYOR TOM REID FOR THE CITY OF PEARLAND, TEXAS, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:**

**SECTION 1.** That the findings and recitations set out in the preamble to this ORDER are found to be true and correct and they are hereby adopted by the Mayor and made a part hereof for all purposes.

**SECTION 2.** The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals anywhere in the City of Pearland to stay safe at home or workplace (as absolutely required) to provide only essential business and government services, including Essential Critical Infrastructure as defined by the Department of Homeland Security's Cybersecurity & Infrastructure Security Agency, or perform essential public infrastructure and construction, including housing.



**SECTION 3.** Effective as of 6:00 p.m. on March 26, 2020, and continuing until 11:59 p.m. on April 3, 2020, unless terminated or modified by an earlier order, the Mayor of the City of Pearland, Texas, deems it in the public interest to order that:

1. General:

- A. All persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 2 of this Order. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals use shared or outdoor spaces, they must at all times and to the extent reasonably possible, maintain social distancing of at least six feet from any other person when they are outside their residence.
- B. All businesses operating within Pearland, except Essential Businesses as defined in Section 2 below, are required to cease all activities at facilities located within the City. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines attached, including maintaining six-foot social distancing for both employees and the general public.
- C. All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit.
- D. Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.

2. Definitions:

- A. For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities":
  - i. 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 pets (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies needed to work or participate in or engage in school or study from home).
  - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and an essential operation of residences).



- iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, or running).
- iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
- v. To care for a family member or pet in another household.

B. For purposes of this Order, "Essential Businesses" means:

- i. **Essential Healthcare Operations.** Healthcare operations, including hospitals, clinics, dentists, chiropractic, orthopedic, occupational and physical therapy, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, 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 health and welfare services provided to animals. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare. Healthcare operations do not include fitness and exercise gyms and similar facilities.
- ii. **Essential Government Functions.** All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public. Further, nothing in this Order shall prohibit any individual from performing or accessing "Essential Government Functions." All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible.
- iii. **Essential Critical Infrastructure.** Work necessary to the operations and maintenance of the critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) including public works construction, residential and commercial construction, airport operations, water, sewer, gas, electrical, oil refining, industrial and chemical plants, 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, communications, and web-based services), financial institutions, defense and national security-related operations, essential manufacturing operations provided that they carry out those services or that work in compliance with social distancing requirements of six feet, to the extent possible. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed, to the extent possible, in compliance with social distancing guidelines attached.
- iv. **Essential Retail.** Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, liquor stores, gas stations and convenience stores. School supply stores. Food cultivation, including farming, fishing, and



livestock. Businesses that ship or deliver groceries, food, or goods or services directly to residences. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free services to students or members of the public on a delivery, or pick-up and take-away basis only. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities. Laundromats, dry cleaners, and laundry service providers. Gas stations, auto sales, auto dealerships, auto-supply, auto, recreational vehicle, and bicycle repair, hardware stores, construction supply stores and related facilities. Vehicles for hire including taxis and rideshare. Businesses that supply products needed for individuals to work or attend school from home.

- v. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses that provide food, shelter, social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.
  - vi. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.** Trash and recycling collection, processing and disposal, mail and shipping services, building cleaning, maintenance and security, warehouse/distribution and fulfillment, storage for essential businesses, funeral homes, crematoriums and cemeteries. Plumbers, electricians, air conditioner maintenance and repair persons, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses. Lawn care services. Professional services, such as legal, accounting services, insurance, real estate services (including appraisal, surveying, and title services) when necessary to assist in compliance with legally mandated activities. Businesses that supply other essential businesses with support or supplies needed to operate.
  - vii. **News Media.** Newspapers, television, radio, and other media services.
  - viii. **Childcare Services.** Childcare facilities providing services that enable employees exempted in this Order to work as permitted. However, to the extent possible, it is recommended that groups consist of no more than 10 individuals.
  - ix. **Labor union functions.** Critical labor union functions, including the maintenance of health and welfare funds and checking on the well-being and safety of members is allowed.
3. Any manufacturer that retools so that a substantial part of its/their business is for the purpose of manufacturing and producing ventilators may apply for an "essential business" exemption under this Order.
  4. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more



deliveries from manufacturers and distribution centers to serve their customers. Numerous Texas cities and local associations have implemented restrictions on delivery hours to stores to mitigate truck noise and traffic. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in the City.

5. Real estate services related to current real estate transactions are recommended to be conducted as much as possible utilizing web-based technology to limit in person contact.
6. To the extent possible, residents of the City should conduct essential City business online or via regular mail to avoid visiting any City Facilities unless necessary.
7. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home for 14 days until or unless otherwise directed by the Local Health Authority. Members of the household shall not attend work, school, or any other community function.
8. Individuals experiencing homelessness are strongly urged to seek shelter and maintain social distancing of six (6) feet when feasible. If a homeless person is sheltered and exhibits symptoms or is diagnosed, the shelter's isolation center shall be deemed the residence of the homeless person solely for the purpose of complying with the requirements of this declaration. Medical personnel shall make the decision whether any other shelter residents shall be required to isolate based on potential exposure. Available shelters, to the maximum extent practicable, shall use COVID-19 risk mitigation practices in their operations.

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.

9. For individuals who are 65 and older and individuals with compromised immune systems or underlying health conditions, the following recommendations are in order:
  - i. Remain indoors;
  - ii. Outdoor exercise activities should be done solitarily;
  - iii. Prescreen all essential visitors;
  - iv. Do not visit homes or places with more than one person;
  - v. Ask all visitors to wear masks;
  - vi. Follow social distancing guidelines; and
  - vii. Do not use public transit except in an emergency.
10. Indoor recreational facilities, including a gym or health studio, indoor amusement facility, bowling alley, pool hall and/or theater (theatre) shall close until further notice.
11. Animal shelters, and other businesses that maintain and care for live animals are not permitted to allow any visitors or patrons but may continue to operate to the extent necessary to provide care for the animals. Nothing in this section shall prohibit a non-



employee from entering the premises to perform health care services or other Essential Business services.

12. "Community Gathering" does not include the following, or other similar uses, so long as the persons involved are generally not within six (6) feet of one another for extended periods:
  - i. Spaces where ten (10) or more persons may be in transit or waiting for transit such as airports, bus stations, or terminals;
  - ii. Office space, child-care facilities, residential buildings, or any type of temporary sheltering or housing;
  - iii. Grocery stores or other retail establishments where large numbers of people are present, but it is unusual for them to be within six feet of one another for extended periods; and
  - iv. Hospitals and medical facilities.
13. This Order is issued in accordance with, and incorporates by reference, the National Emergency Declaration, Governor Abbott's Declarations of Disaster, and the Brazoria County Disaster Declaration, and all subsequent related orders and guidance from these authorities. This Order is a supplement to all previous orders and not in place of such. In the event of a conflict or apparent conflict between the orders, this Order shall control.
14. This Order comes after the release of substantial guidance from the Brazoria County Health Authority, Brazoria County Health Director, the Texas Department of Health Services, the Centers for Disease Control and Prevention, and other public health officials throughout the United States and around the world, including a variety of prior orders to combat the spread and harms of COVID-19. This Order is made in consultation with the elected officials and Local Health Authorities of Brazoria, Fort Bend and Harris Counties. Circumstances will continue to be monitored and evaluated and the Mayor may modify or extend this Order, or issue additional Orders, related to COVID-19 as may be necessary.
15. The City must promptly provide copies of this Order by posting on the City website and file a copy of the Order with the City Secretary. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
16. Pursuant to Tex. Gov't Code Section 418.173, any law enforcement agency with jurisdiction in the City of Pearland is hereby authorized to enforce this Order and may prescribe a fine that does not exceed \$1,000.00 or confinement in jail for a term not to exceed 180 days



17. This Order shall be effective until 11:59 p.m. on April 3, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law, and applies to the incorporated limits of the City of Pearland.

**FAILURE TO COMPLY WITH ANY OF THE PROVISIONS OF THIS ORDER CONSTITUTES AN IMMINENT THREAT TO PUBLIC HEALTH.**

ORDERED this the 25<sup>th</sup> day of March 2020, in the City of Pearland, Texas.

  
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Mayor Tom Reid

  
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Date