

CITY COUNCIL

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JOSE G. CANTU, JR., *Councilman*
GILBERTO RAMIREZ, JR., *Councilman*
JOEL HINOJOSA, JR., *Councilman*



ORDINANCE 2020-07

EMERGENCY ORDINANCE #1 IN RESPONSE TO COVID-19

Whereas, on March 11, 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, on March 17, 2020, a Declaration of Local Disaster was issued to allow the City of Roma to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Roma residents; and

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

Whereas, the Centers on Disease Control and Prevention ("CDC") recommends an "All of Community" approach focused on slowing the transmission of COVID-19 through social distancing to reduce illness and death, while minimizing social and economic impacts; and

Whereas, due to the substantial risks to the public, this Order prohibits Community Gatherings of ten (10) persons or more anywhere in the City of Roma beginning at 2:00 a.m. on March 18, 2020, and continuing until April 13, 2020, unless terminated or modified by an earlier ordinance; and

Whereas, the CDC recommends following the social distancing protocols attached to this ordinance, including cancelling, postponing, or not attending events or community gatherings with more than ten (10) people. In addition, the CDC urges individuals who are at the highest risk from COVID-19, as determined and defined by the CDC, to not attend and to avoid community gatherings or events that will have or will likely have ten (10) or more people; and

Whereas, said state of disaster requires that certain emergency measures be taken pursuant to the Executive Order of the Governor Relating to Emergency Management; now, therefore, the following regulations shall take effect immediately upon issuance, and shall remain in effect until April 13, 2020:

NOW THEREFORE, THE CITY COUNCIL OF THE CITY ROMA, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FINDS AND ORDAINS:

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 City Council and made a part hereof for all purposes. That this Order rescinds and replaces prior Orders.

SECTION 2. Effective upon issuance of this order, and continuing indefinitely, unless terminated or modified by a subsequent Order, the City Council of the City of Roma deems it in the public interest to **PROHIBIT** anywhere in the City of Roma, Social Gatherings of more than 10 people; and also to **PROHIBIT** gatherings of more than 10 people for other than social purposes, unless Social Distancing, as defined below, can be maintained and controlled.

SECTION 3.

a. Social Gatherings include but are not limited to, weddings, religious services, parties, funerals, sporting events, social events, conferences, and meetings, but do not include, performing employment work or job duties and responsibilities, or shopping for food, medicine or household supplies.

b. "Social Distancing" is defined as maintaining and controlling a minimum of six feet of separation between people other than during incidental and momentary passing.

c. For any gathering of 10 people or less, the City Council of the City of Roma and the Starr County Health Authority strongly encourage Social Distancing and compliance with the attached Recommendations. **Staying home is safest.**

d. This Order does not apply to the following; however, even in these settings, the City Council of the City of Roma and the Starr County Health Authority strongly encourage compliance with the attached Recommendations, attached as Exhibit A, which include Social Distancing, providing hand sanitizer and tissues, and increasing cleaning of commonly and frequently touched surfaces.

- (i) critical infrastructure, including port of entry and transit facilities;
- (ii) government buildings providing essential services;
- (iii) school or institutions of higher learning;
- (iv) grocery stores or other retail establishments where large numbers of people may be present, but it is unusual for them to be within arm's length of one another for extended periods; and
- (v) hospitals and medical offices and facilities

SECTION 4.

a. To the extent possible, retail establishments, including but not limited to, grocery stores, pharmacies, pet food stores, warehouse stores, big-box stores, gas stations, or food pantries that provide or sell food products or household staples are **ORDERED** to establish controls to require a minimum of six feet of distance between patrons in lines queuing in front of and inside stores. Controls may include, but are not limited to, requiring each person to take a shopping cart or placing markers on the floor.

b. Further such retail establishments are encouraged to:

- i. increase the use and capability of drive-thru, curbside, or delivery services;
- ii. limit or restrict the number of customers permitted in a store at one time;
- iii. minimize the number of employees working within six (6) feet of one another;
- iv. provide hand washing capabilities, hand sanitizers, and tissues;
- v. frequently clean high-touch surface areas like countertops, doorknobs, and handrails.

SECTION 5. Critical Infrastructure is **ORDERED** to continue operating and to comply with the obligations set forth in Exhibit B.

SECTION 6. Food establishments are **ORDERED** to close indoor or outdoor common dining areas until April 13, 2020, and are encouraged to provide take-away or no-contact delivery food service designed to limit exposure between individuals.

SECTION 7. The holder of a wine and beer retailer's permit or mixed beverage permit (collectively "bar") is **ORDERED** to close common bar spaces open to the public and is **PROHIBITED** from allowing consumption on the bar premises until April 13, 2020.

SECTION 8: Adult day cares and child day cares, gyms and fitness centers, and businesses that operate coin operated amusement machines are **ORDERED** to close until April 13, 2020.

SECTION 8. The City of Roma **SUSPENDS** all deadlines imposed by City Code, ordinance, rule, or other regulation until April 13, 2020.

SECTION 9: The City of Roma waives all processing fees related to online or telephonic payments and encourages residents to pay their utility bills online, by mail, or by using the drop box located at the Utility Collections Building.

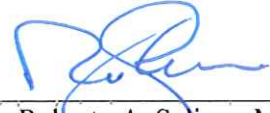
SECTION 10: A stay-at-home curfew is **ORDERED** until April 13, 2020.

a. A person shall stay at home or within their dwelling and not remain or travel upon any public or private property within the jurisdictional boundaries of the City of Roma between the hours of 10:00pm and 5:00am.

b. For the purpose of the stay-at -home this order does not apply to:

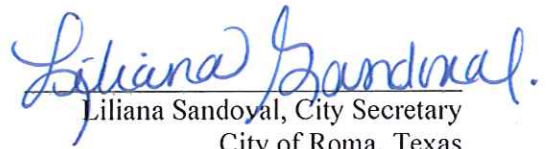
- i. Persons identified as part of the critical infrastructure industry and services
- ii. Persons that are part of governmental workplaces that shall remain open as determined by this order.
- iv. Persons serving a law enforcement role, first responders, and emergency medical services personnel.
- v. Persons seeking medical services including but not limited to dialysis patients.
- v. Persons authorized to travel by the Emergency Management Coordinator

Ordained this the 23rd day of March 2020, in the City of Roma, Starr County, Texas, in witness whereof I subscribe my name and cause to be affixed the seal of the City of Roma.



Roberto A. Salinas, Mayor
City of Roma, Texas

Filed with me, the City Secretary of the City of Roma, this 23rd day of March 2020, by Mayor Roberto A. Salinas, whose signature I hereby attest under my hand and the seal of the City of Roma.



Liliana Sandoval, City Secretary
City of Roma, Texas

EXHIBIT A

Social Distancing Recommendations

1) Vulnerable Populations: Limit Outings

- Vulnerable populations include people who:
 - o Are 60 years old and older; or
 - o Have certain health conditions such as heart disease, lung disease, diabetes, kidney disease, Human Immunodeficiency Virus (HIV), Acquired Immune Deficiency Syndrome (AIDS), and weakened immune systems.
- For vulnerable populations, don't go to any group gatherings unless it is essential. If you can telecommute, you should. Avoid people who are sick.

2) Workplace and Businesses: Minimize Exposure

- Suspend nonessential employee travel.
- Minimize the number of employees working within six (6) feet of one another, including minimizing or canceling in-person meetings and conferences.
- Urge employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Permit sick employees to stay home without providing a doctor's note. • Consider use of telecommuting options.
- Consider altering schedules for employees so not all employees are present at one time but are present at alternative days and times.

EXHIBIT B

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 Roma.

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. information and communications, including press;
- f. emergency services;
- g. public health and medical services;
- h. fire and law enforcement;
- i.. public works;
- j. agriculture and food;
- k. ports of entry and other operations;
- l. sanitation services;
- m. other City government buildings or facilities, as designated by the City Manager.

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 Recommendations in Exhibit A, 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 the Recommendations in Exhibit A are followed, and
 - (3) persons with legal authority to enter such as law enforcement.
- d. Prior to allowing employees into its facility, employers shall ask all employees if they meet any of the criteria in 3.a. above, and shall 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 shall create alternate work plans to help employees remain productive while keeping the workforce safe and healthy.
- g. Employers are strongly encouraged to require employees (either those exhibiting symptoms or all employees) to undergo non-invasive temperature readings prior to entering a Critical Infrastructure facility; however, employers are not mandated to take the temperature of employees prior to entrance to its facility. If the employer does take employees' temperatures and/or has first-hand knowledge that the employee's temperature exceeds 99.6°F, then the employer shall prohibit the employee from entering the facility or property.
- h. Employers shall create and implement an infectious disease response plan.