

Paul E Fischer

County Judge
Lee County



County Courthouse
200 South Main, Rm. 107
Giddings, TX 78942
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ORDER BY THE COUNTY JUDGE OF LEE COUNTY RELATING TO THE DECLARATION REGARDING COVID-19 AND OUTDOOR GATHERING

Whereas, on June 3, 2020, Governor Abbott issued Executive Order GA-26 relating to the expanded opening of Texas in response to the COVID-19 disaster;

Whereas, on June 23, 2020, Governor Abbott issued a Proclamation amending paragraph 5 as follows: "For any outdoor gathering estimated to be in excess of 100 people, other than those set forth above in paragraph numbers 1, 2, or 4, the county judge or mayor, as appropriate, in consultation with the local public health authority, may impose additional restrictions."

NOW THEREFORE, I PAUL E FISCHER COUNTY JUDGE OF LEE COUNTY, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, AND CONSISTENT WITH EXECUTIVE ORDER GA-26 AND AMENDED ORDER HEREBY FIND AND ORDER THAT:

Section 1. Effective as of 7:00 p.m. on June 25, 2020, and continuing until terminated or modified by a subsequent Order, the County Judge of Lee County, Texas, deems it in the public interest to issue this Order that an individual or organization planning an outdoor gathering in Lee County with an estimated attendance expected to exceed 100 individuals is required to submit an event plan in writing not less than five (5) business days prior to the event to the County Judge or the Mayor of the City of Giddings/City of Lexington, as applicable. An "outdoor gathering" is any event primarily held in an un-enclosed structure. Approval of the plan by the appropriate authority after consultation with the local health authority, is required before hosting the event.

Event plans must at a minimum contain the following:

- a) The overall number of projected attendees and, if the event is by invitation or ticket, the number of individuals invited or number of tickets sold or intended to be sold;
- b) The type of event and activities at the event, e.g., will food and drink be served or available for sale, games, music and/or dancing, etc.
- c) The likelihood of individuals over the age of 65 attending;
- d) The density of the forum and the ability to ensure social distancing of 6 feet between individuals; and
- e) The level of transmission in the county.

The appropriate authority (Mayor or County Judge or local health authority) may require additional information and/or modification of any plan prior to approval.

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Section 2. For any outdoor gathering that is estimated to be in excess of 100 people, and not otherwise exempted under Governor Abbott's Executive Order GA-26 (paragraph 1, 2, or 4), all individuals present or attending the gathering are **HIGHLY RECOMMENDED** to wear a face covering.

Section 3. Lee County, City of Giddings, and City of Lexington will post this Order on their website. 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, 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 remainder of this Order and its application.

Section 4. If any provision of this Order or its application to any person or circumstance is held to be invalid, 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 5. That the Lee County Sheriff and other peace officers, are hereby authorized to enforce this order. A violation of this order may be punishable through criminal or civil enforcement. A violation of this order is a misdemeanor punishable by a fine not to exceed \$1,000. A violation of this order may be enforced by the filing of a probable cause affidavit alleging the criminal violation with the appropriate court or by issuing a citation to the person violating, that contains written notice of the time and place the person must appear before a magistrate of this state, the name and address of the person charged, and the offense charged.

Section 6. This Order incorporates by reference the following:

Exhibit A: Lee County Minimum Standard Health Protocols – Checklist for Outdoor Events

ORDERED this the 25TH day of June, 2020, in County of Lee, Texas.

A handwritten signature in black ink, appearing to read "Paul E Fischer", written over a horizontal line.

Paul E Fischer

Lee County Judge

Lee County

MINIMUM STANDARD HEALTH PROTOCOLS

CHECKLIST FOR OUTDOOR EVENTS

Outdoor events, such as July 4 celebrations and other large outdoor gatherings with estimated attendance of 100 or more, are permissible to hold in Texas. The county judge or the mayor, as appropriate, in coordination with the local public health authority, may decide if a particular outdoor event should be modified or the occupancy further limited based on the facts and circumstances of the event and COVID-19 in the particular jurisdiction, based on the factors set forth below.

The following are the minimum recommended health protocols for all outdoor events in Texas. These minimum health protocols are not a limit on the health protocols that individuals may adopt. Individuals are encouraged to adopt additional protocols consistent with their specific needs and circumstances to help protect the health and safety of all Texans.

The virus that causes COVID-19 can be spread to others by infected persons who have few or no symptoms. Even if an infected person is only mildly ill, the people they spread it to may become seriously ill or even die, especially if that person is 65 or older with pre-existing health conditions that place them at higher risk. Because of the hidden nature of this threat, everyone should rigorously follow the practices specified in these protocols, all of which facilitate a safe and measured reopening of Texas. The virus that causes COVID-19 is still circulating in our communities. We should continue to observe practices that protect everyone, including those who are most vulnerable.

Please note, public health guidance cannot anticipate every unique situation. Individuals should stay informed and take actions based on common sense and wise judgment that will protect health and support economic revitalization

Health Protocols For Individuals:

- Individuals aged 65 or older are at a higher risk of COVID-19. To the extent possible, avoid contact within 6 feet with individuals aged 65 and older. Individuals aged 65 and older should stay at home as much as possible. Large gatherings, even those held outside, pose a significant risk to this population.
- Individuals should avoid being in a group larger than 10 individuals (including those within the individual's household). Within these groups, individuals should, to the extent possible, minimize in person contact with others not in the individual's household. Minimizing in-person contact includes maintaining 6 feet of separation from individuals. When maintaining 6 feet of separation is not feasible, other methods should be utilized to slow the spread of COVID-19, such as wearing a face covering or mask, washing or sanitizing hand frequently, and avoiding sharing utensils or other common objects.
- Individuals should maintain 6 feet of separation from others outside the individual's group. A group is defined as no more than 10 persons including the members of the household and those persons who traveled together to the event.**
- Self-screen before going into the reception for any of the following new or worsening signs or symptoms of possible COVID-19:
 - Cough
 - Shortness of breath or difficulty breathing
 - Chills
 - Repeated shaking with chills
 - Muscle pain
 - Headache
 - Sore throat

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- Loss of taste or smell
- Diarrhea
- Feeling feverish or a measured temperature greater than or equal to 100.0 degrees Fahrenheit
- Wash or disinfect hands upon entering a reception and after any interaction with employees, other attendees, or items in the venue.
- Consistent with the actions taken by many individuals across the state, consider wearing cloth face coverings (over the nose and mouth) at the outdoor event when within 6 feet of another person who is not a member of the individual's group.
- Clean and sanitize any items before and after use.
- Known close contact with a person who is lab confirmed to have COVID-19

Local Approval Factors:

- Local approval for large outdoor gatherings (those with an estimated attendance exceeding 100 individuals) is appropriate in this instance because a statewide standard is unable to take into account the various factors needed to ensure such a gathering in varied locations is safe and will minimize the spread of COVID-19. Further, business parity is not an issue at large outdoor events.
- In evaluating large gatherings (those with an estimated attendance exceeding 100 individuals), the county judge or the mayor, as applicable, in consultation with the local public health authority, should consider the following factors:
 - The overall number of projected attendees and, if the event is by invitation or ticket, the number of individuals invited or number of tickets sold or intended to be sold;
 - The type of event and activities at the event, e.g., will food and drink be served or available for sale, games, music and/or dancing, etc.
 - The likelihood of individuals over the age of 65 attending;
 - The density of the forum and the ability to ensure social distancing of 6 feet between individuals; and
 - The level of transmission in the county.
- For any outdoor gathering that is estimated to be in excess of 100 people, and not otherwise exempted under Governor Abbott's Executive Order GA-26 (paragraph 1, 2, or 4), individuals present or attending the gathering are **HIGHLY RECOMMENDED** to wear a face covering*.
- Gatherings of less than 100 individuals may proceed consistent with all the health protocols above without approval of the county judge, local health authority, or mayor, as applicable.

*Face Covering – Because an infected person can transmit the COVID-19 virus to others before showing any symptoms, the covering of a person's nose and mouth is essential and necessary to help slow the spread of the virus.

* Wearing a face covering is not a substitute for maintaining 6-foot social distancing and hand washing, as these working together remain important steps to slowing the spread of the virus.