

County of Nueces



CAROLYN VAUGHN

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Precinct 1

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Precinct 2

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Commissioner
Precinct 3

BRENT CHESNEY

Commissioner
Precinct 4

BARBARA CANALES

County Judge
Nueces County Courthouse, Room 303
901 Leopard Street
Corpus Christi, Texas 78401-3697

ORDER BY NUECES COUNTY

JUDGE

(REGARDING FACIAL COVERINGS – PARTIALLY AMENDING JUNE 22, 2020 ORDER)

WHEREAS, pursuant to Texas Government Code Section 418.108, Nueces County Judge Barbara Canales issued a Declaration of Local Disaster for Public Health Emergency on March 13, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 18, 2020, the Nueces County Commissioners Court issued an Extension of Declaration of Local Disaster for Public Health Emergency that affirmed the activation of the Nueces County Emergency Management Plan

WHEREAS, the County Judge has issued several Orders since the extension of the Disaster Declaration under the authority of Section 418.108(g) of the Texas Government Code that authorizes the County Judge “to control ingress and egress to and from a disaster area and the movement of persons and the occupancy of premises in the area;”

WHEREAS, the Governor of Texas, Greg Abbott, on June 26, 2020 issued Executive Order GA-28 (“Abbott’s Order”) relating to the reopening of Texas and superseding his previous Executive Order GA-26;

WHEREAS, the Nueces County Judge, on June 22, 2020 signed an order (“June 22nd Order”) requiring Listed Commercial Entities to develop, implement, and post Health and Safety Practices that required all employees and visitors to their facilities to wear facial coverings in areas where six (6) feet of separation was not feasible;

WHEREAS, the Nueces County Judge, on June 26, 2020 signed an order including hotels as a Listed Commercial Entity;

WHEREAS, the transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the residents of Nueces County as COVID-19 positive cases continue to rise, currently over 2,000;

WHEREAS, recognizing the increase in COVID-19 positivity and the strain on Nueces County health care system Governor Greg Abbott today issued a proclamation suspending elective surgeries in Nueces County;

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

WHEREAS, the on-going evaluation of circumstances related to the coronavirus, the updated recommendation of the Centers for Disease Control, and the Texas Department of State Health Services warrant this further Order by Nueces County Judge (amending a portion of the June 22nd Order).

NOW THEREFORE, UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, NUECES COUNTY JUDGE ORDERS:

Effective immediately and continuing until July 10, 2020, 11:59 p.m., unless extended, modified, amended, rescinded or superseded by the County Judge:

1. **Commercial Entities.** Commercial Entities, as further defined in the June 22nd Order, provide goods or services directly to the public in Nueces County. Commercial Entities for purposes of the June 22nd Order and this Order do not include construction sites or Cybersecurity and Infrastructure Security Agency (CISA) (essential critical

infrastructure commercial service) providers’ place of business that do not directly interact with the public. Commercial Entities include retail stores, restaurants, water parks, medical offices, law offices, business offices, gyms, and such other Commercial Entities that are not “Listed Commercial Entities” as set out in the June 22nd Order.

2. **Facial Covering Required.** The Health and Safety Practices of all Commercial Entities, except religious services, must require that all employees and visitors inside a Commercial Entities’ business premises wear face coverings when in a space that will necessarily involve close contact (areas where six (6) feet of separation is not feasible) with others – excepting family members. Areas where six (6) feet of separation is not feasible include public spaces and common spaces.
3. **Facial Covering Recommended.** It is **recommended** to all places of worship that their Health and Safety Practices document encourage employees and visitors to wear face coverings when in close contact (areas where six (6) feet of separation is not feasible) with other – excepting family members.
4. Face coverings do not need to be worn when doing so poses a greater mental or physical health, safety, or security risk to the person. For example, face coverings do not need to be worn by a person who has a medical condition that makes it unsafe for him or her to wear a face covering, or by a person whose treating physician deems wearing of a face mask to be unsafe.
5. The County of Nueces must promptly provide copies of this Order by posting on the Nueces County 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, 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.
6. Any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Order in accordance with the authority granted under the Texas Disaster Act of 1975 and the Nueces County Emergency Management Plan and in accordance with the limitations contained in the executive orders of the Texas Governor.
7. This Order amends and supersedes only paragraph 5 of the June 22nd Order. The remainder of the June 22nd Order remains in effect in its entirety. This Order does not supersede the County Judge order signed June 26, 2020.
8. This Order of County Judge Barbara Canales applies to all incorporated and unincorporated areas of Nueces County. To the extent of a conflict between decisions of Nueces County Judge Barbara Canales and a mayor of any city within the geographic boundaries of Nueces County, the decisions set forth in this Order prevail (to the fullest extent allowed by law pursuant to Texas Government Code Section 418.108(h)).

Date: _____

BARBARA CANALES

Nueces County Judge