

STATE OF TEXAS  
COUNTY OF CAMERON

Proclamation 2020-3-19-1

BE IT KNOWN that on this, the 19th day of March, 2020, the Mayor of the City of Port Isabel, the Honorable Juan Jose "JJ" Zamora, has issued the following proclamation, and caused his hand and the seal of the city to be affixed to the same:

"An order implementing precautions related to COVID-19 (coronavirus)."

WHEREAS, A state of emergency currently exists in the City of Port Isabel, and such emergency has been declared by the Mayor on March 13 2020 and affirmed by the City Commission on March 17, 2020; and

WHEREAS, Under ordinance 703, passed by the City Commission on March 17, 2020, and under the provisions of the Texas Disaster Act, the mayor is empowered to act as the city's Emergency Management Director, and as executive officer of the governor, in enacting such regulations as may be necessary to preserve life and property; and

WHEREAS, I, Mayor Juan Jose "JJ" Zamora have found good cause due to the COVID-19 outbreak to issue the following order, which shall remain in effect for a period of 60 days, or until terminated, whichever is sooner.

THEREFORE, BE IT PROCLAIMED, that the following regulations are hereby enacted, or re-issued, effective at 5:00 pm on March 19, 2020.

**-Food service establishments and bars will limit their seating by 50% of their current configuration, with a maximum of 50 patrons per establishment.** This regulation shall be construed to limit both the maximum number of persons who may be served in the establishment and the maximum seating capacity of any table, booth or bar counter.

-Food service establishments and bars will have a minimum distance of 8 feet between tables, or a minimum distance of 6 feet between patrons seated at the bar.

-Dining rooms of food service establishments and all bars must close by 10:00 pm until 6:00 am. Last Call is 9:45 pm.

Drive-through and take-out will be allowed to remain open, so long as no more than 10 people congregate in the take-out area. Drive-through and take-out patrons are to be instructed to remain in their vehicles. If take-out patrons are on foot, they must be seated at last 6 feet from each other.

Restaurants are encouraged to implement procedures whereby take-out patrons pay via telephone or electronic means, and the order is placed in the open tailgate or trunk of the vehicle, to minimize contact between patrons and employees of the establishment.

-Business establishments will be allowed to designate one or more parking spaces for take-out; parking requirement based on occupancy are hereby waived to the extent they are affected by the designation of take out service. Take-out and drive-through food service is strongly encouraged and recommended, as is take out service for retail establishments.

– All dance floors, in bars and restaurants are closed. Live music and all DJ entertainment are prohibited.

– All buffet food service or self-serve service is prohibited.

– Hotels, motels and rental housing properties are required to completely sanitize all touch surfaces within a dwelling unit before it may be rented to the public.

– **All public and private gatherings of more than 10 people for any other purpose are prohibited.** Immediate family members, banks, medical, veterinary, food service, grocery stores, pharmacies, shipping stores and depots, as well as units of government, are exempt from this requirement. All establishments not subject to this exemption, including bars that do not offer food service and laundromats, shall enforce the limit of 10 persons, provide frequent sanitation of all frequently-touched hard surfaces (including counters, knobs, rails, faucets and point of sale systems) and provide hand sanitizer and hand washing facilities to patrons and staff.

Exempt facilities shall ensure that there is adequate separation between staff and patrons, and that the number of persons within the establishment at any time is no greater than 50 percent of approved capacity of the facility. Staff and patrons shall be provided with access to hand sanitizer and hand washing facilities, and shall periodically sanitize all hard surfaces subject to frequent contact by employees and patrons, including faucets, counters, rails, knobs, drive through canisters, point of sale terminals and switches.

Grocery stores and pharmacies shall sanitize the handles of shopping carts and baskets between each use, and shall frequently sanitize conveyors, point of sale terminals, and other surfaces exposed to customers. Such sanitation practices shall be subject to monitoring by the City of Port Isabel. The City of Port Isabel Health Inspector shall be empowered to close any establishment that does not comply with these regulations, or the operation of which poses a threat to public health and safety.

Childcare facilities may apply for an exemption to this requirement to the extent that children of medical personnel, teachers, foodservice workers, police officers, ambulance attendants, firefighters, other essential government personnel, pharmacy workers, transportation workers, sanitation worker or grocery store employees under the care of the facility cause the number of persons at the facility to exceed 10, provided that other measures are enacted to ensure health and safety under the approval of the City of Port Isabel Health Inspector.

Public, private and parochial schools shall be exempt from this order to the extent they are operating under the regulations of their governing authority.

The Port Isabel Chamber of Commerce and the Laguna Madre Youth Center are exempt from this order to the extent they are operating under the regulations of their governing authority and the City of Port Isabel.

– Nail salons, manicurists, pedicurists, barber shops, beauty parlors, estheticians, massage parlors, tattoo parlors, social clubs, gambling houses, reducing studios, gymnasiums, dance/exercise studios, martial arts/wrestling studios, and other establishments in which the City of Port Isabel Health Inspector determines that patrons come into frequent close or physical contact with staff and one another, are ordered to cease operation.

– Disposable cups, napkins, plates and utensils must be used for all service to food service and bar customers.

Cups shall not be refilled. Customers may also be served single-serving bottles or cans.

– Self-service soda fountains, bars, jugs and tureens; garnishes, fruit and straws for beverages; and, self-service trays, dispensers and containers for condiments, are prohibited in all food service and bar establishments.

– Fuel service stations must sanitize fuel pumps every hour, preferably after each use. Sanitizer must be available at the pumps. Stores attached to fuel service stations must adhere to the requirements in this order for grocery stores.

BE IT FURTHER PROCLAIMED, that the following regulations are hereby enacted, or re-issued, effective at 6:00 am on March 20, 2020:

-Food service establishments are prohibited from offering dining room service.

BE IT FURTHER PROCLAIMED, that the City Commission of the City of Port Isabel has by Ordinance 703 prohibited any person from charging more than the price prevailing on March 13, 2020 for the following items:

- (a) groceries, beverages, toilet articles, ice and cleaning supplies
- (b) construction and building materials and supplies, and earthmoving equipment and machinery
- (c) electrical and gas generating and transmission equipment, parts and accessories
- (d) charcoal briquettes, matches, candles, lamp illumination and heat unit carbides, dry batteries, light bulbs, flashlights, and hand lanterns
- (e) hand tools (manual and power), hardware and household supplies, and equipment rental
- (f) automotive parts, supplies, and accessories
- (g) plumbing and electrical tools and supplies
- (h) apartment, duplex, multi-family dwelling, rooming house, hotel and motel rental
- (i) gasoline, diesel oil, motor oil, kerosene, grease, and automotive lubricants
- (j) restaurant, cafeteria, and boarding-house meals
- (k) services of roofing and building contractors, plumbers, electricians, mechanics, tree surgeons, and automobile wrecker companies
- (l) medicine, pharmaceutical, and medical equipment and supplies
- (m) blankets, quilts, bedspreads, bed linens, mattresses, bedsprings, bedsteads, towels, and toilet paper
- (n) furniture and clothing

BE IT FURTHER PROCLAIMED, that the following definitions are hereby adopted for the purposes of the enforcement of this order:

-Food service establishment: a place that serves items for human consumption to the public. Includes "nutrition" and "wellness" establishments and clubs. May also serve liquor, beer or wine for consumption in conjunction with food service. Does not include kitchen or delivery of a public school, or of a government agency or instrumentality.

– Bar: a place that serves beer, liquor or wine to the public for consumption on the premises.

– Grocery store: a place that sells items for human consumption and staples of daily living to the public.

-Childcare facility: a place registered with the appropriate departments of the State of Texas for the care of children, but which is not a public, private or parochial school.

– School: an educational institution subject to the requirements of the Texas Education Agency, the Texas Higher Education Coordinating Board, the US Department of Education, the US Department of Health and Human Services in which an organized curriculum is presented in requirement of federal or state law.

-Take-out: the provision of goods for consumption at a location other than the business premises.

– Dining room: a facility on the premises of a food service establishment for the consumption of food and drink.

– Drive-through: the provision of goods to motor vehicle drivers for consumption at a location other than the business premises.

– Buffet: the style of serving in which pre-prepared dishes are presented to customers on a counter, table or rail.

– Self-Serve: served by the customer to him or herself from a common fixture, fountain or container.

– Frequent close or physical contact: touching, rubbing of clothed or unclothed body parts, or persistent, manual operation conducted less than arm's length. Does not include activities conducted in a medical facility.

– Medical facility: a facility operated by or under the authority of a physician, psychologist, physical therapist, professional counselor, orthodontist or dentist licensed in the State of Texas.

-House of Worship: a place of religious observance.


-Governing authority: the Texas Education Agency, Texas Department of Agriculture, the US Health and Human Services Department, a school board, a board of directors, parish council, priest, minister, bishop or other similarly-recognized authority.

BE IT FURTHER PROCLAIMED, that regulations previously issued under Proclamation 2020-3-18-1 will remain in effect until 5:00 pm March 19, 2020.

BE IT FURTHER PROCLAIMED, that the City Commission has fixed a criminal penalty of \$500 for any person who violates a provision of this order, or of Ordinance 703. Any

officer of the City of Port Isabel, including health inspectors, police officers, fire marshalls, code enforcement officers and building inspectors, is authorized to enforce this ordinance.

DONE; this the 19th day of March, 2020.

  
Hon. Juan Jose Zamora, Mayor

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