

STATE OF TEXAS
COUNTY OF CAMERON

Proclamation 2020-5-7-1

BE IT KNOWN that on this, the 7th day of May, 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 rescinding previous regulation, adopting the orders of the Governor and County Judge, and issuing regulations related to COVID-19 (coronavirus) in furtherance of such orders.”

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 April 14, 2020; and

WHEREAS, Under Ordinance 703, passed by the City Commission on March 17, 2020; and under Ordinance 703-A, passed by the City Commission on April 14, 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 effective immediately, the following regulations are hereby proclaimed in furtherance of the orders of Governor Abbott and the Judge Trevino, effective immediately or upon the effective date of the Governor’s or County Judge’s proclamations, respectively. To the extent a previously-issued regulation is in conflict, this regulation shall control.

-All salon, barber, cosmetology and tanning establishments shall operate in accordance with the governor’s guidance for businesses, including but not limited to the maintenance of a distance of 6 feet or greater between customers. A barber or cosmetologist may not provide services to more than one customer at a time. Customer touch surfaces must be sanitized between customers, and hand sanitizer or other hand washing facilities must be available. All personnel in customer-accessible areas must wear a facial covering, and adhere to the governor’s advisory for health checks prior to beginning work. No salon, barber, cosmetology and tanning establishment shall permit a person to be upon its premises without a facial covering, except that such coverings may be removed by customers to the extent necessary to perform procedures. Establishments are

encouraged to operate on an appointment basis, to limit the number of persons congregating in waiting areas.

-Exercise centers, offices, manufacturing facilities and other facilities described in the governor's order of May 5, 2020 may operate according to the governor's guidelines. Exercise center personnel shall wear facial coverings in publicly-accessible areas of the facility; patrons of exercise centers and persons upon the premises of other covered facilities are encouraged to wear facial coverings and to maintain a distance of 6 feet or greater between other persons upon the same premises. Exercise centers shall not permit persons under the age of 14 to be upon their premises.

BE IT FURTHER PROCLAIMED, that effective April 29, 2020, the regulations issued under all previous proclamations related to the March 13, 2020 COVID-19 emergency are terminated and rescinded; and

BE IT FURTHER PROCLAIMED, that effective April 29, 2020, the City of Port Isabel adopts the order of Governor Abbott, dated April 27, 2020, and any further orders issued thereunder; and the order of County Judge Trevino, dated April 24, and any further orders issued thereunder; and

BE IT FURTHER PROCLAIMED, that the following regulations are hereby proclaimed in furtherance of the orders of Governor Abbott and the Judge Trevino, effective immediately or upon the effective date of the Governor's or County Judge's proclamations, respectively. To the extent a previously-issued regulation is in conflict, this regulation shall control.

-All city parks are to remain closed, with the exception of the Pompano Boat ramp, which may be used for launching of vessels and the parking of vehicles and trailers only. Such usage shall be in conformity with the County Judge's order, as well as the Governor's guidelines for business operations.

-All commercial motor vessels used to carry passengers, with an origin or destination in the City of Port Isabel, and which are not engaged in interstate or international commerce, shall limit the number of passengers and crew aboard to 25 percent of the vessel's US Coast Guard rated capacity. Commercial motor vessels used to carry passengers shall be operated in accordance with the Governor's guidelines for business operations.

-All retail to-go and food service to-go operations shall be by curbside service only. Patrons shall not exit their vehicles, nor congregate on foot in groups of five or more at the pick-up area. All personnel in public or food preparation areas must wear a facial covering, and adhere to the governor's advisory for health checks prior to beginning work.

-Within foodservice establishments providing dining room service, in addition to the Governor's order, the following regulations shall be implemented: a new or washed drinking vessel must be provided with each refill (disposable not required), wrapped straws and utensils shall be used (may be a roll up, set up, etc. that covers utensils with the napkin), as well as individual packets of condiments. Condiments shall not be placed on tables in self-serve caddies. Self-serve drink fountains and tureens are prohibited. Dancing by customers is prohibited. All personnel in public or food preparation areas must wear a facial covering, and adhere to the governor's advisory for health checks prior to beginning work.

-Foodservice establishments deriving more than 51% of gross sales from alcohol, which are required to post the "51% Sign" by the Texas Alcoholic Beverage Commission, may not begin providing dining room service until authorized by the Governor; however, such establishments may provide food to-go. Service of food to-go shall be in conformity with the guidelines issued by the Governor, and the requirements of the City of Port Isabel for foodservice to-go. All personnel in public or food preparation areas must wear a facial covering, and adhere to the governor's advisory for health checks prior to beginning work.

-Within retail establishments, in addition to the Governor's order, the following regulations shall be implemented: patrons must remain at least 6 feet apart at all times, including at check-out lines. No person under the age of 14 shall be permitted upon the premises of a retail establishment. Self-serve drink fountains and tureens are prohibited. Patrons shall be encouraged to wear a facial covering. All personnel in public or food preparation areas must wear a facial covering, and adhere to the governor's advisory for health checks prior to beginning work.

-Within non-retail or food service establishments that are otherwise essential, in addition to the Governor's order, the following regulations shall be implemented: patrons must remain at least 6 feet apart at all times, including at check-out lines. Patrons shall be encouraged to wear a facial covering. All personnel in public areas must wear a facial covering, and adhere to the governor's advisory for health checks prior to beginning work.

-Fishing piers must limit their capacity by ensuring that users are spaced at least 6 feet apart, and prohibit the entry of groups of more than 5. Patrons shall be encouraged to wear a facial covering. All personnel in public areas must wear a facial covering, and adhere to the governor's advisory for health checks prior to beginning work.

-Taxi cabs may re-enter service as of 12:01 am on May 1, 2020, provided that the following measures are adhered to: passenger capacity must be limited to one passenger per row of seating; a plexiglass, clear vinyl or glass screen must be installed between the driver and passenger compartment, from the ceiling of the passenger compartment to at least chest height, and no passenger may be carried by the cab forward of this screen; the windows of the taxi cab must be opened at least three inches to provide ventilation,

and air conditioning cannot be used in re-circulation mode; hand sanitizer must be available to the passengers; areas of the passenger compartment must be sanitized every two hours, and a log must be kept of this cleaning; a log must be kept of all passengers carried by the cab each day, including origin, destination, name and telephone number for each passenger; the driver and passengers must wear a facial covering; drivers must adhere to the governor's advisory for health checks prior to beginning work, and compliance, including temperature checks, must be documented.

BE IT FURTHER PROCLAIMED, that all residents are urged to continue to shelter in place, refrain from non-essential activities, minimize the number of household members that leave the home to perform essential activities, utilize pick-up or delivery services to the greatest extent practicable, wear facial coverings while in public or in enclosed spaces, and frequently wash hands for a period of greater than 20 seconds or use hand sanitizer containing 60% or greater alcohol content; and

BE IT FURTHER PROCLAIMED, that the City Commission of the City of Port Isabel has by Ordinance 703, and subsequently by Ordinance 703-A, 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:

-Private Conveyance: any vehicle or watercraft owned or operated by a corporation or a natural person. Does not include transportation providers, as defined herein, or common carriers operating under the authority or regulation of a governmental entity.

-Essential: relating to the sustenance of life, includes functions related to food, agriculture, transportation, financial and medical, as well as any function related to the support of these activities, or as otherwise defined by the Texas Division of Emergency Management or the County Judge.

-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 or adjacent to the premises of a food service establishment for the consumption of food and drink.

-Public consumption: the consumption of food and drink in a public place, including streets, sidewalks, parks, parking lots or any other open space accessible to the public.

-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.

-Excursion Boat: a vessel that transports more than 4 persons, or with a capacity greater than 10 persons, that carries passenger to the same origin and destination, or which offers sport fishing, sightseeing, entertainment or diversions to its passengers.

-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.

-General public: persons who are not employees or officers of a business or entity engaged in the operation of that business or entity.

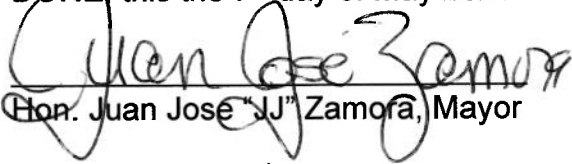
-Transportation Provider: a taxi, limousine, shuttle or bus providing service to the general public.

-Adult Day Care: any place that provides non-residential supervision, entertainment, food service or other services for persons over the age of 65 or who have a disability, and which is not an educational institution or a unit or instrumentality of government.


-Capacity: capacity shall be determined the fire marshal's rated capacity for any public building, the table seating capacity of a restaurant as of March 13, 2020, the US Coast Guard rated capacity of a passenger vessel, the capacity limited by the county judge's order for charter fishing vessel, or the linear frontage of a fishing pier.

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, and subsequently in Ordinance 703-A. Any officer of the City of Port Isabel, including health inspectors, police officers, fire marshals, code enforcement officers and building inspectors, is authorized to enforce this ordinance.

DONE, this the 7th day of May 2020.


Hon. Juan Jose "JJ" Zamora, Mayor

ATTEST:


Susie Alcocer, City Secretary

