

**AMENDED ORDER OF CITY OF WACO MAYOR KYLE DEAVER**

DATE ORDER ISSUED: March 19, 2020

**WHEREAS**, in December 2019, a novel coronavirus, now designated Coronavirus disease 2019 (COVID-19), was detected in Wuhan City, Hubei Province, China; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared COVID-19 as a pandemic and urged that all countries take urgent and aggressive action; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency regarding COVID-19; and

**WHEREAS**, on March 13, 2020, Governor Greg Abbott declared a state of disaster due to COVID-19; and

**WHEREAS**, on March 13, 2020, the City of Waco closed to the public the Waco-McLennan County libraries, the Cameron Park Zoo, City of Waco Community Centers, City of Waco Senior Centers, Waco Convention Center & Visitors' Bureau, and the Texas Ranger Hall of Fame, said closure to occur on March 14, 2020 and last through at least March 29, 2020; and

**WHEREAS**, on March 13, 2020, the Mayor of the City of Waco and the Waco-McLennan County Public Health District ("Health District") continued to urge persons to cancel, reschedule, and/or not attend gatherings attended by more than 250 people and made other recommendations regarding social distancing; and

**WHEREAS**, on March 15, 2020, the Centers for Disease Control ("CDC") lowered the recommended number of persons at mass gatherings to 50 persons; and

**WHEREAS**, on March 16, 2020, the CDC lowered the recommended number of persons at mass gatherings to 10 persons; and

**WHEREAS**, on March 17, 2020, I, Mayor Kyle Deaver, issued a declaration of local disaster and public health emergency; and

**WHEREAS**, on March 19, 2020, both McLennan County and Texas Governor Greg Abbott issued orders, prohibiting social gatherings in excess of 10 people; and

**WHEREAS**, the Waco-McLennan County Public Health District ("Health District") has strongly recommended canceling, rescheduling, or not attending non-essential events with more than 10 persons; and

**WHEREAS**, large gatherings of individuals pose a risk of the spread of COVID-19. COVID-19 spreads between people who are in close proximity to each other through respiratory droplets produced when a person coughs or sneezes. The CDC recommends that persons maintain a distance of six feet from others when possible; and

**WHEREAS**, limiting large gatherings is essential to prevent and slow down community spread of COVID-19; and

**WHEREAS**, because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community, this Order prohibits community gatherings of 10 persons or more anywhere in the City of Waco as defined by Section 7 herein; and

**WHEREAS**, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation; and

**WHEREAS**, I, Kyle Deaver, have determined that extraordinary and immediate measures must be taken to respond quickly to prevent and slow down community spread of COVID-19; and

**WHEREAS**, additionally, the Mayor of the City of Waco and the Health District strongly urge high-risk individuals, as defined by the Centers for Disease Control and Prevention (CDC), to cancel, reschedule, or not attend non-essential events of any size,

**NOW, THEREFORE, BE IT PROCLAIMED AND ORDERED BY KYLE DEAVER, MAYOR OF THE CITY OF WACO, TEXAS, UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108:**

1. That a local state of disaster and public health emergency is hereby declared for the City of Waco, Texas.
2. Pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of the March 17, 2020, declaration unless continued or renewed by the City Council of the City of Waco.
3. Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local state of disaster activates the City's emergency management plan.
5. Public or private Community Gatherings (as defined in Section 7 below) are prohibited anywhere in the City of Waco. The uses in subsections (i), (ii), and (iii) of this section are not considered Community Gatherings, but are limited or prohibited as provided in subsections (i), (ii), and (iii):
  - (i) A restaurant with or without drive-through services; drive-through restaurant; microbrewery, micro-distillery, or winery may only provide take out, delivery, or drive-

through services as allowed by law;

(ii) A location with alcoholic beverage sale for on-premise consumption, including a bar, lounge, or tavern, or private club shall close; and

(iii) Indoor recreational facilities, including a gym or health studio; indoor amusement facility, including a bowling alley or a pool hall; or theater (theatre) shall close.

6. The Mayor of the City of Waco and the Waco-McLennan County Public Health District (“Health District”) strongly urge organizations that serve high-risk populations to cancel any gatherings. These recommendations are based on the social distancing practices attached to this Order as well as the “Implementation of Mitigation Strategies for Communities with Local COVID-19 Transmission” issued by the United States Centers for Disease Control and Prevention (“CDC”). The Mayor of the City of Waco and the Health District urge people to not attend non-essential gatherings during the duration of this Order in order to help slow down the spread of the COVID-19 virus.

7. Definitions:

- a. For purposes of this Order, a “Community Gathering” is any indoor or outdoor event or convening, subject to the exceptions and clarifications below, that brings together or is likely to bring together ten (10) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, stadium (indoor or outdoor), tent, arena or event center, music venue, meeting hall, conference center, large cafeteria, or any other confined indoor or confined outdoor space.
- b. An outdoor “Community Gathering” under this Order is limited to events in confined outdoor spaces, which means an outdoor space that (i) is enclosed by a fence, physical barrier, or other structure and (ii) where people are present and they are within six feet of one another for extended periods.
- c. For purposes of clarity, a “Community Gathering” does not include the following, or other similar uses, so long as persons attending the Community Gathering are generally not within six feet of one another for extended periods:
  - (i) spaces where ten (10) or more persons may be in transit or waiting for transit such as airports, bus stations, or terminals;
  - (ii) office space, public and private schools, institutions of higher learning, child-care facilities, residential buildings, or any type of temporary sheltering or housing (*see also* Subsection 7(a));
  - (iii) grocery stores, shopping centers or malls, or other retail establishments where large numbers of people are present, but it is unusual for them to be within six feet of one another for extended periods (*see also* subsections 5(i), (ii), and (iii) above); or
  - (iv) hospitals and medical facilities.

8. Government operations, including operations of the judiciary, and gatherings required to carry them out are not a "Community Gathering" under this Order.
9. Sections 5 and 7, as amended by this order, shall become effective at 11:59 pm on March 19, 2020.
10. The City of Waco must promptly provide copies of this Order by posting it on the City of Waco 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.
11. That a violation of this order shall be a Class C misdemeanor and the penalty for violating this order shall be a fine of not less than one dollar (\$1.00) and no more than one thousand dollars (\$1,000.00), and each day a violation exists shall be a separate offense. That this declaration also hereby authorizes the use of any other lawfully available enforcement tools.
12. 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.

ORDERED this the 19th day of March, 2020.



  
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Kyle Deaver, Mayor  
Waco, Texas

## DCHHS Social Distancing Recommendations

### 1) Vulnerable Populations: Limit Outings

- Vulnerable populations include people who are:
  - 60 years old and older.
  - People with certain health conditions such as heart disease, lung disease, diabetes, kidney disease and weakened immune systems.
- For vulnerable populations, don't go to 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 arm's length of one another, including minimizing or canceling large in-person meetings and conferences.
- Urge employees to stay home when they are sick and maximize flexibility in sick leave benefits.
- Do not require a doctor's note for employees who are sick.
- Consider use of telecommuting options.
- Some people need to be at work to provide essential services of great benefit to the community. They can take steps in their workplace to minimize risk.

### 3) Large Gatherings: Cancel Non-essential Events

- Recommend cancelling or postponing large gatherings, such as concerts, sporting events, conventions or large community events.
- Do not attend any events or gatherings if sick.
- For events that aren't cancelled, we recommend:
  - Having hand washing capabilities, hand sanitizers and tissues available.
  - Frequently cleaning high touch surface areas like counter tops and hand rails.
  - Finding ways to create physical space to minimize close contact as much as possible.

### 4) Schools: Safety First

- Do not have your child attend school if sick.
- If you have a child with chronic health conditions, consult the child's doctor about school attendance.
- Schools should equip all classrooms with hand sanitizers and tissues.
- Recommend rescheduling or cancelling medium to large events that are not essential.
- Explore remote teaching and online options to continue learning.
- Schools should develop a plan for citywide school closures, and families should prepare for potential closures.

### **5) Transit: Cleaning and Protection**

- Increase cleaning of vehicles and high touch surface areas.
- Provide hand washing/hand sanitizers and tissues in stations and on vehicles.

### **6) Health Care Settings: Avoid as possible, protect the vulnerable**

- Long term care facilities should have a COVID-19 plan in accordance with CDC or state guidelines.
- Long term care facilities should screen all staff and visitors for illness and turn away those with symptoms.
- The general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if you are not ill.
- If you are ill, call your health care provider ahead of time, and you may be able to be served by phone.
- Do not visit emergency rooms unless it is essential.
- Visitors should not go to long-term care facilities unless absolutely essential.
- Follow guidance and directions of all facilities.

### **7) Everyone: Do your part**

The best way for all City of Waco residents to reduce their risk of getting sick, as with seasonal colds or the flu, still applies to prevent COVID-19:

- Wash hands with soap and water for at least 20 seconds.
- Cough or sneeze into your elbow or a tissue. Throw the tissue in the trash.
- Stay home if you are sick.
- Avoid touching your face.
- Try alternatives to shaking hands, like an elbow bump or wave.
- If you have recently returned from a country, state or region with ongoing COVID-19 infections, monitor your health and follow the instructions of public health officials and CDC guidance.
- There is no recommendation to wear masks at this time to prevent yourself from getting sick.
- Throw any used tissue in a lined trash can.

You can also prepare for the possible disruption caused by an outbreak. Preparedness actions include:

- Prepare to work from home if that is possible for your job, and your employer.
- Make sure you have a supply of all essential medications for your family.
- Prepare a child care plan if you or a caregiver are sick.
- Make arrangements about how your family will manage a school closure.
- Plan for how you can care for a sick family member without getting sick yourself.
- Take care of each other and check in by phone with friends, family and neighbors that are vulnerable to serious illness or death if they get COVID-19.
- Keep common spaces clean to help maintain a healthy environment for you and others. Frequently touched surfaces should be cleaned regularly with disinfecting sprays, wipes or common household cleaning products.