

AMENDED AND UPDATED EMERGENCY ORDERS FOR THE CITY OF LAKEWAY
ISSUED PURSUANT TO DISASTER DECLARATION

WHEREAS, by proclamation issued March 16th, 2020, I, Sandra L. Cox, Mayor of Lakeway declared a local state of disaster for the City of Lakeway resulting from:

Risk of imminent threat to public health from the novel coronavirus, COVID-19; and

WHEREAS, the state of disaster requires that certain emergency measures be taken pursuant to the Executive Order of the Governor Relating to Emergency Management and the State of Disaster issued by Governor Abbott on March 13, 2020; and

WHEREAS, the local state of disaster was extended by the City Council on March 16, 2020 to remain in place until such time as the Mayor determines the state of local disaster may be rescinded; and

WHEREAS, Guidance from the Centers for Disease Control continues to evolve, and recommended standards to support public health and safety are becoming increasingly stringent; and

WHEREAS, on March 16, 2020, Mayor Cox issued Regulations pursuant to her authority as Mayor under Texas Government Code Chapter 418 and Article 1.05 of the Code of Ordinances of the City of Lakeway to protect the safety and welfare of the public by slowing the spread of the virus; and

WHEREAS, on March 17, 2020, Mayor Cox revised those Regulations in light of the City Council's Ordinance 2020-03-16-05; and

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people; and

WHEREAS, the on-going evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services warrant the March 17, 2020, Regulations of Mayor Cox be amended; and

WHEREAS, on March 19, 2020, Governor Abbott issued Executive Order GA 08 relating to COVID-19 Preparedness and Mitigation stating all people shall avoid social gatherings in groups of more than 10 people and closed all schools until April 3, 2020; and

WHEREAS Travis County issued a Stay-at-Home Order on March 24, 2020, effective at midnight March 25, 2020, which supersedes all prior Orders issued by the County and all prior Regulations issued by the Mayor of Lakeway; and

WHEREAS, The virus that causes COVID-19 is easily transmitted through person to person contact, especially in group settings, and it is essential that the spread of the virus be slowed to

protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. Because of the risk of the rapid spread of the virus, and the need to protect the most vulnerable members of the community;

NOW THEREFORE, pursuant to the authority vested in the Office of Mayor by Texas Government Code Chapter 418 and Article 1.05 of the Code of Ordinances of the City of Lakeway, the March 17, 2020, Regulations issued by Mayor Cox are hereby REPLACED with this Order as follows to take effect at midnight March 25, 2020, and shall remain in effect until the state of local emergency is rescinded:

1. All individuals anywhere in the City of Lakeway shall shelter in place – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing, subject to the limited exceptions and under the terms and conditions more particularly set forth below.
 - a. For the purposes of this Order, residences include hotels, motels, shared rentals, and similar facilities. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably as possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, or to provide or perform Essential Governmental Functions, or to operate Essential Businesses, all as defined in Section 2.
 - b. All businesses operating within the City of Lakeway, except Essential Businesses as defined below in Section 2, are required to cease all activities at facilities located within the City. For clarity, businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home). To the greatest extent possible, all Essential Businesses shall comply with the Social Distancing Guidelines attached, including maintaining six-foot social distancing for both employees and the general public.
 - c. All public or private gatherings of any number of people occurring outside a single household or living unit are prohibited, except as otherwise provided herein. Nothing in this Order prohibits the gathering of members of a household or living unit.
 - d. Restaurants with or without drive-in or drive-through services and microbreweries, micro-distilleries, or wineries may only provide take out, delivery, or drive-through services as allowed by law.
 - e. Religious and worship services may only be provided by video and teleconference. Religious institutions must limit in-person staff to ten (10) people or less when preparing for or conducting video or teleconference services, and all individuals so engaged must follow the Social Distancing Guidelines including the six-foot social distancing. As noted below in Section 2(b)(v), nothing in this Order shall prohibit a church or religious institution from remaining open to provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy

individuals; however proper social distancing protocols shall be in place to protect the workers and the recipients.

- f. All elective medical, surgical, and dental procedures are prohibited anywhere in Lakeway. Hospitals, ambulatory surgery centers, dental offices, and other medical facilities are directed to identify procedures that are deemed "elective" by assessing which procedures can be postponed or cancelled based on patient risk considering the emergency need for redirection of resources to COVID-19 response.
- g. All City boards, committees, and commissions shall not meet until further notice except for Zoning and Planning Commission, City Building Commission, and Charter Review Committee shall meet as required.
- h. All nonessential City buildings and facilities shall be closed, except as determined by the City Manager for community benefit during the pendency of this local emergency declaration. For clarity, this includes the Activity Center, Heritage Center, and the Swim Center.
- i. City parks shall remain open, but playgrounds and other equipment (including sport courts and facilities) therein are closed and shall be off-limits until this Order is modified, superseded, or rescinded.
- j. In conformity with the County Order issued on March 24, 2020, all golf courses and facilities are closed until further notice.
- k. The Municipal Court shall continue operations at the discretion of the Municipal Judge and Mayor.
- l. Businesses that remain open shall implement the Centers for Disease Control guidelines for business operations:

<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html> and

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/workplace-school-and-home-guidance.pdf>.

2. Definitions:

- a. For purposes of this Order, individuals may leave their residence only to perform any of the following "Essential Activities":
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (for example, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies need to work from home).
 - ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others (for

example, food, pet supply, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.

- iii. To engage in outdoor activity, provided the individuals comply with social distancing requirements of six feet (for example, walking, biking, hiking, or running).
- iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order.
- v. To care for a family member or pet in another household.

b. For purposes of this Order, “Essential Businesses” means:

i. **Essential Healthcare Operations.**

- 1. Healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies,
- 2. other healthcare facilities,
- 3. healthcare suppliers,
- 4. mental health providers,
- 5. substance abuse service providers,
- 6. blood banks,
- 7. medical research, laboratory services, or any related and/or ancillary healthcare services.
- 8. Home-based and residential-based care for seniors, adults, or children are also considered healthcare operations.
- 9. Healthcare operations also includes veterinary care and all health and welfare services provided to animals.
- 10. This exemption shall be viewed broadly to avoid any impacts to the delivery of healthcare.
- 11. Healthcare operations do not include fitness and exercise gyms and similar facilities.
- 12. Healthcare operations do not include elective medical, surgical, and dental procedures as established in accordance with Subsection 1(f) of this Order.

ii. **Essential Government Functions.**

- 1. All services provided by local governments needed to ensure the continuing operation of the government agencies to provide for the health, safety and welfare of the public.
- 2. Further, nothing in this Order shall prohibit any individual from performing or accessing “Essential Government Functions.”
- 3. All Essential Government Functions shall be performed in compliance with social distancing requirements of six feet, to the extent possible.

iii. **Essential Critical Infrastructure.**

- 1. Work necessary to the operations and maintenance of the 16 critical infrastructure sectors as identified by the National Cybersecurity and Infrastructure Agency (CISA) (provided that they carry out those

services or that work in compliance with social distancing requirements of six feet, to the extent possible) including:

- a. public works construction,
- b. residential and commercial construction,
- c. airport operations,
- d. water, sewer, gas, electrical, oil refining,
- e. roads and highways,
- f. public transportation,
- g. solid waste collection and removal,
- h. internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services),
- i. financial institutions,
- j. defense and national security-related operations,
- k. essential manufacturing operations
- l. Essential Businesses providing essential infrastructure should implement screening precautions to protect employees and all activity shall be performed in compliance with social distancing guidelines attached.

iv. **Essential Retail.**

1. Food service providers, including grocery stores, warehouse stores, big-box stores, bodegas, liquor stores, gas stations and convenience stores, farmers' markets that sell food products and household staples.
2. Food cultivation, including farming, fishing, and livestock.
3. Businesses that ship or deliver groceries, food, goods or services directly to residences.
4. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out.
5. Schools and other entities that typically provide free services to students or members of the public on a pick-up and take-away basis only.
6. The restriction of delivery or carry out does not apply to cafes and restaurants located within hospital and medical facilities.
7. Laundromats, dry cleaners, and laundry service providers.
8. Gas stations, auto-supply, auto and bicycle repair,
9. Hardware stores, and related facilities.
10. Businesses that supply products needed for people to work from home.

v. **Providers of Basic Necessities to Economically Disadvantaged Populations.** Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals.

vi. **Essential Services Necessary to Maintain Essential Operations of Residences or Other Essential Businesses.**

1. Trash and recycling collection, processing and disposal,
2. Mail, printing and shipping services,
3. Building cleaning and maintenance,
4. Warehouse/distribution and fulfillment,

5. Storage for essential businesses, funeral homes, crematoriums and cemeteries.
 6. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operations of residences and Essential Businesses.
 7. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities.
 8. Businesses that supply other essential businesses with the support of supplies needed to operate.
- vii. **News Media.** Newspapers, television, radio, and other media services.
 - viii. **Childcare Services.** Childcare facilities providing services that enable employees exempted in this Order to work as permitted.
3. Any manufacturer who retools so that a substantial part of their business is for the purpose of manufacturing and producing ventilators may apply for an “essential business” exemption under this Order.
 4. Grocery stores, supermarkets, warehouse stores, hospitals, and medical facilities are experiencing high levels of demand for a large number of products, requiring more deliveries from manufacturers and distribution centers to serve their customers. Due to the need to deliver products as quickly and efficiently as possible during this critical timeframe, this Order hereby suspends all delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies in Lakeway until this Order is modified or rescinded.
 5. If someone in a household has tested positive for coronavirus, the household is ordered to isolate at home. Members of the household cannot go to work, school, or any other community function.
 6. Nursing homes, retirement, and long-term care facilities are instructed by this Order to prohibit non-essential visitors from accessing their facilities unless to provide critical assistance or for end-of-life visitation.
 7. This Order shall be effective until it is either rescinded, superseded, or amended pursuant to applicable law.
 8. Penalties
 - (a) This Order shall have the effect of ordinances when duly filed with the City Secretary.
 - (b) A person who violates any provision of this Order, upon conviction, is punishable by a fine of not more than five hundred dollars (\$500.00).

13. Emergency

This Order shall take effect at midnight, March 24, 2020, and it is accordingly so ordained.

So Ordered, this 24TH day of March, 2020.

Sandra L. Cox
Mayor

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This Order shall take effect at midnight, March 24, 2020, and it is accordingly so ordained.

So Ordered, this 24TH day of March, 2020.



Sandra L. Cox
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