



ORDER NO. 2020- 04

**ORDER OF THE MAYOR OF THE CITY OF EDINBURG TEMPORARILY  
PROHIBITING COMMUNITY GATHERINGS OF 50 PERSONS OR MORE;  
CONTROLLING PRICES; REQUIRING REPORTING OF TESTING.**

**WHEREAS**, COVID-19 (coronavirus) is a contagious respiratory virus that can spread from person to person, especially in group settings; and

**WHEREAS**, COVID-19 has been declared a pandemic by the World Health Organization; and

**WHEREAS**, the United States Federal Government declared a national emergency on March 13, 2020 due to COVID-19; and

**WHEREAS**, Governor Abbot declared a State of Disaster in Texas on March 13, 2020, due to COVID-19; and

**WHEREAS**, Mayor Molina declared a local disaster on March 17, 2020, due to COVID-19; and

**WHEREAS**, it is necessary to take additional steps to prepare for, respond to and mitigate the spread of COVID-19 to protect public health and welfare; and

**WHEREAS**, the Centers on Disease Control and Prevention ("CDC") recommends an "all of Community" approach focused on slowing transmission of COVID-19 through social distancing to reduce illness and death, while minimizing social and economic impacts; and

**WHEREAS**, said state of disaster requires that certain emergency measures be taken pursuant to the Executive Order of the Governor Relating to Emergency Management; now, therefore, the following regulations shall take effect immediately upon issuance, and shall remain in effect until the state of disaster is terminated, or other date as determined by the City Council, unless terminated or modified by an earlier Order.





**NOW, THEREFORE; BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF EDINBURG, TEXAS PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:**

**Section 1.** That the findings and recitations set out in the preamble to this Order are found to be true and correct and they are hereby adopted by the Mayor and made a part hereof for all purposes.

**Section 2.** Effective as of 5:00 PM on Tuesday, March 17, 2020, and continuing until the state of disaster is terminated, or other date as determined by the City Council, unless terminated or modified by an earlier Order, the Mayor of Edinburg, Texas deems it in the public interest to **PROHIBIT any public or private Community Gatherings (as defined in Section 3, below) anywhere in the City of Edinburg.**

**Section 3. 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 fifty (50) or more persons at the same time in a single room or other single confined or enclosed space, such as an auditorium, theater, stadium (indoor or outdoor), arena or event center, meeting hall, conference center, convention center, large cafeteria, restaurant, or nightclub/bar, or any other confined indoor or outdoor space. For clarity, this includes, but is not limited to, weddings, religious gatherings, parties, funerals, sporting events, social events, conferences, and other large gatherings.
- 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 barriers, or other structure and (ii) where people are present and they are within arm’s length of one another for extended periods.
- c. This Order does not prohibit gatherings of people in multiple, separate enclosed spaces in a single building such as a multiplex movie theater, school classrooms, or different floors of a multi-level building, so long as 50 people are not present in any single space at the same time. This Order does not prohibit the use of enclosed spaces where 50 or more people may be present at different times during the day, so long as 50 or more people are not present in the space at the same time. For any gathering covered by this subsection, compliance with social distancing recommendations, including providing hand sanitizer and tissues and increasing cleaning of commonly and frequently touched surfaces, is strongly encouraged.





- d. For purposes of clarity, a “Community Gathering” does not include spaces where 50 or more persons may be in transit on buses, trains or airplanes; or waiting for transit, such as airports, bus stops or terminals. In addition, “Community Gathering” does not include the following spaces where 50 or more persons may congregate, so long as visitors are generally not within arm’s length of one another for extended periods:
- i. Residential buildings so long as the persons in these spaces comply with section (a) hereinabove;
  - ii. Grocery stores, shopping malls, or other retail establishments where large numbers of people may be present, but it is unusual for them to be within arm’s length of one another for extended periods; and
  - iii. Hospitals and medical offices and facilities.

**Section 4.** A person, business, or organization shall not sell any of the following goods or services for more than the price the person, business, or organization charged for the goods or services on March 17, 2020:

- a. groceries, beverages, toiletries, ice;
- b. construction and building materials and supplies, and earthmoving equipment and machinery;
- c. electrical and gas generating and transmission equipment 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.



**Section 5.** Any person, business, or organization providing testing for COVID-19 shall report to the Emergency Management Coordinator, Chief Shawn Snider, that they are conducting such testing by calling 956-605-0760 or emailing [ssnider@cityofedinburg.com](mailto:ssnider@cityofedinburg.com).

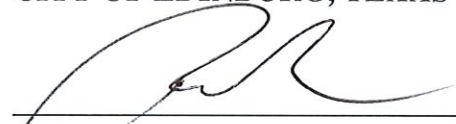
**Section 6.** That peace officers, City of Edinburg Code Enforcement Officers, and the Edinburg Fire Marshal are hereby authorized to enforce this order. A violation of this Order is a Class C Misdemeanor punishable by a fine not to exceed \$500.

**Section 7.** The City of Edinburg shall post this Order on its 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.


**Section 8.** If any subsection, sentence, clause, phrase or word of this Order or 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 rest of the order.

**ORDERED** this the 17th day of March, 2020.

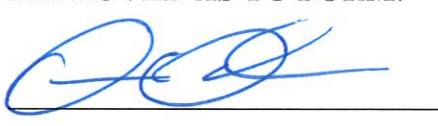
**CITY OF EDINBURG, TEXAS**

  
Richard R. Molina, Mayor

**ATTEST:**

  
Myra L. Ayala, City Secretary

**APPROVED AS TO FORM:**

  
Omar Ochoa, City Attorney