FREQUENTLY ASKED QUESTIONS
ON MAYOR’S STAY AT HOME – STAY SAFE ORDER

THE ORDER

• When does the Order take effect?

At 11:59 p.m. on Thursday, April 2, 2020, and is set to remain in place until it is either rescinded, superseded, or amended, or until it expires by a lifting of the Declaration of a Local State of Disaster.

• Why is the Order necessary?

On March 27, 2020, Angelina County has its first confirmed case of COVID-19. Since then, the number of confirmed cases has continued to climb, and the best information currently available indicates cases in the county will continue to climb in the immediate future. As a result, local health authorities have recommended the City of Lufkin enact a Stay at Home – Stay Safe Order to mitigate the effects of the pandemic, prevent further spread, protect against overwhelming our health care resources, and possibly save lives.

• What is the difference between this Stay at Home Order and a shelter in place order?

None. A Stay at Home order takes extreme steps to prevent persons from coming into contact with those outside their household and to minimize contact in public places that could be contaminated with the COVID-19 virus. A “Shelter in Place Order” does the same, but that name is customarily reserved for natural disasters like a hurricane or tornado.

• Is the Order mandatory or just advisory?

The Order is mandatory.

• How will the Order be enforced?
Failure to comply with any part of the Order is an imminent threat to public health. Therefore, if anyone violates the Order, they will be subject a fine of up to $1,000.00, confinement in the county jail for a term up to 180 days, or both.

• Is anything in the City’s Amended Order superseded by Governor Abbott’s latest Executive Order (GA 14), which was is effective at 12:01 a.m. on April 2, 2020?

No. The City’s Amended Order is more specific and restrictive in a few places than Executive Order GA 14, but it does not restrict essential services allowed by the executive order or allow gatherings prohibited by the executive order.

STAY AT HOME

• What does “Stay at Home” mean?

It means you must remain in your house or place of residence.

• I want to have a wedding, dinner party, or other group event at my house. Is that allowed?

No. In-person social gatherings are one of the primary transmission points for COVID-19. Hosting in-person events of this type will facilitate the spread of the disease throughout the community. Furthermore, social events are not one of the Essential Activities permitted under the Amend Order, so attendees could be held in violation of the Order.

• May I ever leave my house?

Yes, in limited circumstances, which are listed in Section 10, Subsection A of the Amended Order, “Essential Activities”. In summary, you may leave your house: (1) to take care of your health and safety, or that of your family or household members (like seeking medical supplies or medications); (2) to obtain necessary services or supplies, or deliver them to others (like food and sanitation supplies); (3) to engage in outdoor activity (like walking, running or biking); (4) to work at an “Essential Business”; (5) to care for a family member or pet; (6) to obtain medical care; or (7) to conduct certain limited school-related activities.

TRAVEL

• What travel is prohibited under the Amended Order?

All travel, by whatever means (e.g., car, bicycle, etc.), is prohibited, unless to engage in the “Essential Activities” listed in Section 10, Subsection A of the Amended Order, and summarized in the FAQ question, “May I ever leave my house.”

ESSENTIAL AND NON-ESSENTIAL BUSINESSES

• Will I be able to go to work?

It depends. If you are employed at an “Essential Business,” you will be able to travel to work. If you are not, you must stay at home.
• **What is an “Essential Business”?**

For a complete list of categories, see Section 10, Subsection B of the Order and the City’s Infographic Chart explaining the difference between essential and non-essential businesses. Major categories of essential businesses defined in the Amended Order include:

1. Health care (doctors, dentists, nurses, hospitals, pharmacies, medical research facilities, blood donation services, labs, etc);
2. Food and drink production and distribution (including grocery stores, markets, restaurants that offer food for drive-up and drive-thru);
3. Sanitation (including laundromats, dry cleaners, household and business cleaning services and supply stores);
4. Gas stations and convenience stores;
5. Financial Services (including banks, insurance providers, and professional services required to comply with legal and regulatory requirements);
6. Manufacturing and distribution of supplies and materials for Essential Businesses (including trucking and other supply chain support functions);
7. Maintenance and construction of infrastructure and households;
8. Childcare services for employees of Essential Businesses;
10. Residential facilities (including hotels and motels);
11. Media and Communications Providers; and
12. Mailing, Shipping, and Delivery services.

• **How are determinations made about which types of businesses are Essential Businesses?**

Determinations are based on the advice of federal and state health officials and decisions are made based on both the necessity of businesses for supporting life and safety as well as the public health risk certain activities pose, particularly those which require close in-person interaction.

• **Can I have my business placed on the “Essential Business” list, if it is not in one of the categories of the Order?**

No. The City works from lists developed by health officials of the state and federal government. The current list may, however, be updated based on the advice of health officials as circumstances change.

• **If my business is non-essential, can I still go to my place of business?**

If you are the owner of a non-essential business, you may go to your business facility as needed to take care of crucial tasks that cannot be done remotely or to retrieve necessary materials or documents. Your employees may not go to your bricks-and-mortar business location.

• **What should I do if it is unclear if my business is an “Essential Business”?**

If a business, organization, or facility is unsure about whether or not it is considered an “Essential Business” it should:
First, carefully review the list of categories and examples in Section 10 of the Amended Order, and this FAQ to confirm that the business, organization, or facility is addressed in some way. If not, your business is “non-essential.”

Second, exercise good judgment and caution. If your business, organization, or facility remains open, although it does not appear in the categories and examples in Section 10 of the Amended Order, you and your employees may be subject to a fine or imprisonment.

- If my employer is an “Essential Business,” and I am reporting to work, do I need to provide or carry with me any sort of documentation?

  Yes. If you are traveling for the purpose of going to work in an Essential Business, you must have with you either an official badge or a letter of documentation from your employer like the one attached to this FAQ as Exhibit A.

- May non-essential businesses stay open if they convert to exclusively curbside pick-up?

  No.

- Are suppliers and persons in supply chains for “Essential Businesses” allowed to stay open?

  Yes.

- May employees of non-essential businesses still come in to do non-essential work?

  No.

SOCIAL DISTANCING REQUIREMENTS

- What are “Social Distancing Requirements”?

  Described in Section 7 of the Amended Order, the requirements are: (1) maintaining at least a six-foot distance from other individuals; (2) washing hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer; (3) covering coughs or sneezes (into the sleeve or elbow, not hands); (4) regularly cleaning high-touch surfaces; (5) and not shaking hands.

- Do I have to practice “Social Distance Requirements” if I am doing a permitted outside activity?

  Yes.

- If my business is an “Essential Business,” do I still have to comply with the Amended Order’s “Social Distancing Requirements”? 

  Yes.
Yes, as well as the requirements of Sections 11 (provide documentation to employees), 12, if open to the public (written plan and enforcement) and 13 (screening for COVID-19 symptoms).

QUESTIONS ON SPECIFIC BUSINESSES AND ACTIVITIES

- **Do medical device distributors and third-party production of said products count as an “Essential Business”?**

  Yes. Examples of this are manufacturers, technicians, logistics and warehouse operators, and distributors of, or necessary to, the supply chain of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.

- **What manufacturing is considered “essential manufacturing operations” under Section 10, Subsection B. 7?**

  Pharmaceutical, biotechnological, food (including for pets), cleaning and personal care products, telecommunications, construction products, electrical products, plumbing products, firearms and ammunition, auto parts, defense and national security-related products.

- **Are church services considered an “Essential Business” under the Amended Order?**

  No, religious and worship services are considered “Essential Activities” under Section 10, Subsection A. 2 of the Amended Order, equivalent to “essential services” in Governor Abbott’s Executive Order GA 14. Therefore, as Section 6, Subsection B notes, religious services are to be conducted by video or teleconference unless that is not possible. If not possible, such services must be conducted in groups of 10 or less asymptomatic persons, practicing social distancing.

- **Are furniture stores considered an “Essential Business”?**

  No.

- **Are car wash establishments that assist with the cleaning of public safety vehicles considered an “Essential Business”?**

  No.

- **Are personal services, such as nail salons, hair salons, tattoo parlors and tanning facilities classified as “Essential Business”?**

  No.

- **Are smoke shops, tobacco stores and vape shops classified as “Essential Business”?**

  No, stores selling primarily tobacco and vaping products are not considered essential.
• Are automobile dealerships considered “Essential Business”?

Only the service department, for the repair of vehicles, under Section 10, Subsection B. 9. of the Amended Order. An automobile dealership must close its showroom.

• Does auto body fall under auto repair under Section 10, Subsection B. 9. of the Amended Order?

Yes.

• Is fishing considered an “Essential Business”?

Yes, under Section 10, Subsection B. 2 (Food and Agriculture Operations) of the Amended Order. Farming and livestock are also included under this category.

• Is a country club considered an “Essential Business”?

No. Country clubs and associated facilities for social gatherings or sports must close.

• Is golf considered a permitted “Essential Activity” under Section 10, Subsection A. 3. of the Amended Order?

Yes, but only under the following conditions: (1) only one person per golf cart (unless a member of household); (2) compliance with six-foot social distancing requirement; and (3) golfers do not enter any associated golf club, country club or clubhouse.

• Is a retail store selling firearms considered an “Essential Business”?

Yes, under Section 10, Subsection B. 9 (Essential Retail) of the Amended Order.

• Is a construction business considered an “Essential Business”?

Yes.

• Can lawn services, landscapers and other businesses that don’t operate out of a bricks-and-mortar location continue to operate?

Yes, but only by following the Social Distancing Requirements.

• Are hotels and other lodging places considered “Essential Business”?

Yes.

• May a daycare/childcare facility be open under the Amended Order?

It depends. Only childcare facilities providing services to persons who work at Essential Businesses are permitted.
• Are property management firms and landlords considered “Essential Business”?

Yes.

• Is a funeral home considered an “Essential Business”?

Yes, but funeral services may only be conducted graveside and are restricted to immediate asymptomatic family members, provided social distancing of six feet per person is maintained to the greatest extent possible.

• What types of shops are allowed to remain open?

Commercial retail stores that supply Essential Business, including convenience stores, pet supply stores, auto supplies and repair, hardware and home improvement, and home appliance retailers.

• May an office supply or electronics store remain open?

Only if selling hardware, home appliances, consumer electronics, or similar essentials. Televisions and other electronics are not essentials.

After carefully reading the Amended Order, the Chart/Infographic on Essential/Non-Essential Businesses and these FAQs, if you still have a question of whether your business qualifies as an “Essentia Business” under the Amended Order, contact jbsmith@lufkinpolice.com.

SEE APPENDIX “A” ON NEXT PAGE
COVID-19 Essential Employee Authorization Letter

The bearer of this letter is an employee of [NAME OF COMPANY], who is responsible for an essential function at [NAME OF COMPANY] in Lufkin, Texas.

Our company is an Essential Business under the Mayor of Lufkin’s Amended Emergency Regulations Stay Home – Stay Safe Order, specifically under the category of ___________________ (identify the category under Section 10, Subsection B of the Amended Order).

__________________________________
Signature

Signed by: _________________________________ (Supervisor/Manager)
(Print Name)

If you have questions about this person’s affiliation with our company, please contact ___________________ at _________________ (mobile phone).

“ESSENTIAL EMPLOYEE” SIGN
Cut and Place in Vehicle Windshield

[Image of ESSENTIAL EMPLOYEE sign]