

**ORDER REGARDING SEVERE WEATHER DISASTER**

BY

THE TRAVIS COUNTY JUDGE**STAYS IN FILE****Travis County Judge Severe Weather Order No 2021-03**

WHEREAS, as of February 12, 2021, Governor Greg Abbott a issued disaster proclamation certifying that severe winter weather poses an imminent threat of widespread and severe property damage, injury and loss of life due to prolonged freezing temperatures, heavy snow, and freezing statewide and declaring a state of disaster in all 254 Texas counties pursuant to §418 017 of the Texas Government Code, and,

WHEREAS, Travis County Judge Andy Brown issued a Declaration of Disaster on February 14, 2021 pursuant to his authority under Texas Government Code Chapter 418, Section 418 108 (or otherwise referred to as "2021 Severe Winter Weather Disaster"), and,

WHEREAS, the Travis County Commissioners Court voted on February 19, 2021 to continue the Declaration of Disaster, and

WHEREAS, on February 16, 2021, Travis County Judge Andy Brown, acting in accordance with authority granted by §418 108 of the Texas Government Code, issued a Supplemental Declaration of Disaster regarding price gouging and power usage, and

WHEREAS, due to record low temperatures, the Texas power system faced an unprecedented peak in demand for electricity and, at times this record demand exceeded the electric generation available to serve the grid, and,

WHEREAS, in response, the Electric Reliability Council of Texas (ERCOT) requested utilities across the state to implement controlled power outages to reduce high demand and protect the integrity of the electric grid, and the length of these controlled outages were significantly extended beyond normal, due to the current emergency grid conditions and severe cold weather, and,

WHEREAS, there will be a continued need to respond to the damage and impact of the severe weather in order to preserve and to protect the health, safety, and welfare of the public, and

WHEREAS, also as a result of the constant below freezing temperatures, utilities such as water, electricity, and other power systems have been damaged or significantly decreased so reliable services are not available across the County The weather related impact has also caused a damage to power lines, decrease pressure for water, and water line breaks to occur throughout the County impacting thousands of individuals and resulting in people being without power and water for extended periods of time, and

WHEREAS, access to and reliability of power and electricity has stabilized throughout Travis County, and

WHEREAS, section 17 46 of the Texas Deceptive Trade Practices-Consumer Protection Act provides that it is a false, misleading or deceptive act or practice to take advantage of a disaster declared under Chapter 418 of the Texas Government Code by

- 1 Selling or leasing fuel, food, medicine or another necessity at an exorbitant or excessive price, or
- 2 Demanding an exorbitant or excessive price in connection with the sale or lease of fuel, food, food, medicine or another necessity, and,

WHEREAS, the Office of the Attorney General has authority to prosecute any business that engages in price gouging after a natural disaster has been declared by the Governor, and

WHEREAS, persons within Travis County have been and continue to be severely impacted by the severe winter weather and continued support and recovery efforts are needed to preserve public health, welfare and the safety of the Travis County community

NOW THEREFORE, I, COUNTY JUDGE FOR THE COUNTY OF TRAVIS, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER THAT

Effective as of February 22, 2021 (“Effective Date”), and continuing until the Severe Weather Disaster Declaration is terminated, unless extended, modified, or terminated early by the Travis County Judge or as otherwise indicated below

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 County Judge and made a part hereof for all purposes

SECTION 2 That this Order shall continue the local disaster declaration for Travis County for the period specified herein and shall incorporate and adopt the most recent orders issued by Governor Greg Abbott, and any subsequent orders or proclamations by the Governor relating to the 2021 Severe Winter Weather Disaster

SECTION 3 That this Order rescinds and replaces the Travis County Judge Severe Weather Order No 2021-01 issued February 19, 2021 and the Supplemental Declaration of Disaster issued on February 16, 2021

SECTION 4 Businesses may not demand, sell or lease at an exorbitant or excessive price goods or services such as

- a groceries, beverages, toilet articles, and ice,
- b restaurant, cafeteria, or boarding-house meals,

- c medicine, pharmaceutical and medical equipment, and supplies,
- d hotel rooms, motel rooms, or any other temporary lodging available to the public, and
- e transportation provision

Such actions are prohibited and enforced under the Texas Deceptive Trade Practices-Consumer Protection Act through a temporary restraining order, permanent injunction assessment of civil penalties of (1) not more than \$10,000 per violation and, (2) if the act or practice subject to the proceeding was calculated to acquire or deprive money or other property from a consumer who was 65 years of age or older when the act or practice occurred, an additional amount of not more than \$250,000

SECTION 4 Savings Clause If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable

ORDERED this 22nd day of February, 2021



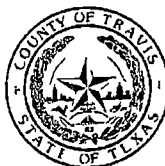
Andy Brown, County Judge
County of Travis, Texas

Filed with the Clerk of Travis County



Dana DeBeauvoir, County Clerk

Date 2-22-21



**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**



Dana DeBeauvoir, County Clerk
Travis County, Texas

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