

LOCAL ORDER RELATING TO MANDATORY WEARING OF FACE COVERINGS AT COMMERCIAL ESTABLISHMENTS

**OPEN TO THE PUBLIC
DATE ISSUED: June 29 2020**

WHEREAS, on March 13, 2020, a Declaration of State of Disaster was issued by Texas Governor Abbott to take steps to prepare for, respond to, and mitigate the spread of COVID-19 to protect the health and welfare of Texans;

WHEREAS, on March 14, 2020, the Mayor of City of Georgetown Dale Ross issued a declaration of disaster declaring a local state of disaster, and the City Council ratified and extended said declaration in Resolution No 031920-B, Resolution No. 042820-Q and 060920-L;

WHEREAS, the Centers for Disease Control and Prevention ("CDC") recommends an "All of Community" approach focused on slowing the transmission of COVID-19 through social distancing and the use of face coverings to reduce illness and death; and

WHEREAS, the transmission of COVID-19 has remained a significant threat to the health and safety of the City of Georgetown community and the rates of infection are increasing at an alarming rate and the number of people ending up in the hospital, ICU, or on ventilators is also dramatically rising despite efforts by local authorities to control the spread; and

WHEREAS, scientific evidence has proven that COVID-19 is a highly communicable disease that has affected people to varying degrees, depending upon age and health condition, and it has the potential to affect a significant portion of the local population based on the current rate of community transmission, placing increased persons at risk for serious health complications, resulting in hospitalization and possibly death; and

WHEREAS, based on the recent increase of the positivity rate of COVID-19 cases in the City of Georgetown and the surrounding areas from 7.70% at the end of May to 14.32% as of June 26, the local public health authority strongly recommends the immediate implementation of increased health safety measures be required in the City to help slow the community transmission of COVID-19; and

WHEREAS, the Mayor, in conjunction with other Mayors within Williamson County, has determined that extraordinary emergency measures must be taken to mitigate the effects of this public health emergency and to facilitate a response to the public health threat; and

WHEREAS, the Mayor acts as the emergency management director for the city and serves as the Governor's designated agent in the administration and supervision of duties during a state of emergency declared by the Governor in accordance with Section 418.1015(a) and (b) of the Texas Government Code; and

WHEREAS, the Mayor, serving as the Governor's designated agent in the administration

and supervision of duties during a state of emergency declared by the Governor, "may exercise the powers granted to the governor under this chapter on an appropriate local scale" in accordance with Section 418.101S(b) of the Texas Government Code; and

WHEREAS, the Center for Disease Control and Prevention (CDC) recommends certain social distancing measures be observed in order to reduce the risk for the spread of COVID-19.

WHEREAS, upon the Declaration of a Local Disaster, the Mayor is authorized to control ingress to and egress from a disaster area and control the movement of persons and occupancy of premises on an appropriate local scale in accordance with Sections 418.1015 and 418.108 of the Texas Government Code; and

WHEREAS, it is the intent of this Order to remain as consistent with and to harmonize, to the extent possible, the executive orders of Governor Greg Abbott, as extended or modified; and

WHEREAS, by the authority vested in me as the Mayor of the City of Georgetown and as the Emergency Management Director for the City of Georgetown to continue to protect the health and safety of the community and address developing and rapidly changing circumstances when presented by the current public health emergency, I issue this Order in their place;

NOW, THEREFORE, BE IT ORDERED BY THE MAYOR OF THE CITY OF GEORGETOWN, TEXAS, PURSUANT TO THAT AUTHORITY GRANTED IN ACCORDANCE WITH THE DECLARATION OF A LOCAL STATE OF DISASTER DATED MARCH 14, 2020, AND CHAPTER 418.108 OF THE GOVERNMENT CODE AND CHAPTER 122.006 OF THE HEALTH AND SAFETY CODE THAT:

Section 1. Findings. 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 part of this Order for all purposes.

Section 2. Declaration and Duration of Emergency Order. The regulations in this local order shall take effect immediately upon execution and shall remain in full force and effect so long as the percent positive rate for COVID-19 tests conducted in Williamson County remains at or above 10%. This order will expire when the average percent positive rate over the course of a successive two-week period averages 7% or less., unless extended, modified, or terminated by the Mayor or City Council, or if superseded by the County Judge or Governor. The decisions to continue or revoke this order will take into consideration recommendations from the local public health official among other factors related to improved local conditions including the reduction in the positive test rate to a rate below 7%.

Section 3. Health and Safety Policy-Commercial Entities. All commercial entities in the city limits of the City of Georgetown that provide goods or services directly to the public must develop and implement a health and safety policy ("Health and Safety Policy"). The Health and Safety Policy must require, at a minimum, that all employees and visitors to the commercial entity's

business premises or other facilities wear face coverings in the manner described in Section 4 when in an area or performing an activity which will necessarily involve close contact or proximity to co-workers or the public where (6) feet of separation is not feasible. The Health and Safety Policy required to be developed and implemented by this emergency order may also include the implementation of additional mitigating measures designed to control and reduce the transmission of COVID-19, such as temperature checks or health screenings. Commercial entities must post the Health and Safety Policy required by this emergency order in a conspicuous location sufficient to provide notice to employees and visitors of all health and safety requirements. Failure to develop and implement the Health and Safety Policy required by this emergency order within five (5) calendar days (July 3, 2020) following the effective date may result in a fine not to exceed \$1,000 for each day the violation occurs.

A sample Health and Safety Policy and signage containing the minimum requirements of this order is attached as Exhibit A and may be used by a commercial entity as its own Health and Safety Policy, and it can include recommended requirements in the Governor's health minimum standard protocols applicable to each business type, and additional requirements as determined by each individual business.

Section 4. Face Coverings-General Public. All people 10 years or older shall wear a face covering over their nose and mouth when in a public place where it is difficult to keep six feet away from other people or working in areas that involve close proximity with other people or co-workers. The CDC recommends face coverings for people 2 years or older. Face coverings may include homemade masks, scarfs, bandanas, or a handkerchief. City residents should continue to maintain social distancing of at least six feet while outside their home. City employees are also required to wear face coverings under the same circumstances as the general public.

IT IS STRONGLY RECOMMENDED THAT YOU NOT OBTAIN OR WEAR MEDICAL MASKS OR N-95 RESPIRATORS AS THEY ARE A NEEDED RESOURCE FOR HEALTH CARE PROVIDERS AND FIRST RESPONDERS.

Our health care workers and first responders on the front-line combating COVID-19 must have priority access to medical masks or other personal protective equipment. Face coverings do not need to be worn in the following circumstances:

- When exercising outside or engaging in physical activity outside (this includes river activities such as tubing, swimming, kayaking, etc.)
- While driving alone or with passengers who are part of the same household as the driver
- When doing so poses a greater mental or physical health, safety, or security risk
- While pumping gas or operating outdoor equipment
- While in a building or activity that requires security surveillance or screening, for example, banks
- When consuming food or drink

Please note that face coverings are a secondary strategy to other mitigation efforts. Face

coverings are not a replacement for social distancing, frequent handwashing, and self-isolation when sick. All people should follow CDC recommendations for how to properly wear and take off a face covering. Residents should keep up the following personal hygiene habits while in public places:

- Washing hands before you leave home and when you return,
- Staying at least six feet away from others,
- Avoiding touching your nose or face,
- Not using disposable masks more than three times, and
- Washing reusable cloth masks regularly to prevent the spread of COVID-19.

Consistent with Executive Order GA-28 issued by Governor Greg Abbott, no civil or criminal penalty will be imposed on individuals for failure to wear a face covering.

Section 5. City Facilities. In keeping with the ongoing procedures in place at all city owned or leased facilities, the City of Georgetown will continue daily temperature checks for its employees before entering restricted areas of city owned or leased facilities. Citizens are encouraged to call the department or office you are attempting to visit prior to visiting a city owned or leased facility. All social distancing measures must be implemented at the controlled entry points and must be observed while in any city facility.

Section 6. Essential City Business. City residents are encouraged to conduct essential city business online, by phone, via regular mail, or alternative means in order to avoid visiting any city facilities, unless it is absolutely necessary.

Section 7. Enforcement. Excepting Section 4 of this order and in accordance with the limitations contained in the Governor's Executive Orders, that any Georgetown Police Officer, Georgetown Fire Marshal, City Code Enforcement Officer, and City Animal Control Officer is hereby authorized to enforce the provisions of this emergency order in accordance with the authority granted under the Texas Disaster Act of 1975.

Section 8. Penalties.

A. The regulation contained in this emergency order shall have the effect of an ordinance when duly filed with the City Secretary.

B. Excepting Section 4 of this order, failure to comply with any provision of this local emergency order shall be punishable by a fine not to exceed \$1,000.

Section 9. Public Notice. This Order shall be posted on the City's website and social media site.

Section 10. Severability. If any subsection, sentence, clause, phrase, or word contained in this emergency order is held invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining provisions of this emergency order.

Section 11. Interpretation and Additional Terms. To the greatest extent possible, this emergency order shall not be interpreted in a manner that conflicts with the Governor's Executive Order GA-28 or any subsequent orders of the Governor. In the event of a conflict, the Governor's Executive Orders shall supersede. All provisions of the executive orders of the Governor either existing or issued in the future, which are made applicable to all jurisdictions by law, shall be automatically incorporated into this order and shall constitute terms of this order, enforceable as if set forth herein without necessity for the issuance of further orders.

THE CITY OF GEORGETOWN:



Dale Ross
Mayor

Exhibit A- Sample Policy and Signage

HEALTH AND SAFETY POLICY

POLICY. The virus that causes COVID-19 can be spread to others by infected persons who have few or no symptoms. Because of the hidden nature of this threat, it is the policy of this business to require the following:

1. FACE COVERING REQUIRED IN ORDER TO ENTER PREMISES. All persons over the age of ten (10), including employees, customers, visitors, invitees, and contractors (“Patrons”), who enter this business must wear a face covering over their nose and mouth, such as a homemade mask, scarf, bandana, or handkerchief.

The requirement of a face covering does not apply if covering the nose and mouth poses a greater mental or physical health, safety, or security risk, such as anyone who has trouble breathing, or is unconscious, incapacitated, or otherwise unable to remove the cover without assistance.

2. SOCIAL DISTANCING PROTOCOLS. Even with the use of appropriate face coverings, individuals should maintain six feet of social distancing whenever possible.

a. Employees should not work within six (6) feet of one another, except to the extent necessary to provide services.

b. Patrons should maintain six (6) feet of separation from other individuals outside their household, to the extent feasible when inside the business premises.

c. Patrons of the business queuing or waiting inside or on the premises of the business must maintain six (6) feet of separation from other individuals outside their household.

3. VIOLATIONS. Patrons who do not wear a face covering may be asked to leave the premises and may not be provided goods or services until the face covering requirements are followed.

4. NOTICE AND SIGNAGE. Notice of this Health and Safety Policy will be posted in a conspicuous location of the business. Sample signage is attached.



#GTXCares

Pop on a mask

No Shirt | No Shoes | No Mask

No Service



Violating businesses fined up to \$1,000

Effective Friday, July 3, 2020

Your mask protects others.
Show you care.

512-930-3510 | georgetown.org

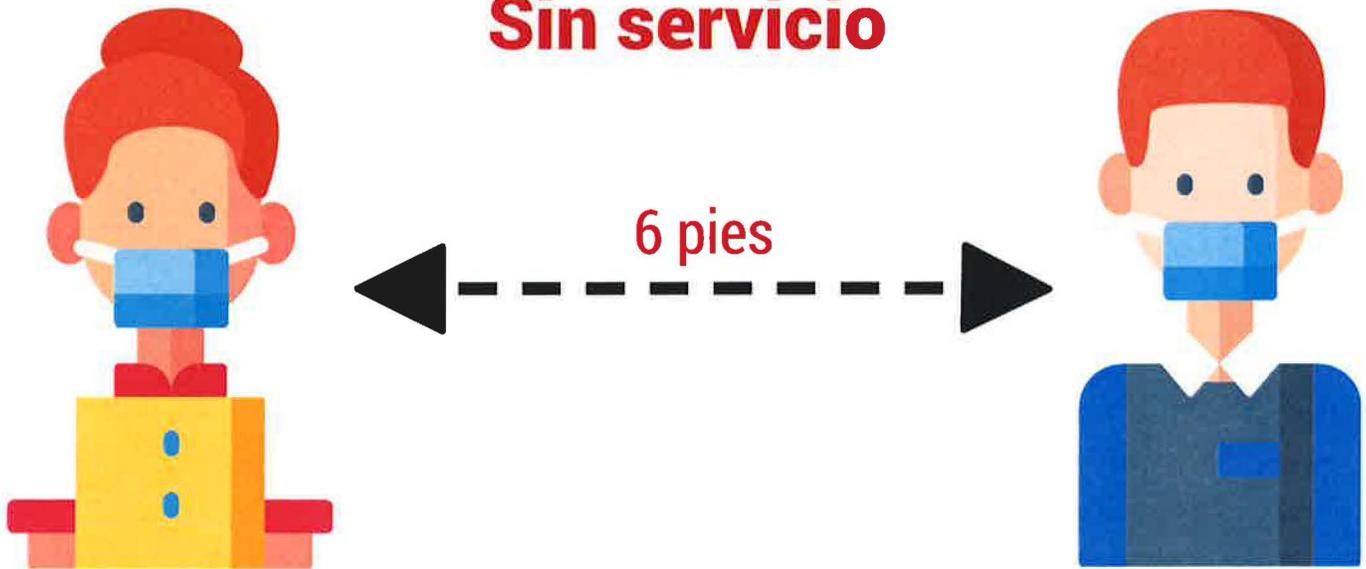




Ponte una máscara

Sin camisa | Sin zapatos | Sin máscara

Sin servicio



Negocios violando multados hasta \$1,000

A partir del viernes, 3 de julio de 2020

**Tu máscara protege a los demás.
Demuestra que te importa.**

512-930-3510 | georgetown.org

