

**AMENDED LOCAL ORDER RELATING TO MANDATORY WEARING
OF FACE COVERINGS
DATE ISSUED: September 22, 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 remains a significant threat to the health and safety of the City of Georgetown community; 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, in July, 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 418.1015(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, on June 29, 2020, the Mayor issued a Local Order requiring certain commercial entities to adopt a health and safety policy requiring among other things that employees and visitors wear face masks in situations in which maintaining six feet separation is not feasible;

WHEREAS, on July 2, 2020, Texas Governor Abbott issued Executive Order No. 29 requiring every person in Texas to wear a face mask, with certain exceptions, when entering a commercial entity or other building or space open to the public or when in an outdoor space, wherever it is not feasible to maintain six feet separation;

WHEREAS, on September 17, 2020, Texas Governor Abbott issued Executive Order No. 30 relating to the continued response to the COVID-19 disaster as Texas reopens;

WHEREAS, in order to remain consistent with and to harmonize, to the extent possible, the executive orders of Governor Greg Abbott, as extended or modified, it is necessary to amend the Local Order; 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 unless extended, modified, or terminated by the Mayor or City Council, or if superseded by the County Judge or Governor.

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

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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 by July 3, 2020 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. Every person in Texas shall wear a face covering over the nose and mouth when inside a commercial entity or other building or space open to the public, or when in an outdoor public space, wherever it is not feasible to maintain six feet of social distancing from another person not in the same household; provided, however, that this face-covering requirement does not apply to the following:

1. any person younger than 10 years of age;
2. any person with a medical condition or disability that prevents wearing a face covering;
3. any person while the person is consuming food or drink, or is seated at a restaurant to eat or drink;
4. any person while the person is (a) exercising outdoors or engaging in physical activity outdoors, and (b) maintaining a safe distance from other people not in the same household;
5. any person while the person is driving alone or with passengers who are part of the same household as the driver;
6. any person obtaining a service that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a personal-care service involving the face, but only to the extent necessary for the temporary removal;
7. any person while the person is in a swimming pool, lake, or similar body of water;
8. any person who is voting, assisting a voter, serving as a poll watcher, or actively administering an election, but wearing a face covering is strongly encouraged;
9. any person who is actively providing or obtaining access to religious worship, but

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wearing a face covering is strongly encouraged; and

10. any person while the person is giving a speech for a broadcast or to an audience.

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.

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.

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. Any Georgetown Police 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. Failure to comply with Section 3 of this local emergency order shall be punishable

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by a fine not to exceed \$1,000.

C. Following a verbal or written warning for a first-time violator of Section 4's face-covering requirement, failure to comply with Section 4 of this local emergency order shall be punishable by a fine not to exceed \$250. Each subsequent violation shall be punishable by a fine not to exceed \$250 per violation.

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-30 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