

**AN ORDER OF THE MAYOR OF THE CITY OF HUTTO,
TEXAS, DECLARING THAT COVID-19 CONTINUES TO
POSE AN IMMINENT THREAT OF DISASTER IN THE
CITY; DECLARING A STATE OF DISASTER IN THE CITY;
REQUIRING THAT BUSINESSES AND COMMERCIAL
ENTITIES DEVELOP AND IMPLEMENT A HEALTH AND
SAFETY POLICY; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 as a pandemic and urged that all countries take urgent and aggressive action; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency regarding COVID-19; and

WHEREAS, on March 13, 2020, Governor Greg Abbott declared a state of disaster due to COVID-19; and

WHEREAS, on March 14, 2020, Williamson County Judge Bill Gravell declared a local state of disaster for Williamson County; and

WHEREAS, on March 16, 2020, the Mayor of Hutto, Doug Gaul, declared a state of disaster for the City of Hutto and on March 19, 2020 the City Council extended the March 16, 2020 Order for an additional seven (7) days until March 30, 2020; and

WHEREAS, large gatherings of individuals pose a risk of the spread of COVID-19; and

WHEREAS, COVID-19 spreads between people who are in close proximity to each other through respiratory droplets produced when a person coughs or sneezes. The CDC recommends that persons maintain a distance of six feet from others when possible; and

WHEREAS, limiting large gatherings is essential and proactive to prevent and slow down community spread of COVID-19; and

WHEREAS, a declaration of local disaster and public health emergency includes the ability to reduce the possibility of exposure to disease, control the risk, promote health, compel persons to undergo additional health measures that prevent or control the spread of disease, including isolation, surveillance, quarantine, or placement of persons under public health observation; and

WHEREAS, by Ordinance No. O-2020-004, the City Council extended its Declaration of Disaster on March 26, 2020 to April 2, 2020; and

WHEREAS, the City Council amended Ordinance No. O-2020-004 to provide local restrictions consistent with the Governor's Executive Orders; and

WHEREAS, the City of Hutto's local disaster declaration expired on May 13, 2020; and

WHEREAS, the State of Texas, Williamson County, and City of Hutto have seen an increase in the number of cases and hospitalizations related to COVID-19; and

WHEREAS, on June 26, 2020, Governor Abbott issued Executive Order GA-28, prohibiting outdoor gatherings in excess of 100 people except as set forth in paragraphs 1, 2, and 4 of that executive order for certain government activities and certain recreational and amusement activities, and setting limits on amusement park attendance, unless the mayor of a city where such activities would be held approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with that executive order; and

WHEREAS, Governor Abbott has clarified that his plan to reopen the Texas economy includes maintaining the authority of local governments to require businesses to adopt and enforce health policies that include face covering requirements; and

WHEREAS, infected persons can transmit the COVID-19 virus to others before showing any symptoms, and widespread and consistent use of face coverings over the nose and mouth when in public is a critical and necessary measure to help slow the spread of the virus while allowing local businesses to continue to reopen and help the Hutto economy recover; and

WHEREAS, the CDC has also issued recommendations and guidance that wearing a fabric face mask outside one's residence is recommended with certain specific exceptions; and

WHEREAS, in order to protect the public health and safety and reduce the substantial risk of harm to the public consistent with the Governor's guidance for businesses to adopt health and safety plans that include mandating face coverings, individuals within the City of Hutto should follow the Face Covering Requirements set out in Section V of this Order so long as this Order is in effect.

NOW, THEREFORE, BE IT PROCLAIMED AND ORDERED BY THE MAYOR OF THE CITY OF HUTTO, TEXAS, UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE, CHAPTER 418:

SECTION I.

That a local state of disaster is hereby declared for the City of Hutto pursuant to §418.108(a) of the Texas Government Code.

SECTION II.

Pursuant to §418.108(b) of the Texas Government Code, the state of disaster shall continue for a period of not more than seven days from the date of this declaration unless continued or renewed by the City Council of Hutto.

SECTION III.

Pursuant to §418.108(c) of the Texas Government Code, this declaration of a local disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.

SECTION IV.

Pursuant to §418.108(d) of the Texas Government Code, this declaration of a local disaster activates the City of Hutto's emergency management plan.

SECTION V.

Health and Safety Policy - Commercial Entities. Effective as of 12:01 a.m. on Wednesday July 1, 2020, all businesses (including not-for-profit entities) and commercial entities in the City of Hutto 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 or visitors to the commercial entity's business premises or other facilities wear face coverings when in an area or performing an activity which will necessarily involve close contact or proximity to co-workers or the public where six feet of separation is not feasible. The Health and Safety Policy required to be developed and implemented by this Order may also include the implementation of other 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 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 Order within five (5) calendar days following the Effective Date may result in a fine not to exceed \$1,000 for each violation.

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 business or 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 VI.

Severability. The sections, paragraphs, sentences, clauses and phrases of this Order are severable and if any phrase, clause, sentence, paragraph or section of this Order should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections that can be given effect without the invalid provision, and to this end, the provisions of this Order are severable.

SECTION VII.

Interpretation and Additional Terms. To the greatest extent possible, this Order shall be interpreted as consistent with and supplemental to any executive order issued by the Texas Governor. All provisions of the executive orders of the Texas Governor either existing or as, if and when issued, which are made applicable to all jurisdictions by law shall be automatically incorporated into and constitute terms of this Order, enforceable as if set forth herein without necessity for the issuance of any further orders.

SECTION VIII.

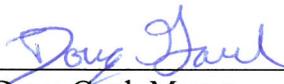
Enforcement. In accordance with the limitations contained in the executive orders of Governor Greg Abbott, that any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Executive Order in accordance with the authority granted under the Texas Disaster Act of 1975.

SECTION IX.

Sections I-IV of this order shall take effect immediately and Section V shall take effect at 12:01 a.m. on Wednesday July 1, 2020.

RESOLVED AND DECLARED this 29th day of June 2020.

THE CITY OF HUTTO, TEXAS



Doug Gaul, Mayor

ATTEST:



Holly Nagy, City Secretary

(SEAL)



EXHIBIT A – SAMPLE HEALTH AND SAFETY POLICY

COVID-19 HEALTH & 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, as required by City Orders, 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 commercially made or homemade mask, scarf, bandana, or handkerchief. This requirement does not apply if covering the nose or mouth poses a greater mental or physical health, safety, or security risk to the Patron, such as anyone having trouble breathing due to a medical condition, 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 (6) feet of social distancing from others outside their own household 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 others outside their own household to the extent feasible when inside these premises and must do so while queuing or waiting.
3. **VIOLATIONS.** Patrons who do not wear a face covering will be asked to leave the premises and may not be provided goods or services until the face covering requirements of this policy and City and County Orders are followed.
4. **NOTICE AND SIGNAGE.** Notice of this Health and Safety Policy will be posted in a conspicuous location on these premises.

COVID - 19 POLÍTICA DE SALUD Y SEGURIDAD

POLÍTICA. El virus que causa COVID-19 puede propagarse a otras personas infectadas que tienen pocos síntomas o ninguno. Debido a la naturaleza oculta de esta amenaza, es la política de este negocio, según lo requieren las Órdenes de Ciudad, exigir lo siguiente:

- 1. COBERTURA DE CARA NECESARIA PARA ENTRAR EN LOS LOCALES.** Todas las personas mayores de diez (10) años, incluidos los empleados, clientes, visitantes, invitados y contratistas ("Patrones"), que ingresan a este negocio DEBEN llevar una cara cubierta por la nariz y la boca, como una máscara hecha en el mercado o en casa, bufanda, bandana o pañuelo. Este requisito no se aplica si cubrir la nariz o la boca supone un mayor riesgo para la salud mental o física, la seguridad o la seguridad del para el Patrón, como cualquier persona que tenga problemas para respirar debido a una afección médica, o que esté inconsciente, incapacitado o que de otra manera, no pueda retirar la cubierta sin asistencia.
- 2. PROTOCOLOS DE DISTANCIA SOCIAL.** Incluso con el uso de revestimientos faciales apropiados, los individuos deben mantener seis (6) pies de distancia social de otros fuera de su propio hogar siempre que sea.
 - a. Los empleados no deben trabajar a menos de seis (6) pies de distancia, excepto en la medida necesaria para prestar servicios.
 - b. Los patrones deben mantener seis (6) pies de separación de otros fuera de su propio hogar en la medida de lo posible cuando se encuentran dentro de estos locales y deben hacerlo mientras están en cola o en espera.
- 3. VIOLACIONES.** Se pedirá a los patrones que no usen una cubierta facial que salgan de las instalaciones y no se les podrán proporcionar bienes o servicios hasta que se cumplan los requisitos de esta póliza y las Órdenes de Ciudad y Condado.
- 4. AVISO Y FIRMA.** El aviso de esta Política de Salud y Seguridad será publicado en un lugar destacado en estos locales.