

**GATHERINGS AND FACE COVERING REQUIREMENTS****ORDER****BY THE COUNTY JUDGE OF TRAVIS COUNTY****County Judge Order 2020-14; Relating to the COVID-19 Community Restrictions**

Whereas, on March 6, 2020, a Declaration of Local Disaster was issued by the Travis County Judge to allow the County of Travis (“County” or “Travis County”), Texas to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Travis County residents; and

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

Whereas, the virus that causes COVID-19 is contagious and spreads through person-to-person contact, especially in group settings; and

Whereas, on June 3, 2020, Governor Abbott issued the most recent Executive Order GA-26 (“Governor’s Order”) related to the expansion and reopening of services as part of a strategic plan to “Open Texas,” with reduced occupancy limits and continuing recommended health protocols and social distancing measures to attempt to mitigate increased transfer of COVID-19 associated with the expanding commercial and social interactions; and

Whereas, as of July 8, 2020, Travis County has experienced 13,161 confirmed cases of COVID-19, with 458 current hospitalizations and 159 deaths as a result of the disease, while the number of new cases confirmed daily has not shown a downward trajectory over any fourteen-day period since the Declaration of Local Disaster was issued on March 6th and is expected by the Health Authority to continue rising with the administration of additional testing; and

Whereas, Dr. Mark Escott, the interim health authority for Austin/Travis County, finds that the area still needs to increase testing and contact tracing capabilities, to maintain social distancing and hygiene, and to wear face coverings to provide for the safety of the public while businesses are reopening and when individuals are outside their household; and

Whereas, the transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the Travis County Community and rates of infection are increasing at an alarming exponential 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;

Whereas, the County Judge has determined that extraordinary emergency measures must be taken to try and mitigate the effects of this public health emergency and to facilitate a response to the public health threat;

Whereas, pursuant to Government Code section 418.108(g), a County Judge is authorized to control ingress and egress from a local disaster area, and control the movement of persons and the occupancy of premises in that disaster area;

Whereas, on June 17, Governor Abbott publicly announced that according to his plans and orders, “local governments can require stores and business to require masks.” Governor Abbott further articulated that every county is authorized “to impose requirement on business operations...just like [businesses] can require people to wear shoes and shirts;”

Whereas, on June 18, 2020, the County Judge supplemented these Prevention Guidelines and issued Order 2020-12 requiring all commercial entities in Travis County that provide goods or services directly to the public to develop and implement a Health and Safety Policy related to COVID-19 which, at a minimum, shall require that all employees and visitors to the commercial entity’s business premises or other facilities wear face coverings;

Whereas, on June 25, 2020, the County Judge issued Order 2020-13, effective June 26, 2020, prohibiting outdoor gatherings in excess of 100 people, except as permitted by the Governor’s order;

Whereas, on June 26, 2020 the Governor issued Executive Order GA-28, which was amended by Proclamation on July 2, 2020 to amend paragraphs 5 of GA-28 to prohibit any outdoor gatherings in excess of 10 people, except as specifically exempted in paragraphs 1, 2 and 4 of Order GA-28, unless the mayor of the city in which the gathering is held, or the county judge in the case of a gathering in an unincorporated area, approves of the gathering and such approval can be made subject to the conditions and restrictions not inconsistent with GA-28;

Whereas, the Governor’s Proclamation on July 2, 2020 also amended paragraphs 12 of GA-28 to state “except as provided in this executive order or in the minimum standard health protocols recommended by DSHS, found at www.dshs.texas.gov/coronavirus, people shall not be in groups larger than 10 and shall maintain six feet of social distancing from those not in their group”;

Whereas, except as amended by the Proclamation issued July 2, 2020, the remainder of Governor’s Order GA-28 remains in effect; and

Whereas, on July 2, 2020 the Governor further issued Executive Order GA-29, which requires that every person in Texas to wear a face covering over the nose and mouth when inside a commercial entity or other building open to the public, or when in an outdoor public space whenever not feasible to maintain six (6) feet of social distancing from persons outside one’s household, and except as provided in the order.

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

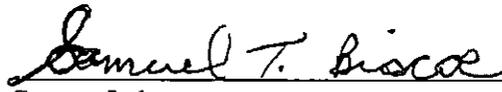
Effective as of 12:01 a.m., Saturday, July 11, 2020 (“Effective Date”), and continuing through 11:59 p.m. on August 15, 2020 unless extended, modified or terminated early by Travis County Judge Samuel Biscoe or as otherwise indicated below:

1. **Public Health Emergency.** That this Order shall continue the local disaster declaration and public health emergency for Travis County for the period specified herein and shall incorporate and adopt the most recent orders issued by Governor Greg Abbott including GA-28, as amended by Proclamation issued July 2, 2020, GA-29 issued July 2, 2020, and any subsequent orders or proclamations by the Governor relating to the COVID-19 disaster.
2. **Gatherings.** Any gatherings that exceed 10 people are hereby PROHIBITED, except as permitted by the Governor’s Proclamation and Orders.
3. Pursuant to the Governor’s Order GA-28, there is no occupancy limit for the following:
 - a. any services listed by the U.S. Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency (CISA) in its Guidance on the Essential Critical Infrastructure Workforce, Version 3.1 or any subsequent version;
 - b. religious services conducted in churches, congregations, and houses of worship;
 - c. local government operations, including county and municipal governmental operations relating to licensing (including marriage licenses), permitting, recordation, and document-filing services, as determined by the local government;
 - d. child-care services;
 - e. youth camps, including but not limited to those defined as such under Chapter 141 of the Texas Health and Safety Code, and including all summer camps and other daytime and overnight camps for youths; and
 - f. recreational sports programs for youths and adults;
4. Pursuant to the Governor’s Order GA-28, the outdoor gathering ban in section 2 of this Order does not apply to the following outdoor areas, events, or establishments, except that the following outdoor areas or outdoor venues shall operate at no more than 50 percent of the normal operating limits as determined by the owner:
 - a. professional, collegiate, or similar sporting events;
 - b. swimming pools;
 - c. water parks;
 - d. museums and libraries;
 - e. zoos, aquariums, natural caverns, and similar facilities; and
 - f. rodeos and equestrian events;
5. Pursuant to the Governor’s Order GA-28, the outdoor gathering ban in section 2 of this Order does not apply to amusement parks and carnival, except that amusement parks and carnivals shall operate at no more than 50 percent of the normal operating limits as determined by the owner;

6. **Face Covering Requirements.** In accordance with the Governor's Order GA-29, every person in Travis County IS REQUIRED to wear a face covering over their nose and mouth when inside a commercial entity or other building open to the public, or when in an outdoor public space whenever not feasible to maintain six (6) feet of social distancing from persons outside one's household; provided however that this face covering requirement does not apply to the following:
 - a. any person younger than 10 years of age;
 - b. any person with a medical condition or disability that prevents wearing a face covering;
 - c. any person while the person is consuming food or drink, or is seated at a restaurant to eat or drink;
 - d. any person while the person is (1) exercising outdoors or engaging in physical activity outdoors, and (2) is maintaining a safe distance from other people not in the same household;
 - e. any person while the person is driving alone or with passengers who are part of the same household as the driver;
 - f. 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;
 - g. any person while the person is in a swimming pool, lake, or similar body of water;
 - h. 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;
 - i. any person who is actively providing or obtaining access to religious worship, but wearing a face covering is strongly encouraged; or
 - j. any person while the person is giving a speech for a broadcast or to an audience; and
 - k. Not excepted from this face-covering requirement is any person attending a protest or demonstration involving more than 10 people and who is not practicing safe social distancing of six feet from other people not in the same household. •
7. **Prior Orders.** This Order is issued in accordance with and incorporates by reference all declarations, findings, and recitations set out in the preamble to this Order. This Order supplements the Travis County Judge's Prevention Guidelines and Order of June 16, 2020 (Order 2020-11) and replaces and supersedes County Judge Order 2020-13.
8. The Austin Public Health Department and the Travis County Clerk will post this Order on their websites. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remainder of this Order and its application.

9. **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.
10. **ENFORCEMENT.** That the Travis County Sheriff's Office, the Travis County Fire Marshal's Office, and other peace officers are hereby authorized to enforce this Order.
- a. A violation of Section 2 of this Order (Gatherings) may be punishable through criminal or civil enforcement and may result in a fine not to exceed \$1,000. A criminal violation of Section 2 of this Order is a misdemeanor punishable by fine only.
- b. For a violation of Section 7 of this Order (Face Covering Requirements), and following a verbal or written warning for a first-time violator of this face covering requirement, a person's second violation shall be punishable by a fine not to exceed \$250.00. Each subsequent violation shall be punishable by a fine not to exceed \$250.00 per violation.
11. This Order incorporates by reference the following:
- a. **Exhibit A:** List of Cities and Municipalities within Travis County Jurisdiction Covered by this Order

ORDERED this the 9 day of July, 2020, in the County of Travis, Texas.


County Judge
County of Travis, Texas

Filed with the Clerk of Travis County, this 9 day of July, 2020.


Dana, DeBeauvoir, County Clerk

**Exhibit A: List of Cities and Municipalities within Travis County
Jurisdiction covered by the Order**

- City of Austin
- City of Bee Cave
- City of Cedar Park
- City of Creedmoor
- City of Elgin
- City of Jonestown
- City of Lago Vista
- City of Lakeway
- City of Leander
- City of Manor
- City of Mustang Ridge
- City of Pflugerville
- City of Rollingwood
- City of Round Rock
- City of Sunset Valley
- City of West Lake Hills
- Village of Briarcliff
- Village of Point Venture
- Village of San Leanna
- Village of The Hills
- Village of Volente
- Village of Webberville



**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**

Dana DeBeauvoir

**Dana DeBeauvoir, County Clerk
Travis County, Texas**

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