

**ORDER BY THE COUNTY JUDGE OF TRAVIS COUNTY****County Judge Order 2020-23; Relating to Stage 5 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, since October, the number of new confirmed COVID-19 cases have surged across large portions of the State;

Whereas, on December 15, 2020, the County Judge issued Order 2020-21, effective December 16, 2020, prohibiting any gatherings in excess of 10 people, requiring face coverings, except as permitted by the Governor’s orders, and for businesses that provide goods or services directly to the public to develop and implement a Health and Safety Policy related to preventing the transmission of the COVID-19 virus, and

Whereas, on December 22, 2020, the 7-day moving average of new hospitalizations in Travis County was 54, which is an 80% increase since December 1, 2020, and

Whereas, on December 23, 2020, the County and City of Austin entered the Stage 5 Risk Level based on the recommendations of the Local Health Authority due to the continued increase in the 7-day moving average of new hospitalizations,

Whereas, the Stage 5 Risk Level is the most severe risk level and Austin Public Health and the Local Health Authority recommend additional restrictions to help slow the spread of the virus so that businesses can remain open, and

Whereas, as of December 22, 2020, Travis County has experienced 46,701 confirmed cases of COVID-19 and 525 deaths as a result of the disease, and

Whereas, the City of Austin and Travis County have teams from Austin Public Health, Austin Code, Austin Fire, Austin Police, Travis County Fire Marshal, and Travis County Sheriff out at night with an increased presence on the weekends to inspect and help businesses comply with the COVID-19 restrictions and guidelines, and

Whereas, more than one thousand businesses have been inspected after Austin 311 received reports about possible violations and most businesses throughout the area have adjusted well to the restrictions and are genuinely trying to comply and keep residents safe, and

Whereas, the departments participating in enforcement have completed proactive and reactive inspections with many major and minor corrections being made on the spot to improve compliance, and

Whereas, however, some businesses have required increased enforcement and, in some cases, citations to be issued; and

Whereas, contact tracing and epidemiological information indicate that in Travis County and Austin there are clusters of COVID-19 at restaurants and bars because the patrons are not wearing masks while on the property, and

Whereas, the recommendations included in this Order, if implemented, will reduce occupancy limits, shorten hours of operation, and limit extracurricular activities to those activities that can occur using face coverings, and

Whereas, the risk of transmitting COVID-19 is lower during class instruction because spacing and face coverings are easier to implement, which is different from extracurricular activities where spacing and face coverings are not possible/practical,

Whereas, the recommendations are necessary steps businesses and individuals need to take to help mitigate the spread of the COVID-19 virus, and

Whereas, continued increases in one or more of the local warning indicators identified by the Local Health Authority, including but not limited to, new hospital admissions, 7-day moving average of hospitalizations, number of patients in the ICU, ventilator usage, positivity rate, or the 7-day moving average of cases, may require the adoption of more stringent measures to help mitigate the spread of the COVID-19 virus, and

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 in order to protect the health and safety of the community, and

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, and

Whereas, this Order shall cover all individuals currently living within Travis County, including but not limited to all of the cities and municipalities within the boundaries of Travis County and specifically listed in **Exhibit A**

NOW THEREFORE, I, COUNTY JUDGE OF TRAVIS COUNTY, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER, EFFECTIVE AS OF 11:59 P.M. ON DECEMBER 23, 2020, AND CONTINUING THROUGH JANUARY 11, 2021, THAT IN TRAVIS COUNTY:

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 and made a part hereof for all purposes

SECTION 2. Stay Home. All individuals currently living within Travis County are STRONGLY URGED TO STAY AT HOME IN THEIR RESIDENCE especially between the hours 10:30 PM and 5:00 AM. For the purposes of this Order, residence include hotels, motels, shared rentals, and similar facilities. Additionally, it is HIGHLY ENCOURAGED and RECOMMENDED that individuals utilize delivery, take-out, curbside, or pick up services for both restaurants and retail businesses.

SECTION 3. Modified Operations It is HIGHLY ENCOURAGED and RECOMMENDED that restaurants (including those bars and establishments operating a restaurant as authorized by Texas Alcohol and Beverage Commission), retail, and schools operating in Travis County follow the recommendations attached as **Exhibit B** to this Order

SECTION 4. Failure to implement these recommendations may result in further action, including but not limited to, adopting more stringent measures to help mitigate the spread of the COVID-19 virus

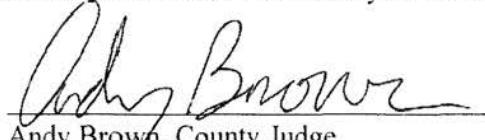
SECTION 5. Posting. The Austin Public Health Department and the Travis County Clerk will post this Order on their websites. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy

SECTION 6 This Order supplements Order 2020-21 issued on December 15, 2020 and for reference purposes, is attached as Exhibit C to this Order

SECTION 7. This Order incorporates by reference the following.

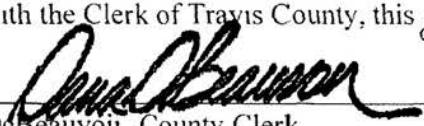
- a. **Exhibit A-** List of cities within Travis County
- b. **Exhibit B-** Recommendations
- c. **Exhibit C-** County Judge Order 2020-21

ORDERED this the 23 day of December, 2020, in the County of Travis, Texas



Andy Brown, County Judge
County of Travis, Texas

Filed with the Clerk of Travis County, this 23 day of December, 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

Exhibit B
RECOMMENDATIONS

County Judge Order 2020-23

It is HIGHLY ENCOURAGED AND RECOMMENDED that:

A restaurant shall take the following actions:

- (a) close indoor dining spaces;
- (b) limit outdoor dining to 50% of capacity with existing spacing and table size limitations;
- (c) close seating at counters and bars;
- (d) use queues inside and outside to space individuals at least six feet apart from each other,
- (e) increase the use of drive-thru, curbside, delivery services, or take-out services to the extent feasible; and
- (f) end all dine-in services, including outdoor dining, from 10:30 PM to 6:00 AM.

A retail business where face coverings are required at all time shall take the following actions:

- (a) because face coverings are required at all times, limit indoor occupancy to no more than 50% of capacity;
- (b) use queues inside and outside to space individuals at least six feet apart from each other,
- (c) increase the use of drive-thru, curbside, delivery services, or take-out services to the extent feasible;
- (d) beginning at 10:30 PM, provide only drive-thru, curbside, delivery services, or take-out services;
- (e) use controls to require a minimum of six feet of distance between patrons in lines queuing outside and inside stores (controls may include, but are not limited to, requiring each person to take a shopping cart or placing markers on the floor); and
- (f) minimize the number of employees working within six feet of one another and customers.

A school shall take the following actions

- (a) eliminate extracurricular activities where masking and distancing are not possible/practical or institute proactive testing regimen for students, staff, and support staff in program that cannot cancel or postpone operations,
- (b) eliminate face-to-face activities when masking is not possible; and
- (c) modify food service practices so that when masks are off individuals are spaced at least six feet apart



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STAYS IN FILE

ORDER BY THE COUNTY JUDGE OF TRAVIS COUNTY

County Judge Order 2020-21, 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 July 2, 2020, the Governor issued Executive Order GA-29 ("GA-29"), which requires 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, and

Whereas, on August 14, 2020, the County Judge issued Order 2020-16, effective August 16, 2020, prohibiting any gatherings in excess of 10 people, requiring face coverings, except as permitted by the Governor's orders, and for businesses that provide goods or services directly to the public to develop and implement a Health and Safety Policy related to preventing the transmission of the COVID-19 virus, and

Whereas, on October 7, 2020 the Governor issued Executive Order GA-32 ("GA-32"), related to the reopening of services and business, with reduced occupancy limits and gathering restrictions for individuals and businesses, as well as 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, GA-32 prohibits any outdoor gathering in excess of 10 people, except as specifically exempted in paragraphs 1, 3 and 4 of GA-32, or unless approved by the county judge or mayor, subject to conditions and restrictions not inconsistent with GA-32, and

Whereas, as of December 15, 2020, Travis County has experienced 42,856 confirmed cases of COVID-19, with 301 current hospitalizations and 507 deaths as a result of the disease, and Texas has been cautioned by the CDC to take steps to curb the increase in COVID-19 cases to avoid hospitals exceeding capacity. The County is at Risk Stage 4 (of five possible stages of increasing severity) with a seven-day moving average of 47 daily COVID-19 hospitalizations. The Health Authority expects this daily average to continue rising, with high probability that it will exceed 50 before the end of December, putting the County at Risk Stage 5, even with current rules in place regarding masking, social distancing, hygiene, and other health protocols, and

Whereas, Dr. Mark Escott, the interim Health Authority for Austin/Travis County, continues to encourage people to stay home except when necessary, 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, COVID-19 continues to menace the health of County residents and the economy, and the Health Authority has advised on the need for continued vigilance by individuals and County businesses in complying with mandatory health measures, and

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 in order to protect the health and safety of the community, and

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, and

Whereas, this Order shall cover all individuals currently living within Travis County, including but not limited to all of the cities and municipalities within the boundaries of Travis County and specifically listed in **Exhibit A**

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 12:00 a.m., Wednesday, December 16, 2020 ("Effective Date"), and continuing through 11:59 p.m., Tuesday, February 16, 2021, unless extended, modified, or terminated early by the Travis County Judge 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-32 issued October 7, 2020, and 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 current Governor's Proclamations and Orders
- 3. Pursuant to the Governor's Order GA-32, 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, and
- g any public or private schools, and any public or private institutions of higher education, not already covered above, and
- h drive-in concerts, movies, or similar events, under guidelines that facilitate appropriate social distancing, that generally require spectators to remain in their vehicles, and that minimize in-person contact between people who are not in the same household or vehicle, and
- i the following establishments that operate with at least six feet of social distancing between work stations cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade, massage establishments and other facilities where licensed massage therapists or other persons licensed or otherwise authorized to practice under Chapter 455 of the Texas Occupations Code practice their trade, and other personal-care and beauty services such as tanning salons, tattoo studios, piercing studios, hair removal services, and hair loss treatment and growth services

All participants in lawful gatherings or groups expressly permitted by this Order or the Governor's Order are nonetheless subject to the face covering requirements and social distancing and hygiene behaviors set forth in Sections 6 and 7 of this Order and **Exhibits B-1, B-2 and C**, including or as may be limited by any other requirements imposed by the Governor's Orders Nothing in this Order prohibits the gathering of members of a household within the household's residence

- 4 Pursuant to the Governor's Order GA-32, the 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 75 or 50 percent, as applicable based on the Governor's Orders rate of hospitalization, of the normal operating limits as determined by the owner
 - a Amusement parks,
 - b Water parks,
 - c Swimming pools,
 - d Museums and libraries, and
 - e Zoos, aquariums, natural caverns, and similar facilities

All indoor and outdoor professional, collegiate and similar sporting events, including rodeos and equestrian events, are limited to 50 percent of the occupancy limits, as set forth in GA-32

- 5 Pursuant to the Governor's Order GA-32, restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages, and whose customers eat or drink only while seated, may offer dine-in services

- 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
 - l any person who is alone, or in the presence of only members of the same household or residence, in a separate room or single space not accessible to the public, and not in an indoor common area

See **Exhibit C** for further direction and guidance on Face Covering Behaviors

- 7 **Social Distancing, Hygiene and Quarantine Requirements** All persons should practice Social Distancing and Hygiene as defined below, except when in the presence of only members of one's own household or residence, or when otherwise exempted by this Order. Parents and Guardians of children under 10 are responsible for maintaining social distance between child members of their household and others' households. For purposes of this Order, and as outlined in the Austin/Travis County Health Authority Requirements and Recommendations for Individuals, Families and Businesses (attached as **Exhibit B-1**), Social Distancing and Hygiene include maintaining at least a six-foot distance from other individuals, washing hands with soap and water for at least 20 seconds as frequently as

possible or using hand sanitizer with at least 60% alcohol, covering coughs or sneezes (into the sleeve or elbow, not into hands), regularly cleaning high-touch surfaces, and not shaking hands

COVID-19 Positive Individuals, Suspected Positives, those currently being tested, and Untested Individuals with cough, fever, sore throat, chills, muscle aches, loss of smell, loss of taste, shortness of breath, vomiting, and/or diarrhea shall follow the quarantine requirements set forth in Section C of **Exhibit B-1** (Austin/Travis County Health Authority Requirements and Recommendations) and How Long to Quarantine chart set forth in **Exhibit B-2**

- 8 **Mandatory Health and Safety Policy – Commercial Entities** All commercial entities in Travis County that provide goods or services directly to the public must develop and implement a health and safety policy or plan (“Health and Safety Policy”) related to preventing transmission of the COVID-19 virus. Travis County includes all municipalities within the boundaries of Travis County listed in **Exhibit A**. The Health and Safety Policy must require, at a minimum, that all employees, customers and visitors to the commercial entity’s business premises or other facilities wear face coverings over their nose and mouth when in an area or performing an activity which will necessarily involve close contact or proximity to co-workers, other individuals or members of the public where six feet of separation is not feasible, and subject to the exceptions in Section 6. 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 alternative methods of service for those unable to wear mask or temperature checks or health screenings. A copy of a sample Health and Safety Policy and sign is attached as **Exhibit D**, and can also be found on the Travis County website.

Commercial entities must post the Health and Safety Policy required by this Order in a conspicuous location sufficient to provide notice to employees, customers and visitors of all health and safety requirements. **Failure to develop and implement the Health and Safety Policy required by this Order may result in a fine not to exceed \$1,000 for each violation as set forth in Section 15 of this Order**

- 9 **Compliance with Austin Public Health Guidance for Open Child Care Programs** All child care programs in Travis County must operate in accordance with the Austin Public Health Guidance for Open Child Care Programs (“APH Guidance for Child Care Programs”) attached as **Exhibit E**. Travis County includes all municipalities within the boundaries of Travis County listed in **Exhibit A**.
- 10 **Foreclosure Sales**. All gatherings for foreclosures sales, both judicial and non-judicial, are hereby prohibited.
- 11 **Extension of Deadlines** Notwithstanding the expiration of this Order, all deadlines or expiration dates imposed by County code, order, rule, or regulation for site plans, subdivisions, development permits, and similar development applications or approvals are

extended until March 15, 2021, or the date they would have normally expired, whichever is later

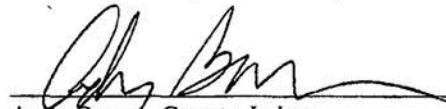
- 12 **Prior Orders** This Order is issued in accordance with and incorporates by reference all declarations, findings, and recitations set out in the preamble to this Order. This Order replaces and supersedes all prior County Judge Emergency Orders related to COVID-19 restrictions, with the exception of Orders 2020-19 and 2020-20 Relating to Notices to Vacate, Eviction Proceedings, which remain in effect.
- 13 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.
- 14 **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.
- 15 **ENFORCEMENT** A violation of this Order may be punishable through civil or criminal enforcement, except as limited by state order. The Travis County Sheriff's Office, the Travis County Fire Marshal's Office, and other peace officers are hereby authorized to enforce this Order and the Governor's Executive Orders. Except as provided below, a criminal violation of this Order is a misdemeanor punishable by a fine not to exceed \$1,000, but not by confinement. With respect to Section 8 (Mandatory Health and Safety Policy), each day or a portion of each day during which the violation occurs or continues constitutes a separate offense. With respect to Section 6 of this Order, an individual, rather than a business, who violates any provision of this Order concerning the mandatory wearing of face coverings shall first be given a verbal or written warning. Each subsequent violation is punishable by a fine not to exceed \$250 per violation, but not by confinement.

Criminal violation of this Order may be enforced by issuing a citation to the person violating the Order, which contains written notice of the name and address of the person charged, and the offense charged.

- 16 This Order incorporates by reference the following:
 - a **Exhibit A** List of Cities and Municipalities within Travis County Jurisdiction Covered by this Order
 - b **Exhibit B-1** Austin/Travis County Health Authority Requirements and Recommendations for Individuals, Families and Businesses

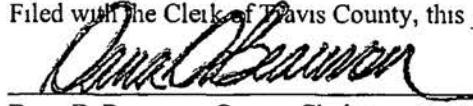
- c **Exhibit B-2** Austin/Travis County Health Authority, How Long to Quarantine Chart, December 10, 2020
- d **Exhibit C** Face Covering Behaviors
- e **Exhibit D** Sample Health and Safety Policy and Sign
- f **Exhibit E** City of Austin/Travis County Guidance for Open Child Care Programs, September 16, 2020

ORDERED this the 15 day of December, 2020, in the County of Travis, Texas



Andy Brown, County Judge
County of Travis, Texas

Filed with the Clerk of Travis County, this 15th day of December, 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

Exhibit B-1

Austin/Travis County Health Authority Requirements and Recommendations for Individuals, Families and Businesses

I Individuals All individuals shall comply with the Governor's Minimum Standard Health Protocols, checklist for all individuals, found at

<https://gov.texas.gov/uploads/files/organization/opentexas/OpenTexas-Checklist-Individuals.pdf>

A COVID-19 Positive Individuals, Suspected Positives, those currently being tested, and Untested Individuals with cough, fever, sore throat, runny nose or congestion, chills, muscle or body aches, loss of smell, loss of taste, shortness of breath, difficulty breathing, fatigue, vomiting, nausea, and/or diarrhea shall

i Not leave their residence without a mask or fabric face covering to prevent the spread to others

ii Be permitted to do the following while wearing a mask or fabric face covering

a Seek medical care or emergency medical care related or unrelated to COVID-19. In doing so, they shall notify first responders at the time of the call to 9-1-1 or prior to visiting other healthcare providers that they have tested positive for COVID-19, or been exposed to individuals who have tested positive, are suspected positive for COVID-19 or untested individuals with cough and/or fever

b Walk or exercise alone in the immediate vicinity of their residence

c Seek testing for COVID-19

iii Not leave the County of Travis without prior notification to Austin Public Health at APH.Preparedness@austintexas.gov

iv Practice Social Distancing and Hygiene within the residence, observe hygiene practices for prevention of household spread in accordance with the Centers for Disease Control (CDC) guidelines

v Notify Austin Public Health if the residence does not allow for physical separation from other household contacts (separate room and bathroom)

vi Notify Austin Public Health if a member of their household is over the age of 65 and/or if they have underlying medical conditions identified by the CDC of increasing the risk of complications from COVID-19

vii Remain in home quarantine for at least 10 days following the first appearance of symptoms, at least 24 hours with no fever (without use of fever-reducing medication), and symptoms have improved

B Household Members of COVID-19 Positive Individuals Suspected Positives, those currently being tested, or Untested Individuals with cough, fever, sore throat, runny nose or congestion, chills, muscle or body aches, loss of smell, loss of taste, shortness of breath, difficulty breathing, vomiting, nausea, and/or diarrhea shall

i Not leave the residence without a mask or fabric face covering to prevent the spread to others

ii Be permitted to do the following while wearing a mask or fabric face covering

a Seek medical care or emergency medical care related or unrelated to COVID-19. In doing so, they shall notify first responders at the time of the call to 9-1-1 or prior to visiting other healthcare providers that they have been exposed to individuals who have tested positive, are suspected positive for COVID-19 or untested individuals with cough and/or fever

b Walk or exercise alone in the immediate vicinity of their residence

iii Not leave the County of Travis without prior notification to Austin Public Health at APH.Preparedness@austin.texas.gov

iv Practice Social Distancing and Hygiene within the residence, observe hygiene practices for prevention of household spread in accordance with CDC guidelines

v Notify Austin Public Health if the residence does not allow for physical separation from other household contacts (separate room and bathroom)

vi Notify Austin Public Health or your Primary Care Provider if they develop symptoms consistent with COVID-19 as defined by the CDC

vii Quarantine as described in Section C of this Exhibit

C Quarantine Requirements

i High Risk Individuals means an individual described in Section E i of this Exhibit

ii High Risk Settings means long-term care facilities, residential facilities, jails, and detention centers

iii An individual shall quarantine for at least 14 days if the individual was exposed to someone with COVID-19 and

- a was not wearing a mask, or
 - b lives with high risk individuals or works in a high risk setting
- iv An individual who does not live with high risk individuals or work in a high risk setting and is not a healthcare worker or a first responder shall either
 - a quarantine for at least 10 days if the individual was exposed to someone with COVID-19 and was wearing a mask, or
 - b quarantine for 7 days and monitor symptoms if the individual
 - i was exposed to someone with COVID-19
 - ii was wearing a mask, and
 - iii receives a negative COVID-19 test on or after the 5th day following exposure
- v An individual who does not live with high risk individuals or work in a high risk setting shall quarantine for 7 days and monitor symptoms if the individual
 - a is a health care worker or first responder
 - b was exposed to someone with COVID-19
 - c was wearing a mask, and
 - d receives a negative COVID-19 test on or after the 7th day following exposure
- vi An individual who is an employee of a government service or CISA industry shall quarantine as set forth in
 - a this Exhibit, or
 - b an alternative plan approved by the Local Health Authority

D Individuals should refrain from reporting to work when falling within any of the following criteria

- i Has signs or symptoms of a COVID-19 infection, such as cough, fever, sore throat, runny nose or congestion, chills, muscle or body aches, loss of smell, loss of taste, shortness of breath, difficulty breathing, vomiting, nausea, and/or diarrhea,
- ii Has a fever greater than 99 6°F,
- iii In the previous 14 days has had contact with someone with a confirmed diagnosis of COVID-19 and did not have the appropriate personal protective equipment designated by the Centers for Disease Control and Prevention (CDC), is under investigation for COVID-19, or is ill with a respiratory illness, or
- iv Has traveled to an area the World Health Organization or CDC considers a "Hotspot "

If someone in a household has tested positive for COVID-19, or is awaiting results of a COVID-19 test, and a member of the household is an employee of a government service

or CISA industry, an exception may be made by Austin Public Health allowing that member of the household to voluntarily return to work after finding the risk of reduced essential services is greater than the risk of infection

E High Risk Individuals

- i A high risk individual is an individual who
 - a is 65 years old and older, or
 - b has certain health conditions such as cancer, heart conditions (such as heart failure, coronary artery disease, or cardiomyopathies), obesity (body mass index of 30 kg/m²), pregnancy, sickle cell disease, lung disease, diabetes, chronic kidney disease, Human Immunodeficiency Virus (HIV), Acquired Immune Deficiency Syndrome (AIDS), and weakened immune systems, or
 - c smokes
- ii High risk individuals shall
 - a Avoid group gatherings unless it is essential,
 - b Avoid people who are sick,
 - c Wear a mask or fabric face covering at all times when in public, and
 - d Comply with the Governor's Special Guidance for Texans Over 65, found at <https://gov.texas.gov/uploads/files/organization/opentexas/OpenTexas-Special-Guidance-For-Texans-Over-65.pdf>

F Individual Gatherings

- i All social indoor or outdoor gatherings outside of a single household or dwelling should be avoided or minimized. No more than 10 individuals may stand or gather together, except as expressly permitted by this Order or the Governor's Order
- ii Do not attend any events or gatherings if sick
- iii For household and other gatherings permitted by the Order
 - a Have hand washing capabilities, hand sanitizers, and tissues available,
 - b Frequently clean high-touch surface areas like countertops, doorknobs, and handrails, and

c Find ways to create physical space (minimum of six (6) feet distance between people) to minimize close contact as much as possible

d Find ways to ensure six feet of social distancing from another group or gathering

G Schools and Daycare To the extent that schools and daycare are open under current orders

i Do not have your child attend school or daycare if sick

ii If you have a child with chronic health conditions, consult the child's doctor about school and daycare attendance

iii Frequently re-educate students and staff regarding Social Distancing and Hygiene and Face Covering behaviors and ensure that appropriate signs are posted

iv Explore remote teaching and online options to continue learning

v Comply with Exhibit E, "City of Austin/Travis County Guidance for Open Child Care Programs "

II Businesses shall operate only to the extent permitted by order of the Texas Governor

III Businesses and services permitted to operate by the Governor's Order shall comply with the following

A To prevent stigma and discrimination in the workplace, employers shall only adhere to the recommendations described in this Order to determine risk of COVID-19. Employers should contact their own human resources advisors and shall not make determinations of risk based on race, color, religion, sex, sexual orientation, gender identity, age, familial status, disability, marital status, student status, creed, or national origin. To the extent possible, employers should maintain confidentiality of people with suspected or confirmed COVID-19.

B Employers shall only allow persons in and around their premises that are (1) essential employees not subject to any of the criteria in Section I of this Exhibit, (2) delivery personnel, suppliers, customers or members of the public practicing Social Distancing and Hygiene and Face Covering Requirements as set forth in Sections 6, 7, and 8 (Mandatory Health Plans) of this Order, and (3) persons with legal authority to enter such as law enforcement.

C Prior to allowing employees into its facility, employers shall ask all employees if they meet any of the criteria in Section I of this Exhibit, and shall direct employees to return home or other appropriate shelter and services if the employee is exhibiting symptoms and presenting a threat of infecting others.

- D** Employers shall immediately separate an employee who becomes sick or demonstrates a temperature greater than 99.6°F while at work from other employees and send that employee home or to other appropriate shelter and services
- E** Human resources departments shall create alternate work plans to help employees remain productive while keeping the workforce safe and healthy
- F** Employers are strongly encouraged to require employees (either those exhibiting symptoms or all employees) to undergo a COVID-19 symptom check and non-invasive temperature readings prior to entering a worksite, however, **employers are not mandated to take the temperature of employees prior to entrance to its worksite**
If the employer does take employees' temperatures and/or has first-hand knowledge that the employee's temperature exceeds 99.6°F, then the employer shall prohibit the employee from entering the facility or property
- G** Employers shall create and implement an infectious disease response plan
- H** Employers shall comply with the Governor's Minimum Standard Health Protocols, checklist for employers, found at
<https://gov.texas.gov/uploads/files/organization/opentexas/OpenTexas-Checklist-Employers.pdf>
- I** Where appropriate employers shall
 - i Suspend nonessential employee travel,
 - ii Prohibit employees working within six (6) feet of one another unless necessary to provide continuity of essential services,
 - iii Minimize or cancel in-person meetings and conferences including canceling, postponing or moving to on-line formats for all indoor or outdoor gatherings of any number of people
 - iv Require employees to stay home when they are sick and maximize flexibility in sick leave benefits
 - v Permit sick employees to stay home without providing a doctor's note
 - vi Utilize telecommuting options to minimize person-to-person interaction
 - vii Alter, stagger or otherwise schedule or separate employees or teams of employees so not all employees are present at one time but are present at alternative days and times, unless necessary to provide continuity of essential services

- viii Limit or restrict the number of customers or visitors permitted in a workplace at one time
- ix Ensure that individuals (employees and clients) queuing inside and outside of the business or workplace can maintain six (6) feet of separation
- x Designate special separate shopping times for high-risk clients as designated by the CDC
- xi Increase the use and capability of on-line, drive-thru, curbside, or delivery services
- xii Provide hand washing capabilities, hand sanitizers, and tissues
- xiii Clean high-touch surface areas like countertops, doorknobs, and handrails at least twice per day with CDC recommended surface cleaners for COVID-19
- xiv Require and allow employees to practice the Face Covering requirements as set forth in Section 6 and **Exhibits B-1 and C** of this Order

Exhibit B-2

How Long To Quarantine

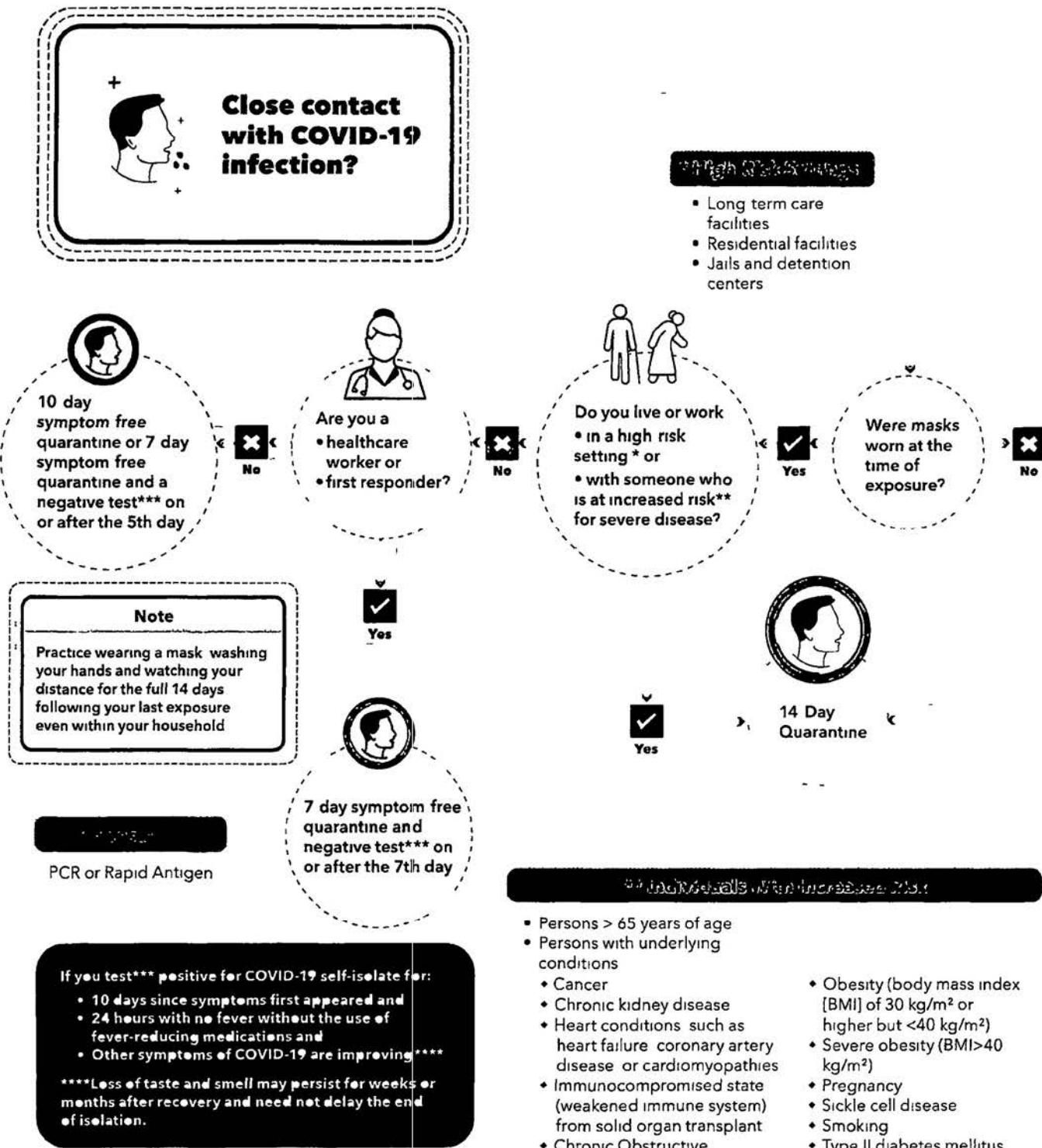


Exhibit C

Face Covering Behaviors

A significant percentage of individuals with the COVID-19 virus lack symptoms. Because an infected person can transmit the virus to others before showing any symptoms, the covering of a person's nose and mouth when outside their home or residence is necessary to help prevent the spread of COVID-19. This is consistent with the findings of the CDC and Austin-Travis County Health Authority.

Unless you already have your own personal used masks that cannot be donated, the fabric face coverings recommended are not surgical masks or N-95 respirators, which are critical supplies that must continue to be reserved for healthcare workers and first responders. Staying home is the best way to help reduce the spread of the virus, but if an individual must leave their place of residence, wearing a fabric face covering shall be used as outlined in this Exhibit and this Order. **Wearing a face covering is not a substitute for maintaining 6-feet social distancing and hand washing, as these remain important steps to slowing the spread of the virus.**

The public in general and employers and employees shall adhere to the following

- a All persons ten years of age and older shall wear some form of covering over their nose and mouth, such as a commercially made or homemade mask, scarf, or bandana, when outside of his or her residence
- b This section shall not apply to
 - 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 eating or drinking, 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 others not in the same household,
 - 5 any person while the person is driving alone or with passengers 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 the 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 wearing a face covering is strongly encouraged,
- 10 any person while the person is giving a speech for a broadcast or to an audience,
- 11 any person while temporary removal of the face covering is necessary for communication by or with a person who is hearing impaired, or
- 12 any person while alone, or in the presence of only members of the same household or residence, in a separate room or single space not accessible to the public, and not in an indoor common area

Parents and Guardians of children under 10 shall be responsible for appropriately masking children when outside their residence

- c All non-residents in nursing homes, retirement and long-term care facilities shall wear a fabric face covering as provided for in this Exhibit and Order (Face Coverings), except as otherwise required by an order issued by the Health Authority. In addition, residents in facilities with confirmed COVID-19 cases shall follow requirements of **Exhibit B-1 and B-2**, except when doing so poses a greater mental or physical health, safety or security risk
- d All COVID-19 Positive Individuals, Suspected Positives, those currently being tested, and untested individuals with cough, fever, sore throat, chills, muscle aches, loss of smell, loss of taste, shortness of breath, vomiting, and/or diarrhea and household members of same category of individuals shall not leave their residence without a mask or cloth face covering to prevent the spread to others
- e All individuals working for a business shall wear a mask or cloth face covering whenever in public and whenever performing job duties in the presence of others
- f Unless you already have your own personal used masks that cannot be donated, medical grade (N95) and surgical masks should be reserved and used only by medical professionals and first responders

Examples of how to make cloth face coverings can be found online including guidance from the CDC and guidance from Austin/ Travis County Health Authority

- g The fabric face covering should
 - 1 fit snugly but comfortably against the side of the face,
 - 2 be secured with ties or ear loops,
 - 3 include multiple layers of fabric,
 - 4 allow for breathing without restriction, and

- 5 be able to be laundered and machine dried without damage or change to shape
- h Employers shall require and allow employees to practice Face Covering Behaviors as set forth in the Order and this **Exhibit C**
- i Even with the use of appropriate face coverings, individuals shall maintain six feet of social distancing whenever possible
- j Individuals should avoid touching their face and should wash their hands or use hand sanitizer
- k For further information, individuals can access information at
<https://taviscountytexas.gov/news/2020/1945-novel-coronavirus-covid-19-information> and [www.AustinTexas.gov/COVID19](http://www.austin-texas.gov/COVID19)

ALL CUSTOMERS WEAR FABRIC FACE COVERINGS

①



PER CITY AND COUNTY ORDER, ALL CUSTOMERS MUST BE WEARING A FACE COVERING

Cloth face coverings should—

②



- fit snugly but comfortably against the side of the face
- be secured with ties or ear loops
- include multiple layers of fabric
- allow for breathing without restriction
- ability to be laundered

Fabric face coverings are not a substitute for physical distancing measures. Continue to maintain 6-feet when outside your home.

DIY face cover instructions available at austintexas.gov/covid19



04/13/2020

TODOS LOS CLIENTES DEBEN USAR CUBIERTAS DE TELA PARA LA CARA

1



**POR ORDEN DE LA CIUDAD Y
DEL CONDADO, TODOS LOS
CLIENTES DEBEN USAR UNA
CUBIERTA PARA LA CARA**

Las cubiertas de tela para la cara deben

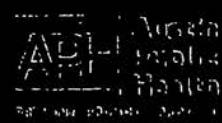
- ser cómodas pero quedar bien ajustadas a los lados de la cara
- asegurarse con tiras de amarre o elásticos alrededor de las orejas
- incluir múltiples capas de tela
- permitir respirar sin restricción
- ser lavables en la lavadora de ropa

2



**Las cubiertas de tela para la cara no son un
sustituto para las medidas de distanciamiento
físico. Continúe guardando 6 pies de distancia
cuando esté fuera de su casa.**

Instrucciones sobre cómo hacer usted
mismo cubiertas de tela para la cara
en austintexas.gov/covid19



04/13/2020

Exhibit E



City of Austin/Travis County Guidance for Open Child Care Programs

Last updated September 16, 2020



Child care programs must operate in accordance with

- This City of Austin/Travis County Guidance for Open Child Care Programs,
- The Emergency rules from the Texas Health and Human Services Commission, which include many of the guidelines from the state's Open Texas Child Care Checklist, and
- The Guidance for Child Care Programs that Remain Open released by the Centers of Disease Control

In addition, child care programs located in the City of Austin and/or in Travis County must comply with the guidelines in this document. To the greatest extent possible, programs should also follow the recommendations in this document. This guidance is designed to minimize the risk of coronavirus transmission and help keep staff, children, and families safe.

The latest local information on COVID-19, including local control orders, can be found at this City of Austin web site www.austintexas.gov/covid19

GUIDELINES

How to contact Austin Public Health (APH), the local health department

- Child care programs must call the Austin Public Health Nurse Line at 512-972-5560 to report laboratory confirmed cases of COVID-19 among children and/or staff
- Programs may also call the Austin Public Health Nurse Line at 512-972-5560 to ask questions about suspected or potential cases in child care programs or about COVID-19 exposure of staff, children, or families
 - The APH Nurse Line staff will advise child care programs on next steps regarding COVID-19 cases, suspected cases, or potential exposure

Notification of COVID-19 Cases

- When a laboratory-confirmed COVID-19 case has entered a program, child care programs must communicate with staff and parents about closure decisions, possible COVID-19 exposure, and guidance from Austin Public Health on appropriate quarantine or isolation measures
- Plan to include messages to counter potential COVID-19 stigma and discrimination
- It is critical to maintain confidentiality of the student or staff member as required by the Americans with Disabilities Act and the Family Education Rights and Privacy Act

Face Coverings

- It is required that the following people wear fabric face coverings
 - All child care staff
 - Parents and guardians dropping off and picking up children

- Children age 10 and older Face coverings should not be worn by
 - Children younger than 2 years old
 - People who cannot take off the coverings without assistance
 - Anyone who has trouble breathing or is unconscious
 - Anyone who is incapacitated or otherwise unable to remove the cloth face covering without assistance
 - A child with a significant behavioral or psychological issue undergoing treatment that is exacerbated specifically by a face covering
 - A child with severe autism or with extreme developmental delay who may become agitated or anxious wearing a mask
 - A child with a facial deformity that causes airway obstruction
- Teachers should use their best judgement to determine if children should remove face coverings in these situations
 - While engaging in outdoor physical activity when physical distancing is maintained
 - During extreme heat when a face covering could contribute to a greater risk of heat-related illness

Temperature checks

- Deny entry to any adult or child with a measured temperature greater than 99.6°F per the City of Austin Medical Authority
- This temperature threshold, which is lower than that recommended by the CDC, should be followed

Enrolling New Children in Care

- Child care programs shall use the forms in Appendix A when enrolling a new child in the program. These forms provide child care programs with the child's recent enrollment history in a child care program or school and health/exposure status
 - It is recommended that the new program contact the child care program or school the child was in previously to verify whether or not they have had a recent closure due to COVID-19
- Child care programs shall not begin caring for a newly enrolled child until the criteria on the "Health Screening Questions for Newly Enrolling Children" form in Appendix A is met

Signs required

- Child care programs shall post
 - At least one face covering sign at or near each entrance, and
 - At least one Austin Public Health "Prevent the Spread of COVID-19" sign at each entrance and on each restroom door (available in various languages for download and print at <http://austintexas.gov/page/printed-materials-and-required-signage>, and
 - Where information for workers is customarily posted, at least one sign in English and at least one sign in Spanish that explains the requirement to wear a face covering

Health and Safety Plan required

- Child care programs must prepare and implement a health and safety plan that explains how the program is meeting the standards for child care operations to control and reduce the transmission of COVID-19

- An electronic or hard copy of this plan shall be shared with staff, parents, and guardians, or at a minimum, be provided to staff, parents, and guardians upon request
- Child care programs must post conspicuous signage displaying the requirements of the health and safety policy or plan at or near each entrance (on each entry door if feasible) to the premises in a manner sufficient to provide clear notice to employees, customers, and visitors at least of the face covering requirement

RECOMMENDATIONS

Testing

- It is strongly recommended that staff exhibiting new or worsening symptoms of possible COVID-19 seek a COVID-19 test
- Persons with health insurance are encouraged to seek testing through their healthcare provider
- Enrollment for free public testing can be found at www.austintexas.gov/covid19. Click on the "Take a Self-Assessment" link to begin enrollment

Group Sizes, Gatherings & Events

- It is strongly recommended that child care programs not exceed the ratio and group size limits specified in the [Minimum Standards Health Protocols Check List for Child Care Centers](#)
- It is strongly recommended that, to the greatest extent feasible, child care programs limit group sizes to no more than 10 people, including children and adults
- It is strongly recommended that child care programs
 - Not hold group gatherings, events, or assemblies, and
 - Not invite outside visitors or guests whose presence or service is not essential

Field trips

- It is strongly recommended that child care programs
 - Not take field trips to locations where children will come in contact with large groups of people or many people crowded together, and
 - Consider planning walking field trips rather than trips requiring transport in vehicles
- Walking trips to nearby outdoor natural spaces may be a safer option than field trips to indoor locations

Transportation

- If transport is provided, in addition to what is stated in the [Open Texas Child Care Checklist](#), it is strongly recommended that child care programs
 - Screen all passengers before they enter the vehicle, and
 - Follow the same screening protocols used for people entering the child care program, and
 - Follow guidance from the American Camp Association that could also pertain to child care regarding [Transportation To or From programs](#) and [Travel by Bus or Van](#)



Appendix A- Parent verification forms for

- **Previous Child Care Information for Newly Enrolling Children**
(Note, this form has been updated to capture information about a child's recent enrollment in a school or child care program)
- **Health Screening Questions for Newly Enrolling Children**



Previous Child Care Information for Newly Enrolling Children

(Updated 9/16/2020)

Austin Public Health requires that this document be completed when children are being newly enrolled in care with a licensed, registered, or listed child care program located in the City of Austin and/or in Travis County to help mitigate the spread of COVID-19

1 Has your child been in care in another child care program or school within the last two weeks?

- Yes
- No

2 If you answered yes to question 1, please provide

Name of the program or school _____

Program/school phone number _____

3 If you answered yes to question 1, has there been a closure of your child's classroom or the entire child care program or school due to cases of COVID-19 within the last two weeks?

- Yes
- No

By signing and dating below, I verify that the above information is true and correct, and I give permission for the child care program in which I am enrolling my child/children to contact my child's/children's previous child care program or school to obtain information regarding closure due to COVID-19

Signature _____ Date _____



Health Screening Questions for Newly Enrolling Children

(Updated 9/16/2020)

Austin Public Health requires that this document be completed for each child being newly enrolled in care with a licensed, registered, or listed child care program located in the City of Austin and/or in Travis County to help mitigate the spread of COVID-19

- 1 Does the child you are enrolling currently have any signs or symptoms of a respiratory infection or COVID-19, such as cough, shortness of breath, or sore throat, chills, muscle aches, loss of smell, loss of taste, vomiting, and/or diarrhea?**

- Yes
- No

If yes, your child may not begin care in this child care program until all three conditions have been met

- at least 24 hours have passed since recovery (e.g., resolution of fever without the use of fever-reducing medications), AND
- the individual has improvement in respiratory symptoms (e.g., cough, shortness of breath), AND
- at least 10 days have passed since symptoms first appeared

- 2 Has the child had close contact* in the last 14 days with someone who**

- Has a confirmed diagnosis of COVID-19, or
- Is under investigation for COVID-19, or
- Is ill with a respiratory illness?

- Yes
- No

If yes, the child should not begin care in the program until after completing a 14-day quarantine period beginning from the last date of exposure to the individual with suspected or confirmed COVID-19. If the child becomes symptomatic, the child should not begin care until criteria listed above under #1 are met

By signing and dating below, I verify that the above information is true to the best of my knowledge

Signature _____ Date _____

* For COVID-19, a close contact is defined as any individual who was within 6 feet of an infected person for at least 15 minutes during the 48 hours before the person began feeling sick (or, for asymptomatic patients, 2 days prior to positive specimen collection) until the sick person begins isolation

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Dana DeBeauvoir
Dana DeBeauvoir, County Clerk
Travis County, Texas

2020244555

Dec 15, 2020 04 48 PM

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STAYS IN FILE



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir
Dana DeBeauvoir, County Clerk
Travis County, Texas

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Dec 23, 2020 02:06 PM

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