

1 **EMERGENCY ORDINANCE NO. O-2020-0374**

2
3 **PURSUANT TO SECTION 3.14 OF THE ROUND ROCK HOME RULE**
4 **CHARTER, THIS IS AN EMERGENCY ORDINANCE DECLARING THAT**
5 **A PUBLIC HEALTH EMERGENCY EXISTS BECAUSE OF THE WORLD-**
6 **WIDE COVID-19 PANDEMIC; ESTABLISHING REQUIREMENTS**
7 **RELATED TO THE POSTING OF A PUBLIC NOTICE BY COMMERCIAL**
8 **ENTITIES AND THE WEARING OF FACE COVERINGS AND**
9 **PROVIDING FOR A SAVINGS CLAUSE AND REPEALING**
10 **CONFLICTING ORDINANCES AND RESOLUTIONS.**

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12
13 **WHEREAS**, on June 29, 2020, the City Council adopted Emergency
14 Ordinance No. O-2020-0189 in response to the world-wide novel coronavirus
15 (“Covid-19”) pandemic; and

16
17 **WHEREAS**, by its terms, and in compliance with the City’s Home Rule
18 Charter, said Ordinance was set to expire on August 29, 2020; and

19
20 **WHEREAS**, on August 27, 2020 the City Council adopted Emergency
21 Ordinance No. O-2020-0227 to extend the expiration date to October 28, 2020;
22 and

23
24 **WHEREAS**, on October 22, 2020 the City Council readopted Emergency
25 Ordinance No. O-2020-0311 to extend the expiration date to December 28, 2020;
26 and

27
28 **WHEREAS**, the Council has determined that the Covid-19 pandemic
29 continues to cause a public health emergency; and

30
31 **WHEREAS**, the Council wishes to re-enact the terms and provisions of said
32 Emergency Ordinance, **NOW THEREFORE**

33
34 **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK,**
35 **TEXAS:**

36 **I.**
37 **DECLARATION OF PUBLIC HEALTH EMERGENCY**

38 1.01 Pursuant to Sec. 3.14 of the Round Rock Home Rule Charter, the City Council
39 hereby declares that a public health emergency exists in the City of Round Rock because of the
40 world-wide novel coronavirus (“Covid-19”) pandemic.
41

1 1.02 On March 13, 2020 Greg Abbott, Governor of Texas issued a disaster
2 proclamation that Covid-19 poses an imminent threat of disaster for all counties in the State of
3 Texas.

4
5 1.03 The Commissioner of the Texas Department of State Health Services has
6 determined that Covid-19 continues to represent a public health disaster.

7
8 1.04 On June 17, 2020, Governor Abbott publicly announced that according to
9 his interpretation of his executive orders, "local governments can require stores and
10 businesses to require masks" and further that every city and county is authorized to
11 impose this "requirement on business operations."
12

13 II.

14 MANDATORY NOTICE FOR COMMERCIAL ENTITIES

15 2.01 Effective as of 11:59 p.m. on December 28, 2020, and continuing through
16 11:59 p.m. on February 28, 2021, all commercial entities in the city that provide goods
17 or services directly to the public shall post a notice to the public that all employees and
18 visitors to the commercial entity's business premises or other facilities, are required to
19 wear face coverings when in an area or performing an activity which will necessarily
20 involve close contact or proximity to co-workers or the public, where six feet of separation
21 is not feasible.

22 2.02 The aforesaid notice shall be posted in a conspicuous location sufficient to
23 provide notice to employees and visitors of the health and safety requirements.

24 2.03 A sample Health and Safety Notice containing the minimum requirements
25 is attached as Exhibit A and may be used by a commercial entity. A commercial entity
26 may add its own additional requirements as determined by the entity.
27

28 III.

29 MANDATORY FACE COVERINGS FOR INDIVIDUALS

30 3.01 Except as provided below, effective as of 11:59 p.m. on December 28,
31 2020, and continuing through 11:59 p.m. on February 28, 2021, all persons 10 years or
32 older shall wear a face covering over their nose and mouth when

- 33 a) inside a commercial entity or other building open to the public, where
34 it is difficult to keep six feet away from other persons or where working
35 in areas that involve close proximity with other people or co-workers;
36 or
37 b) outside with a group of people where it is difficult to keep six feet away
38 from other persons in the group.

39 3.02 The requirement to wear face coverings does not apply to the following
40 situations:

- 1 a) When exercising or engaging in physical activity;
- 2 b) When in a building that requires security surveillance or screening,
- 3 such as banks;
- 4 c) While consuming food or drink;
- 5 d) When doing so poses a greater mental or physical health, safety, or
- 6 security risk;
- 7 e) When outside with a group of only members of a single household;
- 8 or
- 9 f) When other mitigation strategy, such as plexiglass provides
- 10 adequate separation.

11

12 **IV.**

13 **PENALTIES**

14 4.01 For the first instance that a person is determined to have violated any

15 provision of this Ordinance, the penalty shall be a verbal or written warning.

16 4.02 Any person found guilty of violating this ordinance after previously receiving

17 a warning, shall be punished by a fine not exceeding \$200.00.

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19 **V.**

20 **EXPIRATION DATE**

21 5.01 Pursuant to Sec. 3.14 of the Round Rock Home Rule Charter, this

22 Emergency Ordinance shall be automatically repealed on the sixty-first day following the

23 day of its adoption, unless terminated sooner, or re-enacted by the Council.

24

25 **VI.**

26 6.01 All ordinances, parts of ordinances, or resolutions in conflict herewith are

27 expressly repealed.

28 6.02 The invalidity of any section or provision of this ordinance shall not

29 invalidate other sections or provisions thereof.

30 6.03 The City Council hereby finds and declares that written notice of the date,

31 hour, place and subject of the meeting at which this Emergency Ordinance was adopted

32 was posted and that such meeting was open to the public as required by law at all times

33 during which this Emergency Ordinance and the subject matter hereof were discussed,

34 considered and formally acted upon, all as required by the Open Meetings Act, Chapter

35 551, Texas Government Code, as amended.

36

1 By motion duly made, seconded and passed with an affirmative vote by _____
2 of the Council members present, this Emergency Ordinance was

3 **READ, PASSED, and ADOPTED** on this 17th day of December, 2020.

4
5 _____
6 CRAIG MORGAN, Mayor
7 City of Round Rock, Texas

8
9 ATTEST:
10
11 _____
12 SARA L. WHITE, City Clerk