

1                                   **EMERGENCY ORDINANCE NO. O-2020-0189**

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.**

11  
12                  **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK,**  
13                  **TEXAS:**

14                                   **I.**

15                                   **DECLARATION OF PUBLIC HEALTH EMERGENCY**

16                  1.01 Pursuant to Sec. 3.14 of the Round Rock Home Rule Charter, the City  
17                  Council hereby declares that a public health emergency exists in the City of Round Rock  
18                  because of the world-wide novel coronavirus ("Covid-19") pandemic.

19  
20                  1.02 On March 13, 2020 Greg Abbott, Governor of Texas issued a disaster  
21                  proclamation that Covid-19 poses an imminent threat of disaster for all counties in the  
22                  State of Texas.

23  
24                  1.03 The Commissioner of the Texas Department of State Health Services has  
25                  determined that Covid-19 continues to represent a public health disaster.

26  
27                  1.04 On June 17, 2020, Governor Abbott publicly announced that according to  
28                  his interpretation of his executive orders, "local governments can require stores and  
29                  businesses to require masks" and further that every city and county is authorized to  
30                  impose this "requirement on business operations."  
31

32                                   **II.**

33                                   **MANDATORY NOTICE FOR COMMERCIAL ENTITIES**

34                  2.01 Effective as of 11:59 p.m. on June 30, 2020, and continuing through 11:59  
35                  p.m. on August 28, 2020, all commercial entities in the city that provide goods or services  
36                  directly to the public shall post a notice to the public that all employees and visitors to  
37                  the commercial entity's business premises or other facilities, are required to wear face  
38                  coverings when in an area or performing an activity which will necessarily involve close

1 contact or proximity to co-workers or the public, where six feet of separation is not  
2 feasible.

3 2.02 The aforesaid notice shall be posted in a conspicuous location sufficient to  
4 provide notice to employees and visitors of the health and safety requirements.

5 2.03 A sample Health and Safety Notice containing the minimum requirements  
6 is attached as Exhibit A and may be used by a commercial entity. A commercial entity  
7 may add its own additional requirements as determined by the entity.

### 8 9 III.

#### 10 MANDATORY FACE COVERINGS FOR INDIVIDUALS

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

- 14 a) inside a commercial entity or other building open to the public, where  
15 it is difficult to keep six feet away from other persons or where working  
16 in areas that involve close proximity with other people or co-workers;  
17 or  
18 b) outside with a group of people where it is difficult to keep six feet away  
19 from other persons in the group.

20 3.02 The requirement to wear face coverings does not apply to the following  
21 situations:

- 22 a) When exercising or engaging in physical activity;  
23 b) When in a building that requires security surveillance or screening,  
24 such as banks;  
25 c) While consuming food or drink;  
26 d) When doing so poses a greater mental or physical health, safety, or  
27 security risk;  
28 e) When outside with a group of only members of a single household;  
29 or  
30 f) When other mitigation strategy, such as plexiglass provides  
31 adequate separation.

### 32 33 IV 34 PENALTIES

35  
36 4.01 For the first instance that a person is determined to have violated any  
37 provision of this Ordinance, the penalty shall be a verbal or written warning.

4.02 Any person found guilty of violating this ordinance after previously receiving a warning, shall be punished by a fine not exceeding \$200.00.

4.03 Any person found guilty of violating this ordinance a second time shall be punished by a fine not exceeding \$500.00.

4.04 Any person found guilty of violating this ordinance for a third or more times shall be punished by a fine not exceeding \$1,000.00.

**V**

**EXPIRATION DATE**

5.01 Pursuant to Sec. 3.14 of the Round Rock Home Rule Charter, this Emergency Ordinance shall be automatically repealed on the sixty-first day following the day of its adoption, unless terminated sooner, or re-enacted by the Council.

## VI.

6.01 All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

6.02 The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

6.03 The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Emergency Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Emergency Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

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

**READ, PASSED, and ADOPTED** on this 29th day of June, 2020.

CRAIG MORGAN, Mayor  
City of Round Rock, Texas

ATTEST:

SARA L. WHITE, City Clerk

**EXHIBIT**

**“A”**

Follows on next page

# **FACE COVERINGS ARE REQUIRED BY CITY ORDINANCE**

**Thank you for helping us slow the spread of COVID-19 by practicing social distancing, wearing a face covering and washing your hands, and thank you for supporting your community by Shopping the Rock!**

**More information on the emergency health ordinance:  
[roundrocktexas.gov/coronavirus](https://roundrocktexas.gov/coronavirus)**

