



## DALLAS COUNTY

### **SUPPLEMENTAL ORDER OF COUNTY JUDGE CLAY JENKINS ON HEALTH AND SAFETY POLICIES FOR BUSINESSES AND FACE COVERINGS**

DATE ORDER ISSUED: August 4, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins declared a state of local disaster on March 12, 2020, due to imminent threat arising from COVID-19;

WHEREAS, in accordance with Texas Government Code Section 418.108(b), on March 19, 2020, the Dallas County Commissioners Court approved an Order Continuing Declaration of State of Local Disaster for Dallas County and on June 16, 2020, the Dallas County Commissioners Court again approved the Order Continuing Declaration of State of Local Disaster for Dallas County (hereafter, the "Order of Disaster Declaration");

WHEREAS, there currently still exists a declaration of public health disaster in and for the State of Texas as declared by Texas Governor Greg Abbott and the Texas Department of State Health Services (DSHS) and by approval of the Order of Disaster Declaration, the Dallas County Commissioners Court authorized the Dallas County Judge to take such actions as are necessary in order to protect the health, safety and welfare of the citizens of Dallas County by the issuance of executive orders as necessary (each, an "Executive Order");

WHEREAS, the transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the Dallas 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, a County Judge is authorized to control ingress to and egress from a disaster area and control the movement of persons and occupancy of premises on an appropriate local scale in accordance with Section 418.108(g) of the Texas Government Code and his authority as Emergency Management Director;

WHEREAS, it is the intent of this Executive Order to remain as consistent with and to harmonize, to the extent possible, the executive orders of Governor Greg Abbott and the current declaration of the Mayor of the City of Dallas (as extended or modified); and

THEREFORE, County Judge Clay Jenkins hereby ISSUES the following Supplemental Order as follows:

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE  
SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**



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1. Effective as of 11:59 p.m. on August 4, 2020, (“*Effective Date*”), and continuing concurrently with the Governor Abbott’s disaster proclamation unless rescinded, suspended, or amended:
  - I. **Health and Safety Policy – Commercial Entities.** From the date of this Executive Order, all commercial entities in Dallas County providing goods or services directly to the public 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 Executive 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 Executive 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 Executive Order within five (5) calendar days following the Effective Date may result in a fine not to exceed \$500 for each violation.
  - II. **Face Coverings – General Public.** That all people 10 years or older shall wear a face covering over their nose and mouth when in a public place where it is difficult to keep six feet away from other people such as visiting a grocery store/pharmacy or working in areas that involve close proximity with other coworkers. The CDC advises face coverings for people 2 years or older. Face coverings may include homemade masks, scarfs, bandanas, or a handkerchief. Dallas County residents should continue to maintain social distancing of at least six feet while outside their home. Dallas County employees are also required to wear face coverings under the same circumstances as the general public.

**IT IS STRONGLY RECOMMENDED THAT YOU NOT OBTAIN OR WEAR MEDICAL MASKS or N-95 RESPIRATORS AS THEY ARE A NEEDED RESOURCE FOR HEALTH CARE PROVIDERS AND FIRST RESPONDERS.**

Our healthcare workers and first responders on the front-line combating COVID-19 must have priority access to medical masks or other personal protective equipment. Face coverings do not need to be worn in the following circumstances:

- When exercising outside or engaging in physical activity outside
- While driving alone or with passengers who are part of the same household as the driver
- When doing so poses a greater mental or physical health, safety, or security risk
- While pumping gas or operating outdoor equipment



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- While in a building or activity that requires security surveillance or screening, for example, banks
- When consuming food or drink

Please note that face coverings are a secondary strategy to other mitigation efforts. **Face coverings are *not* a replacement for social distancing, frequent handwashing, and self-isolation when sick.** All people should follow CDC recommendations for how to wear and take off a mask. Residents should keep up the following habits while in public:

- washing hands before you leave home and when you return,
- staying at least six feet away from others,
- avoiding touching nose or face,
- not using disposable masks more than three times, and
- washing reusable cloth masks regularly to prevent the spread of the virus.

Consistent with the Governor's Executive Order GA-29, local law enforcement and other local officials can enforce this order. Following a verbal or written warning for a first-time violator, a person's second violation, shall be punishable by a fine not to exceed \$250. Each subsequent violation shall be punishable by a fine not to exceed \$250 per violation. But no law enforcement or other official may detain, arrest, or confine in jail any person for a violation of this executive order or for related non-violent, non-felony offenses that are predicated on a violation of this executive order; provided, however, that any official with authority to enforce this executive order may act to enforce trespassing laws and remove violators at the request of a business establishment or other property owner."

- III. Excepting section (II) of this Order and 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 Order in accordance with the authority granted under the Texas Disaster Act of 1975.

**IT IS SO ORDERED**

**CLAY JENKINS  
DALLAS COUNTY JUDGE**