



CITY OF SUGAR LAND

OFFICE OF MAYOR
Joe R. Zimmerman

ORDER BY THE MAYOR OF SUGAR LAND

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

WHEREAS, on March 13, 2020, a Declaration of Local Disaster for Public Health Emergency was issued to allow City of Sugar Land to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Sugar Land residents, and on March 17, 2020, the City Council approved Ordinance 2196 to extend the Local Disaster Declaration for Public Health Emergency; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) recommends an “All of Community” approach focused on slowing the transmission of COVID-19 through social distancing and the use of face coverings to reduce illness and death; and

WHEREAS, the transmission of COVID-19 has remained a significant threat to the health and safety of the City of Sugar Land community and the rates of infection are increasing at an alarming 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; and

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

WHEREAS, the Mayor acts as the emergency management director for the city and serves as the Governor’s designated agent in the administration and supervision of duties during a state of emergency declared by the Governor in accordance with Section 418.1015(a) and (b) of the Texas Government Code; and

WHEREAS, the Mayor, serving as the Governor’s designated agent in the administration and supervision of duties during a state of emergency declared by the Governor, “may exercise the powers granted to the governor under this chapter on an appropriate local scale” in accordance with Section 418.1015(b) of the Texas Government Code; and

WHEREAS, upon the Declaration of a Local Disaster, the Mayor 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 Sections 418.1015 and 418.108 of the Texas Government Code; and

WHEREAS, it is the intent of this Order to remain as consistent with and to harmonize, to the extent possible, the executive orders of Governor Greg Abbott and Fort Bend County Judge, as extended or modified; and

WHEREAS, by the authority vested in me as the Mayor of the City of Sugar Land and as the Emergency Management Director for the City of Sugar Land to continue to protect the health and safety of the community and address developing and rapidly changing circumstances when presented by the current public health emergency, I issue this Order in their place;

NOW THEREFORE, I, JOE R. ZIMMERMAN, MAYOR OF THE CITY OF SUGAR LAND, TEXAS, PURSUANT TO THE AUTHORITY VESTED BY THE TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER:

Section 1. That the findings and recitations set out in the preamble to this ORDER are found to be true and correct.

Section 2. That effective as of 12:01 a.m. on Wednesday, June 24, 2020 (“Effective Date”) and continuing until 11:59 p.m. on July 7, 2020, unless extended, modified or terminated early by Mayor Joe R. Zimmerman or as otherwise indicated below:

- (a) **Public Health Emergency.** That this Order will incorporate and adopt the most recent Executive Order GA-26 issued by Governor Greg Abbott on June 3, 2020, and any subsequent orders by the Governor relating to the expanded opening of Texas in response to the COVID-19 disaster.

- (b) **Health and Safety Policy – Commercial Entities.** That all commercial entities in the city of Sugar Land providing goods or services directly to the public must develop, post and implement a health and safety policy (“Policy”). The 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 (6) feet of separation is not feasible. The 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 as temperature checks or health screenings. Commercial entities must post the Policy required by this 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 Policy required by this Order within five (5) calendar days following the Effective Date may result in a fine not to exceed \$1,000 for each violation.

- (c) **Face Coverings – General Public.** Except for the exemptions below, that all people ten (10) years or older must wear a face covering over their nose and mouth when in a public place where it is difficult to keep six (6) feet away from other people 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 handkerchief. The City of Sugar Land

residents should continue to maintain social distancing of at least six (6) feet while outside their home. The City of Sugar Land 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:

- (a) When exercising outside or engaging in physical activity outside;
- (b) While driving alone or with passengers who are part of the same household as the driver;
- (c) When doing so poses a greater mental or physical health, safety, or security risk;
- (d) While pumping gas or operating outdoor equipment;
- (e) While in a building or activity that requires security surveillance or screening, for example, banks; or
- (f) 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. Everyone should follow CDC recommendations for how to wear and take off a mask. Residents should keep up with the following habits:

- (a) Washing hands before you leave home and when you return;
- (b) Staying at least six (6) feet away from others;
- (c) Avoid touching nose or face;
- (d) Not using disposable masks more than three (3) times; and
- (e) Washing reusable cloth masks regularly to prevent the spread of the virus.

To be consistent with Executive Order GA-26 issued by Governor Greg Abbott, no civil or criminal penalty will be imposed on individuals for failure to wear a face covering.

- (d) **City of Sugar Land Facilities.** That City Hall will have limited points of access, subject to modification as deemed necessary by the City Manager, and that all other facilities owned, occupied or operated by the City will have a single controlled point of entrance. Further, all citizens and employees must be screened before entering any facility owned, occupied or operated by the City. At the control points, citizens and employees will be asked certain risk-related questions and their temperature will be taken by the least intrusive means. Any individual with a temperature exceeding 100°F or who fails the screening process will not be allowed to enter the facility. Citizens are encouraged to call the department or office they are attempting to visit prior to visiting City's facility. All social distancing measures will be implemented at the above-described control points and while in any City facility.
- (e) **City Essential Business.** That residents of the City of Sugar Land should conduct essential City business online, by mail or drop box to avoid visiting any City facilities unless absolutely necessary.

Section 3. That the Sugar Land Police Department, Sugar Land Fire Marshal's Office and other person with lawful authority are hereby authorized to enforce this Order except for Section 2(c), Face Coverings – General Public.

Section 4. That the City of Sugar Land will post this Order on its website. 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 remaining portions or applications of this Order.

Section 5. That this Order applies to all areas within the boundaries of the City of Sugar Land, Texas.

Section 6. That, to the greatest extent possible, this Order will be interpreted as consistent with and supplemental to any executive order issued by the Texas Governor. All provisions of the executive orders of the Texas Governor either existing or as, if and when issued, which are made applicable to all jurisdictions by law shall be automatically incorporated into and constitute terms of this Order, enforceable as if set forth herein without necessity for the issuance of any further orders.

ORDERED this the 23rd day of June, 2020.



Joe R. Zimmerman, Mayor