

ORDER NO. 20200615-013

BY

THE MAYOR OF THE CITY OF AUSTIN

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WHEREAS, on March 6, 2020, I, Mayor Steve Adler, issued a Declaration of Local Disaster pursuant to Texas Government Code Chapter 418, ratified by City Council Resolution No. 20200312-074, to allow the City of Austin to take measures in response to the COVID-19 pandemic and protect the health and safety of Austin residents; and

WHEREAS, on March 13, 2020, Governor Greg Abbott proclaimed a state-wide state of disaster due to the COVID-19 pandemic and has since issued numerous Executive Orders related to the pandemic, most recently Executive Order GA-26 on June 3, 2020;

WHEREAS, as of June 15, 2020, Travis County has experienced 4,545 confirmed cases of COVID-19 and 104 deaths as a result of the disease, the seven-day average rate of hospitalizations has exceed 20 per day putting Travis County into Stage 4 emergency status, and the number of new cases confirmed daily continues to show an upward trajectory and is expected by the local Health Authority to continue rising; and

WHEREAS, the declarations and findings recited in my previous Order No. 20200508-011 remain true, and this Order is intended to supplement and be read consistently with GA-26, and to provide additional guidance to Austin residents based on worsening local conditions:

NOW THEREFORE, I, MAYOR OF THE CITY OF AUSTIN, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY ORDER THAT:

SECTION 1. All individuals within the City of Austin are **ORDERED** to practice the social distancing, hygiene, and face covering behaviors set forth in Sections 2 and 3 and **Exhibits A and C**, unless excepted by this Order or otherwise provided by GA-26. All individuals and businesses shall comply with the minimum health protocols in the Governor's Open Texas Checklists, found at: <https://gov.texas.gov/organization/opentexas>.

Social gatherings shall be avoided or minimized. Vulnerable individuals (those over 65, who are immunocompromised, or who have underlying health conditions putting them at increased risk) shall avoid groups of more than two. Further, socializing by anyone in groups of more than 10 individuals (unless all participants are members of a single household or residence) is prohibited, except as expressly permitted by this Order or Executive Order GA-26. All participants in lawful gatherings or groups are nonetheless subject to the required social distancing, hygiene, and face covering behaviors set forth in Sections 2 and 3 and **Exhibits A and C** and any other requirements imposed by Executive Order GA-26. Nothing in this Order prohibits the gathering of members of a household within the household's residence. Nursing homes, retirement and long-term care facilities must prohibit non-critical assistance visitors or providers from accessing their facilities, as determined through the guidance from the Texas Health and Human Services

Commission. All non-residents in nursing homes, retirement and long-term care facilities must wear a fabric face covering as set forth in Section 3 (Face Covering Behaviors). In addition, residents in facilities with confirmed COVID-19 cases shall follow requirements of **Exhibit C**, except when doing so poses a greater mental or physical health, safety or security risk.

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.

No civil or criminal penalty will be imposed for failure to wear a face covering.

If someone in a household has tested positive for COVID-19, or is awaiting the results of a COVID-19 test, the entire household is **ORDERED** to isolate and not travel outside of the City of Austin until cleared by Austin Public Health or to seek medical attention. Before visiting a healthcare provider or if seeking emergency medical care, a person must notify the healthcare provider or 9-1-1 call taker and first responders at the time of the call 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, fever, sore throat, chills, muscle aches, loss of smell, loss of taste, shortness of breath, vomiting, and/or diarrhea.

SECTION 2. Social Distancing and Hygiene. All persons shall practice Social Distancing 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 shall be responsible for maintaining social distance between child members of their household and others' households. For purposes of this Order, and as outlined in the Guidelines from the CDC and Austin/Travis County Health Authority, Social Distancing Requirements 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.

SECTION 3. Face Covering Behaviors: Because an infected person can transmit the COVID-19 virus to others before showing any symptoms, the covering of a person's nose and mouth is necessary to help slow the spread of the virus. When leaving one's residence, all persons over the age of six shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, except when:

- a. Alone in a separate single space, whether indoor or outdoor;
- b. In the presence only of other members of one's household or residence whether inside or outside the residence,
- c. doing so poses a greater mental or physical health, safety or security risk,
- d. engaged in outdoor exercise activity while alone or with only members of the same household or residence or while maintaining a consistent separation of six feet or more from others while engaging in the activity; or
- e. for food or beverage consumption purposes.

Parents and Guardians of children under ten years of age are responsible for appropriately masking children when outside their residence.

All non-residents in nursing homes, retirement and long-term care facilities shall wear a fabric face covering, 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 A**, except when doing so poses a greater mental or physical health, safety or security risk. See **Exhibit C** for further guidance on Face Covering Behaviors.

Face coverings are required in all City owned and operated facilities.

SECTION 4. Reopened Businesses. While the City of Austin is declared to be in a Stage 4 Alert (or higher), all businesses and operations reopened by Governor's Executive Order GA-23 and/or GA-26 are strongly encouraged to operate at a capacity less than otherwise permitted to make it more feasible for customers and staff to maintain proper social distancing within their establishment, and to provide services remotely or in a manner maximizing social distancing (e.g., curb-side pickup, delivery, etc.) as much as possible. Stage 4's primary indicator is a state where the seven-day-average of hospital admissions of COVID-19 patients is 20 or above. It also takes into consideration a number of supporting indicators, including case doubling time, testing positivity rate, and overall hospital capacity. Information can be found at <http://austintexas.gov/page/covid-19-risk-based-guidelines>. Despite the issuance of GA-26, local conditions in Travis County continue to exhibit an alarming upward trend of COVID-19 virus transmission and hospitalizations and businesses are encouraged to do everything they can, beyond the requirements of GA-26, to require social distancing and require face masking behaviors while the City remains in Stage 4.

SECTION 5. City Deadlines. All deadlines and expiration dates for site plans, subdivisions, zoning, building permits, and similar development applications or permits are extended until August 15, 2020, or the date they would have normally expired, whichever is later. All other deadlines or expirations date imposed by City code, ordinance, rule, or regulation remain in effect as provided by the code provision, rule, or regulation, unless otherwise extended by separate order or ordinance.

A manufacturer who retools its business for the primary purpose of manufacturing and producing ventilators, masks, personal protective equipment, or any supplies necessary for Healthcare Operations and Critical Infrastructure may apply for a temporary permit or temporary change of use permit for such manufacturing. The Building Official may suspend any City ordinance, order or regulation which would prevent a manufacturer from retooling its business to produce such equipment in the official's sole discretion, and the official's decision on approving the permit is final.

SECTION 6. Hospital, Pharmacy, and Clinic Data. Hospitals, Pharmacies, and Clinics, or any other entity or person performing or obtaining testing for COVID-19, shall daily provide the City of Austin /Travis County Health Authority (Dr. Mark Escott) or his designee, COVID-19 test results (tests performed, and those reported positive, negative or inconclusive), including PCR and antibody testing, in the manner directed by Austin Public Health. Any data that is required to

be provided to the State under state law, shall be simultaneously provided to the City of Austin Health Authority if the individual is tested within the City of Austin or Travis County.

SECTION 7. Restaurant Dine-In and Reopened Service Logs and Privacy Protection.

To assist in both the statewide and local contact tracing programs, all restaurants allowing dine-in service and all reopened services with allowed occupancy or capacity of 75 or less are encouraged to maintain an activity log of, as reasonably possible, the contact information for all inside or sit-down customers and employees including the dates and times they were present in the business and the location where they sat or were served if a restaurant or reopened service with seating. In the absence of a such a log, Austin Public Health may need to publicly release, without limitation and in its discretion, the location where people with confirmed infections have been, with relevant dates and timeframes, so as to otherwise trace contacts.

To protect the privacy of customers, the logs shall be maintained only for a one-month period and shall be the property of the business, not the city. The log may be used only by public health authorities if needed for contact tracing. The logs shall not be part of a database and shall not be used for law enforcement purposes.

SECTION 8. Criminal Offense. A violation of this Order is a criminal offense. Except as otherwise provided herein, however, enforcement of this Order is substantially reliant on self-regulation and a community commitment to public health and safety under the novel threat of COVID-19. If there is not widespread compliance with this Order the City and Travis County will increase enforcement efforts, as allowed by law. Peace officers, City of Austin Code Department inspectors, and the Office of the Austin Fire Marshal are hereby authorized to use their discretion in enforcing this Order. A violation of this Order may be punishable through criminal enforcement, except as otherwise provided herein or limited by state order. Persons who violate this Order violate Austin City Code section 2-6-24. A criminal violation of this Order is a misdemeanor not punishable by confinement but is punishable by a fine not to exceed \$1,000, except as limited by state order. A criminal violation of this Order may be enforced by the filing of a probable cause affidavit alleging the violation with the appropriate court or by issuing a citation to the person violating that contains written notice of the time and place the person must appear before a magistrate of this state, the name and address of the person charged, and the offense charged.

The forgoing notwithstanding, no civil or criminal penalty may be imposed for failure to wear a face covering.

SECTION 9. 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.

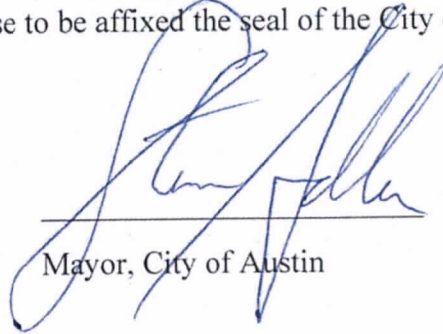
SECTION 10. The Austin Public Health Department and the City Clerk will post this Order on their websites. In addition, the owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.

SECTION 11. Exhibits. This Order incorporates by reference the following:

- Exhibit A:** Recommendations and Requirements by the Austin / Travis County Health Authority
- Exhibit B:** RESERVED
- Exhibit C:** Face Covering Behaviors
- Exhibit D:** Construction Requirements

SECTION 12. This Order is effective from 11:59 pm on June 15, 2020, through 11:59 p.m. on August 15, 2020.

ORDERED this the 15th day of June, 2020, in the City of Austin, Travis County, Texas, in witness whereof I subscribe my name and cause to be affixed the seal of the City of Austin.



Mayor, City of Austin

Filed with me, the City Clerk of the City of Austin, this 15th day of June, 2020, by Mayor Steve Adler, whose signature I hereby attest under my hand and the seal of the City of Austin.



City Clerk

Exhibit A

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, chills, muscle aches, loss of smell, loss of taste, shortness of breath, vomiting, 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 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 City of Austin 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 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 onset of their illness and at least three days (72 hours) after the conclusion of their illness (resolution of fever

without medications and improvement in cough and shortness of breath), whichever is longer.

B. Household Members of COVID-19 Positive Individuals, Suspected Positives, those currently being tested, or Untested Individuals with cough, fever, sore throat, chills, muscle aches, loss of smell, loss of taste, shortness of breath, vomiting, 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 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 City of Austin 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 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. Remain in home quarantine for at least 14 days following the last exposure to individuals with confirmed or suspected COVID-19.

C. 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, chills, muscle aches, loss of smell, loss of taste, shortness of breath, vomiting, 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 an Essential Business, Reopened Service, Government Service, or Critical Infrastructure, 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.

D. Vulnerable Populations

i. Vulnerable populations include people who:

a. Are 65 years old and older; or

b. Have certain health conditions such as heart disease, lung disease, diabetes, kidney disease, Human Immunodeficiency Virus (HIV), Acquired Immune Deficiency Syndrome (AIDS), and weakened immune systems.

ii. Vulnerable 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>

E. Individual Gatherings

i. All social indoor or outdoor gatherings outside of a single household or dwelling should be avoided or minimized. Gatherings of more than 10 persons (unless all participants are members of a single household or residence) are prohibited, except as expressly permitted by this Order or Executive Order GA-23.

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.

F. 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.

II. Reopened businesses shall operate only to the extent permitted by Texas Governor's Executive Order GA-26. While the City of Austin is declared to be in a Stage 4 Alert (or higher), all businesses and operations reopened by Governor's Executive Order GA-23 and/or GA-26 are strongly encouraged to operate a capacity less than otherwise permitted to make it more feasible for customers and staff to maintain proper social distancing within their establishment, and to provide services remotely or in a manner maximizing social distancing (e.g., curb-side pickup, delivery, etc.) as much as possible. Stage 4's primary indicator is a state where the seven-day-average of hospital admissions of COVID-19 patients is 20 or above. It also takes into consideration a number of supporting indicators, including case doubling time, testing positivity rate, and overall hospital capacity. Information can be found at <http://austintexas.gov/page/covid-19-risk-based-guidelines>. Despite the issuance of GA-26, local conditions in Travis County continue to exhibit an alarming upward trend of COVID-19 virus transmission and hospitalizations and businesses are encouraged to do everything they can, beyond the requirements of GA-26, to require social distancing and require face masking behaviors while the City remains in Stage 4.

III. Businesses and services permitted to operate by GA-26 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) customers or members of the public to the extent feasible while practicing Social Distancing and Hygiene and Face Covering behaviors as set forth in Sections 2 and 3 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. Frequently clean high-touch surface areas like countertops, doorknobs, and handrails with CDC recommended surface cleaners for COVID-19.
- xiv. Require and allow employees to practice the Face Covering Behaviors as set forth in Section 3 and **Exhibit C** of this Order.

No civil or criminal penalty will be imposed for failure to wear a face covering.

Exhibit B
RESERVED

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.**

No civil or criminal penalty will be imposed for failure to wear a face covering.

The public in general and Critical Infrastructure/Essential Business/Reopened Service employers and employees shall adhere to the following:

- a. All persons over the age of six shall wear some form of covering over their nose and mouth, such as a homemade mask, scarf, bandana or handkerchief, when:
 1. entering or inside any building open to the public,
 2. when using public transportation, taxis, or ride shares,
 3. when pumping gas, and
 4. outside and six feet of social distancing cannot be consistently maintained between the person and individuals outside of their household.
- b. This section shall not apply to persons that are:
 1. riding in a personal vehicle,
 2. that are alone in a separate single space,
 3. are in the presence only of other members of their household or residence,

4. when doing so poses a greater mental or physical health, safety or security risk such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance, or

5. for consumption purposes.

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 set forth in Section 3 of this Order (Face Covering Behaviors), 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 A**, 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 Section 3 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://traviscountytx.gov/news/2020/1945-novel-coronavirus-covid-19-information> and www.AustinTexas.gov/COVID19.

No civil or criminal penalty will be imposed for failure to wear a face covering.

EXHIBIT D

CONSTRUCTION REQUIREMENTS

1. The person in charge of the overall site ("Site Manager") shall ensure the following is implemented and maintained at the work site. For sites not large enough by virtue of physical size or number of workers, or which do not have a general contractor, the responsibilities of a Site Manager in this document are also conferred on each subcontractor on a site.

- a. Ensure workers practice the Social Distancing and Face Covering Behaviors as set forth in Sections 2 and 3 and **Exhibits A and C** of this Order during non-construction activities and, to the greatest extent possible, during construction activities, with careful attention paid to "choke points" and "high-risk areas" where workers are at greater risk to closely gather, such as hallways, hoists and elevators, and break areas;

(1) Follow healthy work practices in **Exhibit A**;

(2) Ensure all workers wear a fabric face covering, consistent with Section 3 and **Exhibit C**;

(3) For all construction sites within the City, except as noted, Site Manager shall:

- i. Institute staggered shifts for sites with more than 10 active workers and post at these sites, in languages understood by all persons working there, a notice showing the sizes and types of shift crews working there, and directions on how the Site Manager is limiting crew sizes and rotating shifts.

- ii. Every day before the commencement of work, for and understood by each worker, conduct a jobsite pre-screening of the general health of each worker, provide a briefing reiterating the COVID-19 safety requirements, and check for personal protective equipment.

- iii. Ensure that the site has at least one handwashing station with soap or hand sanitizer and one portable restroom stocked with hand soap and/or hand sanitizer with at least 60% alcohol for every 15 workers, and the handwashing station and restroom(s) must be spaced six feet apart or more from each other.

- iv. Mandate handwashing of at least twenty seconds for workers as follows:

- (a) Before workers begin work;
- (b) After workers remove gloves;
- (c) Before and after the use of shared items such as tools, electronic devices or multi-user devices;
- (d) Before and after any meal or restroom breaks; and
- (e) After a worker's shift or work time ends.

- v. Prohibit the use of community water coolers and provide individual water bottles or instruct workers to bring their own.
 - vi. Ensure that shared tools are disinfected between users, and that common areas (lunch and break areas, toolbox talk areas, large equipment, electronic devices etc.) and collective touch points (doorknobs, counters, keyboards, etc.) are cleaned and disinfected at least twice a day.
 - vii. Post in a conspicuous place or places on a site where notices to employees are customarily posted, once such signage is made available by the City, a sign in English and Spanish providing the Social Distancing and Hygiene and Face Covering Behaviors as set forth in Sections 2 and 3 and **Exhibits A** and **C** of this Order, the Requirements and Recommendations for Employees in **Exhibit A** of this Order, and information for workers to submit complaints of any violations.
 - viii. Provide single use disposable paper towels and no-touch trash receptacles.
 - ix. Keep toilets clean, sanitary and operational at all times and ensure proper disposal of waste from these facilities.
 - x. Designate a COVID-19 Safety Monitor who has the authority to enforce these rules and shall be on-site at all times. The contact information for the Safety Monitor must be made available to the City. The Safety Monitor may also be the Site Manager and shall advise the City if that is the case when providing their contact information.
- b. If a worker at a construction site is confirmed to have contracted COVID-19, the Site Manager shall immediately send the worker home, notify Austin Public Health, and follow all directions from Austin Public Health concerning that worker and workers that may have come in contact with the infected worker.
 - c. The Site Manager shall ensure that every worker who enters a jobsite has signed in and shall keep a list of and contact information for every worker that enters the jobsite every day for the purpose of identifying and notifying workers if they have shared a jobsite with someone who has been confirmed to have COVID-19.
 - d. All Construction Industry employers are encouraged to observe the following employment practices for the health of the workers, the health of the community generally, and for the benefit of the overall economy of the City:
 - (1) Take no adverse action against a worker who declines to work at a construction site if the worker believes in good faith that the site presents an imminent health risk of the worker or others due to COVID-19.
 - (2) Take no adverse action against a worker who has been quarantined, or advised to self-quarantine, due to possible exposure to COVID-19.

(3) Do not contest a claim for unemployment benefits filed by a worker temporarily furloughed as the result of the closure of a construction site due to COVID-19.

- e. Continuing review of health conditions. The City will continue to monitor closely the health condition of the community and the statistical models for the likely spread of the COVID-19 virus in the community on an ongoing basis. If this evidence indicates that the City's ability to provide adequate care for those with serious cases of COVID-19 is significantly compromised, additional emergency orders or guidance may be issued. All persons in the construction industry should be aware of this risk and are strongly encouraged to take all feasible steps to eliminate person-to-person contact at construction sites, and to practice the City's Social Distancing and Hygiene and Face Covering Behaviors at all times.

No civil or criminal penalty will be imposed for failure to wear a face covering.