



CITY OF KILLEEN
OFFICE OF THE MAYOR

Local Disaster Declaration for Public Health Emergency

COVID19

Directive #4

AMENDED ORDER AND DIRECTIVE ISSUED: July 1, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Killeen Mayor Jose Segarra issued a Declaration of Local Disaster for Public Health Emergency on March 18, 2020, due to a novel coronavirus now designated SARS-CoV2, which causes COVID-19; and

WHEREAS, the Killeen City Council authorized the extension of Mayor Jose Segarra's Declaration of Local Disaster for Public Health Emergency, including the authority of the Mayor to issue additional directives; and,

WHEREAS, Mayor Jose Segarra previously issued Directives #1-3 in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus, all of which have since lapsed; and,

WHEREAS, the transmission of COVID-19 remains a significant threat to the health and safety of the citizens of the City of Killeen as rates of confirmed cases continue to increase in Texas; and

WHEREAS, the ongoing evaluation of circumstances related to the virus and the updated recommendations of the Centers for Disease Control (CDC), the Texas Department of State Health Services and Bell County Public Health District warrant further action; and

WHEREAS, on June 17, 2020, Governor Greg Abbott clarified his plan to reopen Texas allows local governments to require businesses to adopt and enforce health policies that include face coverings;

THEREFORE, UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, MAYOR JOSE SEGARRA ORDERS:

Effective as of 12:01 a.m. on Thursday, July 2, 2020:

1. Health and Safety Policy - Commercial Entities

- a. All commercial entities in the City of Killeen providing goods or services directly to the public must develop and implement a health and safety policy.

- b. The health and safety policy must require, at a minimum, that all employees and 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 employees, co-workers or the public where six (6) feet of separation is not feasible.
- c. The health and safety policy 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.
- d. Commercial entities must post the health and safety policy in a conspicuous location sufficient to provide notice to employees and visitors of all health and safety requirements.
- e. Failure to develop and implement the health and safety policy within five (5) calendar days following the effective date of this directive may result in a fine not to exceed \$1,000 for each day a violation occurs.
- f. It is a defense to prosecution that the commercial entity operated a restaurant or bar and did not require a patron to wear a face covering while eating or drinking when the patron was at least six (6) feet away from person not in his or her party.

2. General Public

- a. That all persons ten (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 (6) feet away from other people or working in areas that involve close proximity with coworkers. The CDC advises face coverings for people two (2) years or older. Face coverings may include homemade masks, scarves, bandanas or handkerchiefs. Citizens should continue to maintain social distancing of at least six (6) feet while outside of their homes. Employees of the City of Killeen are also required to wear face coverings under the same circumstances as the general public.
- b. It is **STRONGLY RECOMMENDED** that you not obtain or wear medical masks or N-95 respirators as they are a needed resource for all health care providers and first responders. Healthcare workers and first responders on the front-line combatting COVID-19 must have priority access to medical masks or other personal protective equipment.
- c. Face coverings need not be worn in the following circumstances:
 - i. When exercising or engaging in physical activity;
 - ii. While driving alone or with passengers who are part of the same household as the driver;
 - iii. When doing so poses a greater mental or physical health, safety or security risk;
 - iv. While pumping gas or operating outdoor equipment;
 - v. While in a building or participating in an activity that requires surveillance, screening or identification, for example, banks; and
 - vi. When consuming food or drink.
- d. Please note that face coverings are a secondary strategy to other mitigation efforts. Face coverings **ARE NOT** a replacement for physical 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:
 - i. Washing hands before you leave home and when you return;
 - ii. Staying at least six (6) feet away from others;

- iii. Avoiding touching nose or face;
 - iv. Not using disposable masks more than three (3) times; and
 - v. Washing reusable masks regularly to prevent the spread of the virus.
- e. 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.

3. Severability

The sections, paragraphs, sentences, clauses and phrases of this Directive are severable and if any phrase, clause, sentence, paragraph or section of this Directive should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraph and sections that can be given effect without the invalid provision, and to this end, the provisions of this Directive are severable.

4. Interpretation and Additional Terms

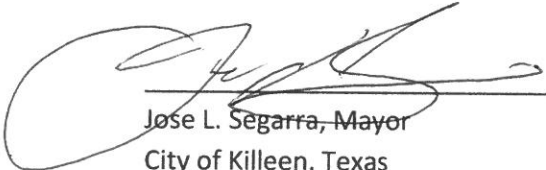
To the greatest extent possible, the Directive shall be interpreted as consistent with and supplemental to any executive order issued by the Texas Governor. All provisions of the executive orders of the Texas Governor either existing or as, if and when issued, which are made applicable to all jurisdictions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

5. Enforcement

Excepting section 2 of this Directive and in accordance with the limitations contained in the executive orders of Governor Greg Abbott, that any peace officer, code enforcement officer, health official or other person with lawful authority is hereby authorized to enforce the provisions of the Directive in accordance with the authority granted under the Texas Disaster Act of 1975.

- 6. This Order shall be effective until July 31, 2020, or until it is rescinded, superseded, or amended pursuant to applicable law.
- 7. The City of Killeen shall provide copies of this Order by posting on the City of Killeen website and by filing with the Killeen City Secretary.

DIRECTED AND ORDERED this 1st day of July, 2020.



Jose L. Segarra, Mayor
City of Killeen, Texas