

ORDER BY THE MAYOR OF THE CITY OF CLUTE

REQUIRING COMMERCIAL ENTITIES PROVIDING GOODS OR SERVICES DIRECTLY TO MANDATE THE WEARING OF FACE COVERINGS IN THEIR FACILITIES

WHEREAS, pursuant to Texas Government Code Section 418.108, Clute Mayor, the Honorable Calvin Shiflet, issued a Declaration of Local Disaster for Public Health Emergency on March 17, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19; and

WHEREAS, this Order was revised and renewed on April 6th and April 30, 2020; and

WHEREAS, on March 19th, April 9th and May 7, 2020 the City Council of the City of Clute ratified and continued the Declaration of Local Disaster for Public Health Emergency which indefinitely extended the Mayor's Declaration of Disaster until the Declaration is suspended by the Mayor or the City Council; and

WHEREAS, there continues to exist, a declaration of public health disaster for the State of Texas as previously declared by Governor Greg Abbott; and

WHEREAS, the transmission of COVID-19 has significantly increased in recent days, and remains a threat to the health and safety of the City's residents; and the rates of infection and hospitalizations continue to increase; and

WHEREAS, the Mayor has determined that extraordinary emergency measures must be taken to mitigate the spread of COVID-19; and

WHEREAS, the Mayor is authorized to control the occupancy of premises within the City in accordance with Section 418.08 (g) of the Texas Government Code; and

WHEREAS, it is the intent that this Order remain consistent and in harmony with previous Executive Orders issued by Texas Governor Greg Abbott, including the provisions of GA-28 which revises capacity requirements for multiple business types and require Local Government permission for Outdoor Gatherings of more than 100 persons.

NOW THEREFORE, I, CALVIN SHIFLET MAYOR OF THE CITY OF CLUTE, TEXAS, PURSUANT TO THE AUTHORITY VESTED BY 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 and they are hereby adopted and made a part hereof for all purposes.

SECTION 2. Effective as of ~~12:01 a.m. on June 29, 2020~~, and continuing until ~~11:59 p.m. on July 12, 2020~~, unless terminated or modified by an earlier order, the Mayor of the City of Clute, Texas, in the interest of public safety and welfare hereby **ORDERS** the following:

Mandatory Health and Safety Policy for Commercial Entities

From the date of this order all Commercial Entities within the City Limits of the City of Clute that provide goods or services directly to the public must develop and implement

a Health and Safety Policy ("Policy"). The Policy must require, at a minimum, that all employees and visitors, 10 years or older wear face coverings when in accessing areas of the commercial business entity's premises, that involve close contact or proximity to other employees or the members of the public, where six feet of separation is not feasible.

Face coverings required by this Order may include, but not be limited to, homemade masks, scarfs, bandanas, or handkerchiefs. The Policy required to be developed and implemented by this Order may include implementation of other measures designed to control and reduce the transmission of COVID-19.

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 of a business entity to develop and implement the Policy required by this Order on or before 12:01 a.m. on June 29, 2020 may result in a Citation for such violation which may include a Fine of up to \$1,000.

SECTION 3. The City must promptly provide copies of this Order by posting on the City website and file a copy of the Order with the City Clerk. 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 4. The City will enforce all provisions included in Governor Greg Abbott's Order GA-28 including the revision to capacity for certain businesses and the requirement for Local Government permission to hold mass gatherings.

SECTION 5. 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 6. In accordance with the limitations set forth in the Executive Orders of Governor Gregg Abbott, any law enforcement agency with jurisdiction in the City of Clute is hereby authorized to enforce this Order by the authority granted under Section 418.173 of the Texas Government Code.

SECTION 7. This Order shall be effective until 11:59 p.m. on July 12, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law, and applies to the incorporated limits of the City of Clute.

**FAILURE TO COMPLY WITH ANY OF THE PROVISIONS OF THIS ORDER
CONSTITUTES AN IMMINENT THREAT TO PUBLIC HEALTH.**

DULY ORDERED this the 26th day of June 2020, in the City of Clute, Texas.


Hon. Calvin Shiflet, Mayor