



ORDER OF BALCH SPRINGS MAYOR CARRIE F. GORDON ON SAFE BUSINESS PRACTICES

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins issued a Declaration of Local Disaster for Public Health Emergency on March 12, 2020, due to a novel coronavirus now designated SARS-CoV2 which causes the disease COVID-19;

WHEREAS, on March 12, 2020, Judge Jenkins issued an Order in furtherance of his authority to protect the safety and welfare of the public by slowing the spread of the virus;

WHEREAS, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

WHEREAS, the Declaration of Local Disaster for Public Health Emergency has been continued several times with the consent of the Dallas County Commissioners Court, most recently by Court Order No. 2020-0643 that extends the Declaration of Local Disaster until 11:59 p.m. on August 4, 2020, unless rescinded by order of the Commissioners Court.

WHEREAS, on March 24, 2020, the World Health Organization indicated that the United States has the potential to become the center of the COVID-19 pandemic;

WHEREAS, on April 27, 2020, Governor Abbott issued an Executive Order reopening certain business in Texas for in-person services so long as certain workplace safety rules are followed;

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, on June 16, 2020, Dallas County Judge Clay Jenkins issued a Supplemental Order on Continuing Requirements After Expiration of Stay Home, Stay Safe;

WHEREAS, a Declaration of Disaster was issued by then Balch Springs Mayor Steven Gorwood;

WHEREAS, the Declaration of Disaster was extended by the Balch Springs City Council to coincide with either the County or the State Disaster Declarations on April 13, 2020;

WHEREAS, Balch Springs Mayor Carrie F. Gordon issued an Executive Order relative to required notices for evictions on June 15, 2020, which order was enacted into an ordinance on June 22, 2020;

WHEREAS, it has been determined that the City of Balch Springs should have a similar Order relative to necessary safety precautions in regards to the operation of businesses;

WHEREAS, this Order is necessary to protect the lives, health, welfare, and safety of the City's residents from the devastating impacts of this pandemic;

THEREFORE, Mayor Gordon hereby ISSUES the following Order as follows:

**PURSUANT TO THE TEXAS DISASTER ACT OF 1975, BALCH SPRINGS MAYOR CARRIE F. GORDON
HEREBY ISSUES THIS EXECUTIVE ORDER AS FOLLOWS:**

1. Effective as of 11:59 p.m. on July 1, 2020, ("Effective Date") and continuing until the termination of the Declaration of Disaster under which this is issued:

- a. From the Effective Date of this Order, all commercial entities in the City of Balch Springs 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 in an area or while 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 Order may also include the implementation of other mitigating measures designed to control or 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 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 Order within five (5) calendar days following the Effective Date of this Order may result in a fine not to exceed \$500 for each violation
- b. 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 or working in areas that involve close proximity with other co-workers. The CDC advises face coverings for people 2 years or older. Face coverings may include homemade masks, scarfs, bandanas, or a handkerchief. Balch Springs residents should continue to maintain social distancing of at least six feet while outside their home. **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:
 - i. When exercising outside or engaging in physical activity outside
 - ii. While driving alone or with passengers who are party 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 activity that requires security surveillance or screening, for example, banks
 - vi. When consuming food or drink

2. 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:

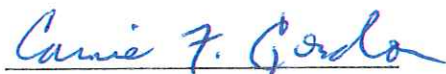
- i. Washing hand before you leave home and when you return
- ii. Staying at least six feet away from others
- iii. Avoiding touching nose or face
- iv. Not using disposable masks more than three times, and
- v. Washing reusable cloth masks regularly to prevent the spread of the virus.

3. In addition to authorized Peace Officers, the Code Enforcement Officers of the City of Balch Springs are hereby authorized to enforce this order, up to and including the issuance of citations. Code Enforcement Officers may initiate an administrative suspension of the Certificate of Occupancy for such business upon observation of a violation of this Order, regardless of criminal conviction. If such Certificate of Occupancy is suspended, the duration of such suspension shall be for the duration of the Declaration of Disaster under which this Order is issued or the posting of a \$5,000 bond in a form acceptable to the City and conditioned upon compliance with this Order, whichever comes first.

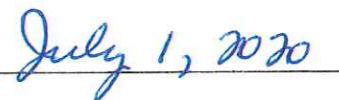
4. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

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.

IT IS SO ORDERED



Date:



CARRIE F. GORDON, PhD

MAYOR OF BALCH SPRINGS, TEXAS

EMERGENCY MANAGEMENT DIRECTOR