

**ORDER BY THE COUNTY JUDGE OF TRAVIS COUNTY****County Judge Order 2020-24,****Relating to COVID-19 and the implementation of Modified Operations**

Whereas, on March 6, 2020, a Declaration of Local Disaster was issued by the Travis County Judge to allow the County of Travis (“County” or “Travis County”), Texas, to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Travis County residents, and

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

Whereas, on October 7, 2020 the Governor issued Executive Order GA-32 (“GA-32”), related to the reopening of services and business, with reduced occupancy limits and gathering restrictions for individuals and businesses, as well as continuing recommended health protocols and social distancing measures to attempt to mitigate increased transfer of COVID-19 associated with the expanding commercial and social interactions, and

Whereas, GA-32 prohibits any outdoor gathering in excess of 10 people, except as specifically exempted in paragraphs 1, 3 and 4 of GA-32, or unless approved by the county judge or mayor, subject to conditions and restrictions not inconsistent with GA-32, and

Whereas, GA-32 further prohibits bars or similar establishments that hold a permit from the Texas Alcoholic Beverage Commission (“TABC”) from operating unless the County Judge opts in and allows bars and similar establishments to operate by filing the requisite form with TABC, and the Travis County Judge has not authorized bars or similar establishments to open in Travis County, and

Whereas, on December 15, 2020, the County Judge issued Order 2020-21, effective December 16, 2020, prohibiting any gatherings in excess of 10 people, requiring face coverings, except as permitted by the Governor’s orders, and for businesses that provide goods or services directly to the public to develop and implement a Health and Safety Policy related to preventing the transmission of the COVID-19 virus, and

Whereas, as of December 28, 2020, Travis County has experienced 48,951 confirmed cases of COVID-19 and 542 deaths as a result of the disease,

Whereas, as of December 28, 2020, Williamson County has experienced 19,519 confirmed cases of COVID-19 and 198 deaths,

Whereas, as of December 29, 2020, the number of hospitalizations in Austin-Travis County was 434, and the ICU capacity in Austin/Travis County is at 69% of the estimated

maximum availability for COVID-19 patients, which is having a detrimental effect on the area's health system, and

Whereas, on December 29, 2020, the 7-day rolling average of new hospitalizations in Travis County was 63, and

Whereas, on December 23, 2020, the County entered the Stage 5 Risk Level based on the recommendations of the Health Authority due to the continued increase in the 7-day rolling average of new hospitalizations and other contributing indicators, and

Whereas, Dr Mark Escott, the interim Health Authority for Austin/Travis County, continues to encourage people to stay home except when necessary, and to wear face coverings to provide for the safety of the public while businesses are reopening and when individuals are outside their household, and

Whereas, the virus that causes COVID-19 is contagious and spreads through person-to-person contact, especially in group settings, and

Whereas, wearing a face covering continuously and spacing at least six feet apart when outside of one's household is necessary to reduce the spread of COVID-19,

Whereas, Governor Abbott's Executive Order GA-29, County Judge Order No 2020-21, and the Health Authority Rules allow for an exception to the face covering requirement when a person is seated at a restaurant to eat or drink, and

Whereas, because the wearing of a face covering and physical distancing is not possible while individuals are seated together and dining at a restaurant or similar establishment, thereby increasing the risk of spreading COVID-19, the need to modify operations at businesses providing dine-in food and beverage service during the hours of 10 30 P M and 6 00 A M for the term of this Order is necessary to protect the community and slow the spread of the COVID-19 virus, and

Whereas, the New Year's holiday presents a significant health risk due to the increased potential for large social gatherings at restaurants, hotels and households, and

Whereas, restrictions on social gatherings during the New Year's holiday is necessary to help prevent a surge in new cases and corresponding increases in hospitalizations that will overwhelm current hospital and ICU capacity, and

Whereas, the County Judge has determined that extraordinary emergency measures must be taken to try and mitigate the effects of this public health emergency and to facilitate a response to the public health threat in order to protect the health and safety of the community, and

Whereas, pursuant to Government Code section 418 108(g), a County Judge is authorized to control ingress and egress from a local disaster area, and control the movement of persons and the occupancy of premises in that disaster area, and

Whereas, an order that controls ingress and egress from a local disaster area, and controls the movement of persons and the occupancy of premises in that disaster area is needed for the duration of this Order to protect the health and safety of all individuals in the County of Travis, by modifying dine-in services to slow the spread of the virus, and

Whereas, this Order shall cover all individuals currently living within Travis County, including but not limited to all of the cities and municipalities within the boundaries of Travis County and specifically listed in **Exhibit A**

NOW THEREFORE, I, COUNTY JUDGE OF TRAVIS COUNTY, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY FIND AND ORDER THAT

Effective as of 10 30 P M on December 31, 2020, and continuing through 6 00 A M on January 3, 2021 ("Effective Date"), that in the County of Travis

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 Modified Operations for Dine-In Food and Beverage Services
Because the wearing of a face covering and physical distancing is not possible while individuals are seated together and dining, thereby increasing the risk of spreading the COVID-19 virus, a business must end indoor and outdoor dine-in food and beverage service at 10 30 P M but may continue to operate after 10 30 P M using drive-thru, curbside pick-up, take-out, or delivery services Dine-in food and beverage service may resume beginning at 6 00 A M Also, all dine-in food and beverage service providers are strongly encouraged to offer only drive-thru, curbside pick-up, take-out, or delivery services between 6 00 A M and 10 30 P M as recommended in Order No 2020-23

SECTION 3 The businesses described in Section 2 of this Order do not include religious services as defined by the Governor in GA-32

SECTION 4 The Austin Public Health Department and the Travis County 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 5 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

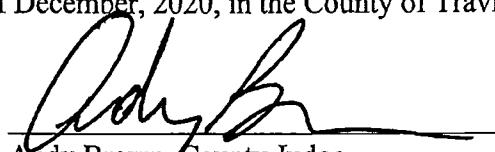
SECTION 6 ENFORCEMENT A violation of this Order may be punishable through civil or criminal enforcement, except as limited by state order The Travis County Sheriff's Office, the Travis County Fire Marshal's Office, and other peace officers are hereby authorized to enforce this Order and the Governor's Executive Orders A criminal violation of this Order is

a misdemeanor punishable by a fine not to exceed \$1,000, but not by confinement Criminal violations 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 the Order, which contains written notice of the name and address of the person charged, and the offense charged

SECTION 7 This Order does not supersede Order 2020-21 issued on December 15, 2020 To the extent there is a conflict between this Order and Order 2020-21, this Order shall prevail

SECTION 8 This Order incorporates by reference the following
a **Exhibit A-** List of cities within Travis County

ORDERED this the 29 day of December, 2020, in the County of Travis, Texas


Andy Brown, County Judge
County of Travis, Texas

Filed with the Clerk of Travis County, this 29 day of December, 2020

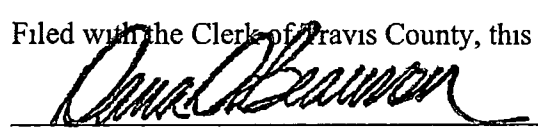

Dana DeBeauvoir, County Clerk

Exhibit A

List of Cities and Municipalities within Travis County Jurisdiction covered by the Order

- City of Austin
- City of Bee Cave
- City of Cedar Park
- City of Creedmoor
- City of Elgin
- City of Jonestown
- City of Lago Vista
- City of Lakeway
- City of Leander
- City of Manor
- City of Mustang Ridge
- City of Pflugerville
- City of Rollingwood
- City of Round Rock
- City of Sunset Valley
- City of West Lake Hills
- Village of Briarcliff
- Village of Point Venture
- Village of San Leanna
- Village of The Hills
- Village of Volente
- Village of Webberville



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**FILED AND RECORDED
OFFICIAL PUBLIC RECORDS**

Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
Travis County, Texas

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