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**NINTH ADDENDUM TO 8th DECLARATION OF
PUBLIC HEALTH EMERGENCY REGARDING COVID-19**

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WHEREAS, on June 3, 2020 the 8th Declaration of Local Disaster and Public Health Emergency was issued by Mayor Ron Nirenberg; and

WHEREAS, that Declaration essentially adopts and acknowledges Governor Greg Abbott's Executive Orders and the protocols established by the Strike Force to Open Texas; and

WHEREAS, the City Council indefinitely extended the 8th Declaration on June 11, 2020; and

WHEREAS, pursuant to the Texas Disaster Act of 1975, the County Judge has the authority to issue Executive Orders that apply to the entirety of Bexar County, including the City of San Antonio; and

WHEREAS, County Judge Nelson Wolff issued Executive Order NW-14 on August 12, 2020; and

WHEREAS, Governor Greg Abbott issued Executive Order GA-27, Executive Order GA-28 and a proclamation amending Executive Order GA-28 relating to mass gatherings, and Executive Order GA-29 in response to the spike in COVID-19 cases and stress on the health care system; and

WHEREAS, the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention issued on September 1, 2020 an Order for Temporary Halt in Residential Evictions To Prevent the Further Spread of COVID-19, published in the federal register and effective September 4, 2020 through December 31, 2020;

NOW THEREFORE:

1. Through this Addendum the City of San Antonio acknowledges and adopts Bexar County Executive Order NW-14, and its applicability, consistent with State law, to the City of San Antonio, and further acknowledges and adopts Governor Abbott's most recent Executive Orders GA-27, GA-28 and its amendments, and GA-29 as supplemental to San Antonio's 8th Declaration of Public Health Emergency Regarding COVID-19. This Addendum further identifies more stringent measures that are necessary to mitigate spread of the COVID-19 virus including adopting the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention Order for Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19, published in the Federal Register and effective on September 4, 2020.
2. **Health and Safety Policy – Commercial Entities.** From the date of Bexar County Executive Order NW-10, all commercial entities in Bexar County 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, 1) that all employees, customers or 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 co-workers or the public where six feet of separation is not feasible, 2) that the business prominently display a list of COVID-19 symptoms at or near the public and employee entrances of the premises. The Health and Safety Policy required to be developed and implemented by this Executive Order 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. Temperature screening is highly encouraged for employees, customers and for visitors to retail stores with volume and capacity levels that allow for practical implementation. Commercial entities must post the Health and Safety Policy required by this Executive Order in a conspicuous location sufficient to provide notice to employees, customers and visitors of all health and safety requirements.

Additionally, San Antonio businesses are strongly encouraged to take the “Greater, SAfer, Together” pledge which commits businesses to do the following:

- a. Use face coverings
- b. Practice physical distancing
- c. Conduct temperature checks
- d. Provide Hand sanitizer
- e. Follow CDC protocols
- f. Implement contactless payment when possible
- g. General COVID-19 awareness training for employees.

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Businesses that take the “Greater, SAfer, Together” pledge may post their commitment to facilitate compliance with the County’s policy posting requirement.

3. **Face Coverings.** All people 10 years or older shall wear a cloth face covering over their nose and mouth when in an indoor or outdoor public place where it is difficult to keep six feet away from other people such as visiting a grocery store/pharmacy, working in areas that involve close proximity with other coworkers, or whenever they are within six feet of someone that is not in their household. The CDC advises face coverings for people 2 years or older. Coverings may include homemade masks, scarfs, bandanas, or a handkerchief. Bexar County 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 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 personal protective equipment.

Face coverings do not need to be worn in the following circumstances:

- Due to a medical condition or disability
- While consuming food or drink or is seated at a restaurant to eat or drink
- When exercising outdoors and maintaining a safe distance from other people not in the same household
- When driving or with passengers of the same household as the driver

- When obtaining a service that requires temporary removal of the face covering for security or screening such as while visiting a bank or obtaining personal-care involving the face
- While in a pool, lake or similar body of water
- While voting, assisting a voter, serving as a poll watcher or actively administering an election, but a face covering is still strongly encouraged
- Religious worship, but wearing a face covering is strongly encouraged
- While giving a speech for broadcast

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:

- washing hands before you leave home and when you return,
- staying at least six feet away from others,
- avoiding touching nose or face,
- not using disposable masks more than three times, and
- washing reusable cloth masks regularly to prevent the spread of the virus.

Following a verbal or written warning for a first-time violator of this face-covering requirement, a person's second violation shall be punishable by a fine not to exceed \$250. Each subsequent violation shall be punishable by a fine not to exceed \$250 per violation.

Please visit the City of San Antonio COVID-19 website for additional information and helpful hints on the most effective way to use face coverings.

4. **Large Gatherings Prohibited.** All large gatherings or events estimated to be in excess of 10 people outdoors are prohibited.

Exceptions for this prohibition are listed below (1) through (13).

1. Any services listed by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) in its Guidance on the Essential Critical Infrastructure Workforce
2. Religious services
3. Local government operations
4. Child-care services
5. Youth camps
6. Recreational sports programs for youths and adults
7. Professional, collegiate, or similar sporting events
8. Swimming pools
9. Water parks
10. Museums and libraries
11. Zoos, aquariums, natural caverns, and similar facilities

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12. Rodeos and equestrian events

13. Amusement parks

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Occupancy limitations as set out by Executive Order GA-28 and a proclamation amending Executive Order GA-28 relating to mass gatherings apply. An entity or organizer of any large gatherings or events under excepted activities (6) through (13) must implement a Health and Safety Policy that requires all employees, visitors, or customers to the entity's premises or other facilities wear face coverings when in an area or 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, temperature/symptom screening, and protocols for maintaining social distancing during the gathering. Failure to develop and implement the Health and Safety Policy required by this Addendum may result in a fine not to exceed \$1,000 for each violation.


5. **Household Social Gatherings.** Household Social Gatherings, including family gatherings, shall not include more than 10 persons.
6. **Restaurants.** For dine-in services by restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages, such restaurants may only operate at up to 50 percent of the total listed occupancy of the restaurant.
7. **Bars.** People shall not visit bars or similar establishments that hold a permit from the Texas Alcoholic Beverage Commission (TABC) and are not restaurants as defined above in paragraph number 6; provided, however, that the use by such bars or similar establishments of drive-thru, pickup, or delivery options for food and drinks is allowed to the extent authorized by TABC.
8. **Rafting and Tubing Services.** People shall not use commercial rafting or tubing services, including rental of rafts or tubes and transportation of people for the purpose of rafting or tubing.
9. **Hospitals and Surgical Procedures.** Every hospital that is licensed under Chapter 241 of the Texas Health and Safety Code, located in the City of San Antonio, shall postpone all surgeries and procedures that are not medically necessary to diagnose or correct a serious medical condition of, or to preserve the life of, a patient who without timely performance of the surgery or procedure would be at risk for serious adverse medical consequences or death, as determined by the patient's physician; provided, however, that this prohibition shall not apply to any surgery or procedure that, if performed in accordance with the commonly accepted standard of clinical practice, would not deplete any hospital capacity needed to cope with the COVID-19 disaster.
10. **Long-term Care Facilities.** That in order to reduce the risk of transmission of COVID 19 among vulnerable populations in long-term care facilities: i) no person shall visit nursing homes, state supported living centers, assisted living facilities, and long-term care facilities unless to provide critical services, or for visitation, as determined through guidance from the Texas Health and Human Services Commission or other relevant state authority; and ii) excluding those individuals providing critical services, any individual providing non-critical in-person services or who is otherwise employed or staffs a long-term care facility (e.g. nursing home, or assisted living facility) and has direct patient contact shall be prohibited from working in, or visiting, more than one long-term care facility for any purpose as a result of the increased risk for transmission of COVID-19 to an at-risk population unless otherwise excepted by guidance issued by the Texas

Health and Human Services Commission or other relevant state authority. The prohibition shall extend to any agency or organization who employs individuals for purposes of staffing or on a temporary basis. Notwithstanding, this prohibition does not, and is not intended to, impact or restrict the ability of an individual, organization or entity to operate as an essential business under the orders of the Texas Governor, but shall only restrict the ingress/egress and movement of persons into or out of more than one nursing home facility when not necessary to provide critical services. Additionally, long-term care facilities should follow all additional CDC guidance to take proactive steps to protect the health of residents and preserve the health care workforce by identifying and excluding potentially infected staff members, conducting visitation consistent with the Texas Governor's executive orders, any applicable declaration of the Mayor of San Antonio and any Executive Order of the Bexar County Judge, ensuring early recognition of potentially infected patients, and implementing appropriate infection control measures.

11. **Temporary Halt in Residential Evictions.** A landlord, owner of residential property, or other person with legal right to pursue eviction or possessory action shall comply with the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention Order for Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19, published in the Federal Register on September 4, 2020 "CDC Order" for those Covered persons within the CDC Order. Pursuant to the CDC's Order, failure to comply may result in a fine not to exceed \$1,000 for each violation.
12. **Further Actions as Necessary.** Significant escalation in one or more of the Local Progress and Warning Indicators identified by the COVID-19 Community Response Coalition such as the number of daily cases, the need for case investigators and contact tracers, the number of patients hospitalized, in ICU, or on ventilators due to COVID-19 related complications, the Total Case Double Time, the COVID-19 weekly positivity rate (i.e., the percentage of lab tests that are positive for COVID-19), and the STRAC Health System Score may require the strengthening or addition of mitigation measures.

The Public Health Department will work with other community stakeholders to monitor the above criteria which have been identified as key factors to evaluate the effectiveness of control measures to mitigate spread of the COVID-19 virus.

Additionally, State health indicators, including the transmission of COVID-19, and the number of COVID-19-related hospitalizations and fatalities will be monitored and taken into consideration.


MAYOR RON NIRENBERG
City of San Antonio, Texas

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