



**ORDER BY THE MAYOR OF THE CITY OF PEARLAND (TR 8-5)**

**EXTENDING THE REQUIREMENTS OF ORDER TR-8 AS IT APPLIES TO REQUIRING COMMERCIAL ENTITIES PROVIDING GOODS OR SERVICES DIRECTLY TO THE PUBLIC TO DEVELOP A HEALTH AND SAFETY POLICY MANDATING THE WEARING OF FACE COVERINGS IN THEIR FACILITIES**

**WHEREAS**, pursuant to Texas Government Code Section 418.108, Pearland Mayor, Tom Reid, 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 the disease COVID-19; and

**WHEREAS**, on March 23, 2020 the City Council of the City of Pearland continued the Declaration of Local Disaster for Public Health Emergency indefinitely extending 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 not dissipated, but remains a significant 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**, the Mayor previously issued Orders TR 8, TR 8-1, TR 8-2, TR 8-3 and TR 8-4 requiring business entities to develop a health and safety policy mandating the wearing of face coverings, and Governor Greg Abbott subsequently issued Executive Order GA-29 as it applies to the requirement of the public to wear face coverings in certain circumstances; and

**WHEREAS**, it is the intent that this Order to extend the requirements of Order TR 8 to remain consistent with, and in harmony with GA-29 previously issued by Texas Governor Greg Abbott.



**NOW THEREFORE, I, MAYOR TOM REID FOR THE CITY OF PEARLAND, 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 by the Mayor and made a part hereof for all purposes.

**SECTION 2. SECTION 2.** Effective as of 12:00 a.m. on October 11, 2020, and continuing until 11:59 p.m. on November 7, 2020, unless terminated or modified by an earlier order, the Mayor of the City of Pearland, Texas, deems it in the public interest to order the extension of the requirements contained in Order TR-8 as described herein:

**Mandatory Health and Safety Policy for Commercial Entities.** From the date of this order, all commercial business entities in the City of Pearland that provide goods and 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 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 may result in a fine, not to exceed \$1000 for each violation.

**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 Secretary. 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. 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 4.** 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 Pearland is hereby authorized to enforce this Order by the authority granted under Section 418.173 of the Texas Government Code.

**SECTION 5.** This Order shall be effective until 11:59 p.m. on November 7, 2020 or until it is either rescinded, superseded, or amended pursuant to applicable law, and applies to the incorporated limits of the City of Pearland.

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

**ORDERED** this the 8<sup>th</sup> day of October, 2020, in the City of Pearland, Texas.

*Tom Reid*

Mayor Tom Reid

*10-8-2020*

Date