City of San Marcos

MAYOR'S THIRD PUBLIC HEALTH ADVISORY RELATED TO COVID-19
BY
CITY OF SAN MARCOS MAYOR
JANE HUGHSON

WHEREAS, on March 13, 2020, a Declaration of State of Disaster was issued by Governor 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, which was extended on April 12, 2020; and

WHEREAS, on March 15, 2020, a Declaration of Local Disaster was issued by San Marcos Mayor Jane Hughson to allow San Marcos to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of San Marcos residents utilizing state and federal resources made available with the Declaration, which was continued indefinitely by the City Council on March 17, 2020; and

WHEREAS, as of July 7, 2020, the level of community spread of COVID-19 in Hays County and within San Marcos is evidenced by more than 3,193 cumulative cases across the county including 1,806 in San Marcos and including 10 deaths across the county with 6 of those being in San Marcos; and

WHEREAS, the Governor issued Executive Order GA-29 effective July 3, 2020 requiring every person in Texas to wear a face covering over the nose and mouth when inside a commercial entity or other building or space open to the public, or when in an outdoor public space, whenever it is not feasible to maintain six feet of social distancing from another person not in the same household; and

WHEREAS, as Texas reopens in the midst of COVID-19, increased spread is to be expected, and the key to controlling the spread and keeping Texans safe is for all people to consistently follow good hygiene and social-distancing practices; and

WHEREAS, due to recent substantial increases in COVID-19 positive cases, and increases in the COVID-19 positivity rate and hospitalizations resulting from COVID 19, further measures are needed to achieve the least restrictive means for reducing the growing spread of COVID-19, and to avoid a need for more extreme measures; and

WHEREAS, the undersigned has joined the medical experts in consistently encouraging people to use face coverings, and health authorities have repeatedly emphasized that wearing face coverings is one of the most important and effective tools for reducing the spread of COVID-19; and

WHEREAS, given the current status of COVID-19 in San Marcos, requiring the use of face coverings is a targeted response that can combat the threat to public health using the least restrictive means, and if people follow this requirement, more extreme measures may be avoided; and

WHEREAS, wearing a face covering is important not only to protect oneself, but also to avoid unknowingly harming fellow Texans, especially given that many people who go into public may have COVID-19 without knowing it because they have no symptoms; and

THE CITY OF SAN MARCOS

MAYOR'S THIRD PUBLIC HEALTH ADVISORY RELATED TO COVID-19, July 7, 2020

WHEREAS, the Centers on Disease Control and Prevention ("CDC") recommends an "All of Community" approach focused on slowing the transmission of COVID-19; and

WHEREAS, on April 1, 2020 San Marcos Mayor Jane Hughson issued "STAY HOME TO SAVE LIVES", the **MAYOR'S FIRST PUBLIC HEALTH ADVISORY,** and

WHEREAS, on April 21, 2020 San Marcos Mayor Jane Hughson issued the **MAYOR'S SECOND PUBLIC HEALTH ADVISORY,** and

WHEREAS, because of the risk of the rapid spread of the virus, and the need to protect ALL members of the community, this **MAYOR'S THIRD PUBLIC HEALTH ADVISORY**; builds upon the **MAYOR'S FIRST AND SECOND PUBLIC HEALTH ADVISORIES** and **strongly recommends that all individuals within San Marcos wear a face mask or homemade cloth face covering at all times when in public**; and

WHEREAS, failure to comply with any Executive Order issued during the COVID-19 disaster is an offense punishable by fine under Section 418.173 of the Texas Government Code and local governments are authorized to enforce any Executive Order.

NOW, THEREFORE, UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, I, JANE HUGHSON, MAYOR OF SAN MARCOS HEREBY STRONGLY RECOMMEND AS FOLLOWS:

SECTION 1. WEAR A FACE COVERING

Every person in San Marcos, whether resident or visitor, shall wear a face covering over the nose and mouth when inside a commercial entity or other building or space open to the public, or when in an outdoor public space, wherever it is not feasible to maintain six feet of social distancing from another person not in the same household; provided, however, that this face-covering requirement does not apply to the following:

A. any person younger than 10 years of age;

B. any person with a medical condition or disability that prevents that person from wearing a face covering;

C. any person while the person is consuming food or drink, or is seated at a restaurant to eat or drink;

D. any person while the person is (a) exercising outdoors or engaging in physical activity outdoors, and (b) maintaining a safe distance from other people not in the same household;

E. any person while the person is driving alone or with passengers who are part of the same household as the driver;

F. any person obtaining a service that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a personal care service involving the face, but only to the extent necessary for the temporary removal;

G. any person while the person is in a swimming pool, lake, or similar body of water;

H. any person who is voting, assisting a voter, serving as a poll watcher, or actively administering an election, but wearing a face covering is strongly encouraged;

I. any person who is actively providing or obtaining access to religious worship, but wearing a face covering is strongly encouraged;

J. any person while the person is giving a speech for a broadcast or to an audience; or

Also included in this face covering requirement is any person attending a protest or demonstration involving more than ten people who is not practicing safe social distancing of six feet from other people not in the same household.

SECTION 2. PHYSICAL (SOCIAL) DISTANCING

All persons in the City of San Marcos should stay at least six feet (about 2 arms' length) from other people who are not from their household in both indoor and outdoor spaces. According to the Centers on Disease Control and Prevention, COVID-19 spreads mainly among people who are in close contact (within about six feet) for a prolonged period. Spread happens when an infected person coughs, sneezes, or talks, and droplets from their mouth or nose are launched into the air and land in the mouths or noses of people nearby. The droplets can also be inhaled into the lungs. Recent studies indicate that people who are infected but do not have symptoms likely also play a role in the spread of COVID-19. Since people can spread the virus before they know they are sick, it is important to stay at least six feet away from others when possible, even when no symptoms are evident. Social distancing is especially important for people who are at higher risk for severe illness from COVID-19. Gatherings among persons of the same household should also be limited to no more than ten persons and include practicing physical social distancing by staying six feet apart and good personal hygiene practices as recommended by the Centers for Disease Control and Prevention.

SECTION 3. FOLLOW GUIDELINES PROVIDED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION

All persons travelling to or from essential services or providing essential services in the City of San Marcos should follow the recommendations of the Centers on Disease Control and Prevention regarding

A. Environmental sanitation and cleanliness.

B. Staying home when sick. If a person needs a doctor, they should call their doctor's office before arrival.

C. Avoid touching eyes, nose, or mouth unless hands are very clean. Wash hands for 20 seconds several times per day and after touching objects in public.

SECTION 4. LIMIT CONTACT WITH THE PUBLIC

A. Residents should only leave home when necessary to obtain or provide essential services while minimizing the number of trips away from home with as few people as possible.

B. Residents should use online ordering and curbside services when possible.

C. Residents should pay online, accept deliveries at the front door while maintaining six feet of physical (social) distancing, bank online or use the ATM when possible, and use drive-through options for prescriptions when possible, in order to limit in-person contact as much as possible.

D. Residents should also take advantage of Retail-to-go services made available by local vendors both in support of the local economy and the needs of households.

SECTION 5. LIMIT CONTACT WITH PUBLIC SURFACES

Residents are reminded to

A. Wash hands for at least 20 seconds upon arrival at home or after touching anything others may have touched which includes gas pump and door handles.

B. Use hand sanitizer when hand washing is not possible.

C. Sanitize before and after touching any keypad.

D. Use gloves or disinfecting wipes on any handle or button before touching it.

SECTION 6. ENFORCEMENT

Local governments are authorized to enforce Executive Orders. Any person who violates the requirement to wear a face covering in the City of San Marcos is subject to a fine. Following a verbal or written warning for a first-time violator of the 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.

SECTION 7. ADDITIONAL RECOMMENDATIONS

A. **Prior Orders**. This **MAYOR'S THIRD PUBLIC HEALTH ADVISORY**, at the time and on the date for commencement of this **MAYOR'S THIRD PUBLIC HEALTH ADVISORY**, shall supplement the **MAYOR'S FIRST AND SECOND PUBLIC HEALTH ADVISORIES**, executed on April 1, 2020 and april 21, 2020, respectively; and shall be applicable on a City-wide basis.

B. **Notice to Public.** This **MAYOR'S THIRD PUBLIC HEALTH ADVISORY** shall be widely advertised to help accomplish the public health and safety objectives of the City of San Marcos and the Hays County Local Health Department.

SIGNED this the 9th day of July, 2020.

Jane Hughson

Jane Hughson

Mayor, City of San Marcos

Attest:

Elizabeth Trevino

Elizabeth Trevino

Interim Deputy City Clerk