



BEXAR COUNTY



SUPPLEMENTAL EXECUTIVE ORDER NW-06 OF
COUNTY JUDGE NELSON W. WOLFF ISSUED April 17, 2020

WHEREAS, pursuant to Texas Government Code Section 418.108, Bexar County Judge Nelson W. Wolff declared a state of local disaster on March 13, 2020 due to imminent threat arising from COVID-19;

WHEREAS, in accordance with Texas Government Code Section 418.108(b), on March 18, 2020, the Bexar County Commissioners Court approved an Order Continuing Declaration of State of Local Disaster for Bexar County (hereafter, the “*Order of Continuation of Declaration*”);

WHEREAS, in accordance with Texas Government Code Section 418.108(b), the consent by Commissioners Court authorizes the Bexar County Judge to continue to exercise the powers granted by the Texas Disaster Act of 1975 for the period specified in the Order of Continuing Declaration;

WHEREAS, on March 13, 2020, Texas Governor Greg Abbott issued a declaration of public health disaster in and for the State of Texas;

WHEREAS, on March 18, 2020 the Bexar County Commissioners Court approved the Order of Continuation of Declaration and authorized the Bexar County Judge to take such actions as are necessary in order to protect the health, safety and welfare of the citizens of Bexar County;

WHEREAS, the County Judge has determined that extraordinary emergency measures must be taken to mitigate the effects of this public health emergency and to facilitate a response to the public health threat;

WHEREAS, a County Judge is authorized to control ingress to and egress from a disaster area and control the movement of persons and occupancy of premises on an appropriate local scale in accordance with Section 418.108(g) of the Texas Government Code and his authority as Emergency Management Director;

WHEREAS, the continued spread of COVID-19 by pre- and asymptomatic individuals is a significant concern in Bexar County and on April 3, 2020, the Centers for Disease Control & Prevention (CDC) recommended cloth face coverings be worn by the general public to slow the spread of COVID-19 and implementing this measure would assist in reducing the transmission of COVID-19 in San Antonio and Bexar County;

WHEREAS, in order to align with CDC and Metro Health recommendations and to add a secondary measure to the directives to maintain social distancing and proper hygiene and in order to reduce the spread of COVID-19 in and around Bexar County, County Judge Nelson W. Wolff issues this Supplemental Executive Order NW-06 to set forth the additional requirement of wearing a cloth face covering while in public under the circumstances identified below and to implement certain other measures; and

WHEREAS, by the authority vested in me as Bexar County Judge and as the Emergency Management Director for the County of Bexar and in order to continue to protect the health and safety of the community and address developing and the rapidly changing circumstances when presented by the current public health emergency, I hereby issue this Supplemental Executive Order pursuant to the Texas Disaster Act of 1975, *which shall supplement but not replace or rescind my previous Executive Order NW-05.*

PURSUANT TO THE TEXAS DISASTER ACT OF 1975, BEXAR COUNTY JUDGE NELSON W. WOLFF HEREBY ISSUES THIS SUPPLEMENTAL EXECUTIVE ORDER AS FOLLOWS:

1. Effective as of 11:59 p.m. on April 19, 2020 (the “*Effective Date*”) and continuing through 11:59 p.m. on April 30, 2020, unless extended, modified or terminated early by Bexar County Judge Nelson W. Wolff or as otherwise indicated below:
 - a) **Cloth Face Coverings**. As of the Effective Date, all people 10 years or older must wear a cloth face covering over their nose and mouth when in a public place where it is difficult to keep six feet away from other people such as visiting a grocery store/pharmacy or working in areas that involve close proximity with other coworkers. Coverings may include homemade masks, scarfs, bandanas, or a handkerchief. Residents must continue to maintain social distancing of at least six feet while outside their residence.

As of the Effective Date, employers that are Exempted Businesses under Executive Order NW-05 must provide face coverings and training for appropriate use to employees who are working in an area or activity which will necessarily involve close contact or proximity to co-workers or the public.

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:

- When exercising outside or engaging in physical activity outside.
- While driving alone or with passengers who are part of the same household as the driver.
- When doing so poses a greater mental or physical health, safety or security risk.
- While pumping gas or operating outdoor equipment.
- While in a building or activity that requires security surveillance or screening, for example, banks.
- When consuming food or drink.

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 must keep up the following habits while in public:

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

Remember that the best protection is to stay at home. 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 <https://www.sanantonio.gov/Health/News/Alerts/CoronaVirus#281783827-faq>

- b) **Emergency Maximum Occupancy.** “Food, Household Staples and Retail” Exempted Businesses means food service and food distribution providers including grocery stores, warehouse stores, big-box stores, liquor stores, bodegas, gas stations, and farmers' markets that sell food products and household staples (Section 2 (i)(b)(vii) of the Stay Home Work Safe Executive Order NW-05 of County Judge Nelson W. Wolff).

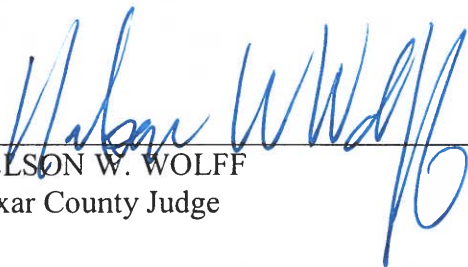
As of the Effective Date, the occupancy of all operating Food, Household Staples and Retail Exempted Businesses, shall be:

- a. **25% of the Certificate of Occupancy limit.**

The Food, Household Staples and Retail Exempted Businesses shall conspicuously post the applicable maximum occupancy. If the Food, Household Staples and Retail Exempted Business has reached the maximum occupancy or expects to reach the maximum occupancy, then it must post staff at store entrances and exits to ensure compliance with the occupancy limit.

- c) **Golf Courses.** Consistent with guidance issued by the Texas Attorney General, as of the date of this Supplemental Executive Order, private golf courses may allow the playing of golf only if there are no equipment rentals, caddies, or other golf course personnel involved. Social distancing must be maintained. Grounds keeping may continue and food sales may continue consistent with the rules for restaurants.
2. That any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Supplemental Executive Order in accordance with the authority granted under the Texas Disaster Act of 1975. Any person who violates this Supplemental Executive Order may be subject to a fine not to exceed \$1,000.
 3. The sections, paragraphs, sentences, clauses and phrases of this Supplemental Executive Order are severable and if any phrase, clause, sentence, paragraph or section of this Supplemental Executive Order should be declared invalid by the final judgment or decree of any court or competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections that can be given effect without the invalid provision, and to this end, the provisions of this Supplemental Executive Order are severable.
 4. The provisions of this Supplemental Executive Order shall hereafter constitute and act as a supplement to Executive Order NW-05.

ORDERED this 17th day of April, 2020


NELSON W. WOLFF
Bexar County Judge

FILE INFORMATION

Document Number: 26793
Date/Time: 4/17/2020 1:10:19 PM
Total Pages: 4
FILED IN THE OFFICIAL PUBLIC
RECORDS OF BEXAR COUNTY
LUCY ADAME – CLARK
BEXAR COUNTY CLERK
Total Fees: \$0.00



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Receipt Number: 20200417000477

Status: ORIGINAL COPY

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Total Documents : 1

Total: \$0.00

Payment Method	Payment ID	Authorization #	Amount
			\$0.00

Tender Subtotal:

Total Payments: \$0.00

: \$0.00

Change Due: \$0.00

Client Name: BEXAR COUNTY COMMISSIONERS
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Date: 04/17/2020 | 01:10PM

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