

**CITY OF BRYAN, TEXAS**  
**ORDER NUMBER THREE UNDER**  
**MAYORAL DECLARATION OF LOCAL STATE OF DISASTER**  
**DUE TO PUBLIC HEALTH EMERGENCY**

**WHEREAS**, beginning in December 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, has been declared a global pandemic by the World Health Organization; and

**WHEREAS**, the symptoms of COVID-19 can range from mild to severe illness and cause further complications including death; and

**WHEREAS**, COVID-19 virus mainly spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

**WHEREAS**, on March 13, 2020, the Governor of the State of Texas issued a proclamation certifying that COVID-19 poses an imminent threat of disaster in the state and declaring a state of disaster for all counties in Texas; and

**WHEREAS**, on March 13, 2020, stating that extraordinary measures must be taken to contain COVID-19 and prevent its spread throughout Brazos County, the Judge of Brazos County issued a proclamation declaring a state of disaster for Brazos County, Texas;

**WHEREAS**, said state of disaster requires that certain emergency protective measures be taken pursuant to the Texas Disaster Act of 1975 relating to Emergency Management and Public Health, pursuant to Chapter 418 of the Texas Government Code;

**WHEREAS**, the Governor has ordered more stringent measures and acknowledged that cities may need to enact more stringent measures to address this public health emergency;

**WHEREAS**, on March 16, 2020, President Trump acknowledged the gravity of the COVID-19 pandemic, releasing strict new guidelines to limit people's interactions, including that Americans should avoid groups of more than 10 people;

**WHEREAS**, on March 17, 2020, I, as Mayor of the City of Bryan, issued a Mayoral Declaration of Local State of Disaster Due to Public Health Emergency;

**WHEREAS**, on March 18, 2020, I, as Mayor of the City of Bryan, issued a Mayoral Order Under Declaration of Local State of Disaster Due to Public Health Emergency closing bars and restaurants (except for drive through, take out and delivery service) and limiting public gatherings to no more than ten people;

**WHEREAS**, on March 23, 2020, I, as Mayor of the City of Bryan, issued Mayoral Order Number Two (amended) Under Declaration of Local State of Disaster Due to Public Health Emergency, ordering all Bryan residents to shelter in place as set out below;

**WHEREAS**, on March 24, 2020, the Bryan City Council voted unanimously to extend the Mayoral Order Under Declaration of Local State of Disaster Due to Public Health Emergency for an indefinite period of time;

**WHEREAS**, on April 27, 2020, Governor Abbott issued an Executive Order reopening certain businesses in Texas for in-person services so long as certain workplace safety rules were followed;

**WHEREAS**, on June 23, 2020, Governor Abbott issued a Proclamation amending paragraph 5 of Executive Order 26 reducing the number of outdoor gatherings from 500 to 100 that Mayors and County Judges can impose additional restrictions on;

**WHEREAS**, on June 25, 2020, Governor Abbott announced that the State of Texas will pause any further phases to reopen Texas as the State responds to the recent increase in positive COVID-19 cases and hospitalizations;

**WHEREAS**, on June 25, 2020, Governor Abbott issued Executive Order GA-27 postponing 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 in four (4) counties in Texas that currently have high rates of COVID-19;

**WHEREAS**, on June 26, 2020, Governor Abbott issued Executive Order GA-28 which closed all bars and reduced dine-in occupancy to fifty percent (50%) capacity;

**WHEREAS**, the transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the residents of the City of Bryan and rates of infection are increasing at an alarming rate and the number of people ending up in the hospital, ICU, or on ventilators is also dramatically rising despite efforts by local authorities to control the spread;

**WHEREAS**, this Order is necessary to stress the importance to everyone that it is time to unite to protect the lives, health and financial welfare of the City of Bryan and the State of Texas; seeming as though every day we take a step backward toward devastation instead of forward towards prosperity; and

**NOW, THEREFORE**, I, Andrew Nelson, Mayor of the City of Bryan, by virtue of the power vested in me by the Constitution and laws of the State of Texas and in accordance with guidance from the Brazos County Health Authority and the Brazos County Health District, as well as additional input from medical, business and government staff, as well as other elected officials within Brazos County, do hereby order as follows:

**Effective within five (5) days from the date of issuance of this Order, all Businesses “Commercial Entities”, whether they have public contact or not, must implement**

**a “Health and Safety Policy” that provides for requiring Face Coverings and Social Distancing Protocols. This Policy must be posted in a conspicuous place on the outside of the business to alert all who enter the business of the policy.**

**All individuals over the age of ten (10) years of age, including employees, customers, visitors, invitees and contractors who are out in public and/or entering a place of business shall use all reasonable efforts to comply with the Face Coverings and Social Distancing Protocols of businesses. All individuals over the age of ten (10) years of age shall also use all reasonable efforts in general when not in businesses but in public places by practicing social distancing recommendations of maintaining six feet (6’) of separation or by wearing face coverings when this is not feasible.**

**Face Coverings** may include homemade masks, scarfs, bandanas, or a handkerchief and should cover the nose and mouth of the wearer.

This Order acknowledges that face coverings are not “reasonable” in all situations such as:

- When eating or drinking.
- 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.
- When operating outdoor equipment.
- While outside or engaging in physical activity outside.
- While in a building or activity that requires security surveillance or screening, such as a bank.

Please note that face coverings are a secondary strategy to mitigation efforts. Face coverings are not a replacement for social distancing, frequent handwashing, and self-isolation when sick. All individuals should follow CDC recommendations for how to wear and care for face coverings.

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 your face.
- Not using disposable masks more than three times.
- Washing reusable cloth masks regularly to prevent the spread of the virus.

Consistent with Executive Order GA-26 issued by Governor Greg Abbott, no civil or criminal penalty will be imposed on individuals for failure to wear a face covering.

Additionally, at this time, no civil or criminal penalty will be imposed on businesses who do not comply with this Order (subject to change).

The City of Bryan must promptly provide copies of this Order by posting it on the City of Bryan website. 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.

That this order takes effect at 12:01 a.m., Tuesday, June 30, 2020, and remains in effect until rescinded.

For a sample "Health and Safety Policy" or a "notice template", please visit:

<https://docs.bryantx.gov/coronavirus/masks/EXAMPLE-HEALTH-AND-SAFETY-POLICY.pdf>

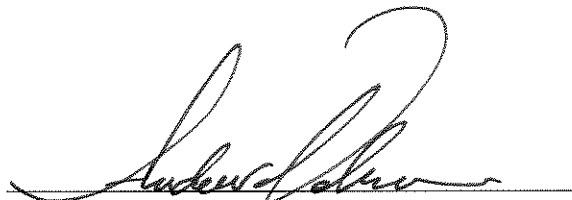
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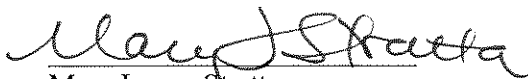
Voluntary compliance is requested, needed and expected from everyone.

**ORDERED** this 26<sup>th</sup> day of June, 2020.



Andrew Nelson, Mayor  
City of Bryan, Texas

Attest:



Mary Lynne Stratta  
City Secretary

