



## DALLAS COUNTY

### **ORDER OF COUNTY JUDGE CLAY JENKINS ON REQUIRED USE OF A FACE MASK IN CERTAIN PUBLIC SPACE**

DATE ORDER ISSUED: August 11, 2021

WHEREAS, pursuant to Texas Government Code Section 418.108, Dallas County Judge Clay Jenkins declared a state of local disaster on March 12, 2020, due to imminent threat arising from COVID-19;

WHEREAS, in accordance with Texas Government Code Section 418.108(b), on March 19, 2020, the Dallas County Commissioners Court approved an Order Continuing Declaration of State of Local Disaster for Dallas County and on June 16, 2020, the Dallas County Commissioners Court again approved the Order Continuing Declaration of State of Local Disaster for Dallas County (hereafter, the "Order of Disaster Declaration");

WHEREAS, there currently still exists a declaration of public health disaster in and for the State of Texas as declared by Texas Governor Greg Abbott and the Texas Department of State Health Services (DSHS) and by approval of the Order of Disaster Declaration, the Dallas County Commissioners Court authorized the Dallas County Judge to take such actions as are necessary in order to protect the health, safety and welfare of the citizens of Dallas County by the issuance of executive orders as necessary (each, an "Executive Order");

WHEREAS, the transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the Dallas County community and rates of infection are increasing at an alarming exponential 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, the County Judge has determined that extraordinary emergency measures must be taken to try and 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 protect the health, safety, and welfare of the citizens of Dallas County, including but not limited to, controlling ingress to and egress from a disaster area and controlling 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;

THEREFORE, County Judge Clay Jenkins hereby ISSUES the following Order as follows:

#### **UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108, DALLAS COUNTY JUDGE CLAY JENKINS ORDERS:**

1. Effective as of 11:59 p.m. on August 11, 2021, ("*Effective Date*"), and continuing until rescinded by Dallas County Judge Clay Jenkins:



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- I. **Health and Safety Policy – Pre-K Through 12 Public Schools and Child Care Centers.** From the date of this Executive Order, all child care centers and Pre-K through 12 Public Schools operating in Dallas County must develop and implement a health and safety policy (“Health and Safety Policy”). The Health and Safety Policy must require, at a minimum, universal indoor masking for all teachers, staff, students, and visitors to child care centers and pre-K through 12 schools, regardless of vaccination status, except for children under 2 years of age. The Health and Safety Policy required to be developed and implemented by this Executive Order may also include the implementation of other mitigating measures recommended by the CDC to control and reduce the transmission of COVID-19, such as maintaining at least 3 feet of physical distance between students within classrooms.
  
- II. **Health and Safety Policy – Commercial Entities.** From the date of this Executive Order, all commercial entities in Dallas 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, universal indoor masking for all employees and visitors to the commercial entity’s business premises or other facilities. 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. Commercial entities must post the Health and Safety Policy required by this Executive Order in a conspicuous location sufficient to provide notice to employees and visitors of all health and safety requirements. Failure to develop and implement the Health and Safety Policy required by this Executive Order within three (3) calendar days following the Effective Date may result in a fine not to exceed \$1,000 for each violation. Any peace officer or other person with lawful authority is hereby authorized to enforce the provisions of this Order in accordance with the authority granted under the Texas Disaster Act of 1975.
  
- III. **Face Coverings Required – Dallas County Buildings.** From the date of this Executive Order, all employees, contractors, and visitors when on the premises of a building or offices owned or operated by Dallas County are required to wear a face mask, regardless of vaccination status.
  
- IV. **Face Coverings Strongly Urged – General Public.** It is strongly urged that all people 2 years or older wear a face mask when in a public indoor space. No civil or criminal penalty will be imposed on individuals for failure to wear a face mask.

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 face 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,



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- 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.

**IT IS SO ORDERED**

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**CLAY LEWIS JENKINS**  
**DALLAS COUNTY JUDGE**