



**County Judge Lina Hidalgo**  
D I R E C T O R

## **ORDER OF COUNTY JUDGE LINA HIDALGO**

### **Use of Face Coverings**

**Whereas**, on March 11, 2020, a Declaration of Local Disaster for Public Health Emergency was issued to allow Harris County to take measures to reduce the possibility of exposure to COVID-19 and promote the health and safety of Harris County residents; and

**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; and

**Whereas**, on March 19, 2020, Governor Abbott issued the first Public Health Disaster Declaration released in the State of Texas since 1901 and an Executive Order which, among other things, prohibits Texans from gathering in groups of more than ten persons; and

**Whereas**, on March 24, 2020, the Harris County Judge issued a “Stay Home, Work Safe” Order prohibiting gatherings and providing that residents stay home other than to perform Essential Services as defined in Federal guidance. The Stay Home, Work Safe order provided that in performing or obtaining Essential Services, residents should follow Center for Disease Control and Prevention “CDC” guidelines on social distancing; and

**Whereas**, on March 31, 2020, Governor Abbott issued an Executive Order implementing Essential Services and Activities Protocols through April 30, 2020; and

**Whereas**, on April 4, 2020, the Harris County Judge issued an Order Amending and Extending the “Stay Home, Work Safe” Order; and

**Whereas**, the COVID-19 virus is contagious and spreads through person-to-person contact, especially in group settings; and

**Whereas**, the Centers for Disease Control and Prevention (“CDC”) recommends an “All of Community” approach focused on slowing the transmission of COVID-19 through social distancing to reduce illness and death, while minimizing social and economic impacts; and

**Whereas**, upon Declaration of a Local Disaster, a County Judge is authorized to control ingress to and egress from a disaster area and control the movement of persons and the occupancy of premises in accordance with Section 418.108(g) of the Texas Government Code; and

**Whereas**, upon Declaration of a Local Disaster, a County Judge serves as her county's emergency management director and as the Governor's designated agent in the administration and supervision of duties under the Texas Disaster Act and is authorized to exercise all powers granted to the Governor on an appropriate scale under Section 418.1015 of the Act, including the authority to control the movement of persons and the occupancy of premises in accordance with Sections 418.1015 and 418.018 of the Texas Government Code; and

**Whereas**, given the ongoing evaluation of circumstances related to the COVID-19 virus, the updated recommendations of the Centers for Disease Control and the Texas Department of State Health Services, and the substantial risks posed by the COVID-19 virus to Harris County residents and their property, the following extraordinary measures shall be taken to mitigate the effects of this public health emergency and to facilitate a response to the public health threat in order to protect the public's safety.

**NOW THEREFORE, I, COUNTY JUDGE FOR HARRIS COUNTY, 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 County Judge and made a part hereof for all purposes.

**SECTION 2.** Face Covering Requirements

Because an infected person can transmit the COVID-19 virus to others before showing any symptoms, the covering of a person's nose and mouth is necessary to help slow the spread of the virus.

1. When leaving one's residence and when in a public place all persons over the age of ten (10) shall wear some form of face covering that covers the nose and mouth. The face covering may, for example, be a homemade mask, scarf, bandana, handkerchief and other cloth masks.
2. When outside their residences and in a public place, residents shall continue to maintain social distance of at least six feet.

3. Face coverings shall be worn except when:
  - a. Exercising outside or engaging in physical activity outside alone;
  - b. Alone in a separate single space, whether indoors or outdoors;
  - c. In the presence only of other members of one's residence, whether inside or outside the residence;
  - d. When doing so poses a greater mental or physical health risk, including exacerbating a pre-existing medical condition or including, but not limited to, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance;
  - e. When doing so poses a security or safety risk, such as impairing the ability to drive or to be inspected at a security checkpoint; or
  - f. When eating or drinking;

4. **IT IS STRONGLY RECOMMENDED THAT FACE COVERINGS NOT INCLUDE SURGICAL MASKS, SURGICAL N-95 RESPIRATORS OR OTHER MEDICAL MASKS AS THEY ARE A NEEDED RESOURCE FOR HEALTH CARE PROVIDERS AND FIRST RESPONDERS.** Healthcare workers and first responders on the front-line combating COVID-19 must have priority access to medical masks and other personal protective equipment.

5. **Wearing a face covering is not a substitute for maintaining 6-foot social distancing and hand washing because these remain important steps to slowing the spread of the virus.**

6. Residents shall wash their hands before leaving the residence and upon return, and shall take the following additional actions after leaving their residences:
  - a. Stay at least six feet away from others; and
  - b. Avoid touching the nose or face.

7. It is recommended that residents not use disposable face coverings more than three times. Residents should wash reusable cloth face coverings regularly to prevent the spread of the virus.

8. Individuals experiencing homelessness are exempt from this Order except that, to the extent individuals are using shared or outdoor spaces, they shall, to the greatest extent feasible, maintain social distancing of at least six feet from any other person. Individuals experiencing homelessness are strongly urged to obtain shelter. Governmental and other entities that can provide face coverings to homeless individuals are strongly urged to make face coverings available as soon as possible and to the maximum extent practicable (and to utilize social distancing requirements in their operations). Additionally, entities that provide assistance to the needy are urged to donate face coverings to the homeless and to homeless shelters.

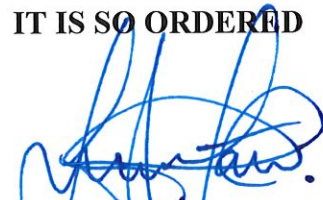
**SECTION 3.** Pursuant to Appendix 9 to Annex U of the Harris County Basic Plan adopted by Harris County Commissioners Court on October 29, 2019, and in accordance with Tex. Gov't Code § 418.173, any law enforcement agency based in Harris County is hereby authorized to use its discretion in enforcing this Order. An offense under this Order may be punishable by a fine that does not exceed \$1,000.00.

**SECTION 4.** The Harris County Judge will post this Order on the Internet. 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 remainder of this Order.

This Order takes effect at 12:01 a.m. on April 27, 2020, will continue through 11:59 p.m. on May 26, 2020, or until it is either rescinded, superseded, or amended pursuant to applicable law; and it is

**ORDERED** this 22 day of April 2020, in the County of Harris, Texas.

**IT IS SO ORDERED**



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**LINA HIDALGO**  
**HARRIS COUNTY JUDGE**