

---

---

**DEPARTMENT MEMO**

**DEPARTMENT:** Legal

**FROM:** Matt Ribitzki, Deputy City Attorney

**MEETING:** July 6, 2020

**SUBJECT:**

Receive a report on the City's response to COVID-19 and consider approval, continuation, and/or renewal of a declaration of local disaster and public health emergency regarding the 2019 Coronavirus Disease (COVID-19). (*Staff Presenter: K. T. Freeman, Fire Chief*)

**SUMMARY:**

Fire Chief K. T. Freeman and Deputy Chief Casey Davis will apprise City Council on the current Covid-19 numbers in the City and surrounding area. Additionally, Chief Freeman and Deputy Chief Davis will discuss any issues related to the City's response to the Covid-19 public health emergency.

In regards to the current declaration of local disaster and public health emergency, Mayor Ken Shetter issued and City Council simultaneously continued and renewed a new declaration on June 30, 2020. The June 30<sup>th</sup> declaration requires that all commercial entities providing goods or services directly to the public develop and implement a health and safety policy that requires that all employees and visitors to the commercial entity's business premises or other facilities wear face coverings. The declaration specifically states that the health and safety policy may be brief, and provides local businesses with an example health and safety policy. If a business entity fails to develop and implement a health and safety policy, the City may place the commercial entity's name and address on a list of non-compliant businesses. A commercial entity cited for failure to develop and implement a health and safety policy may request a re-inspection after twenty-four hours and, if the City finds the policy has been implemented, the commercial entity's name will be removed from the list. No criminal or civil fine will be imposed on a commercial entity for failure to develop and implement a health and safety policy.

The declaration does recommend those individuals 10 years of age and older wear a face covering. No criminal or civil penalty will be imposed on individuals for failure to wear a face covering. The requirement of a face covering does not apply if covering the nose or mouth poses a significant mental or physical health risk to the individual. The requirement of a face covering also does not apply when an individual is consuming food or beverage or receiving a service where the wearing of a face covering would impair the performance of the service.

Like the previous declaration, the new declaration incorporates Governor Abbott's Open Texas plan. The most up to date detailing of restrictions on businesses, services, and activities under Governor Abbott's Open Texas plan may be found at the Open Texas website ([open.texas.gov](https://open.texas.gov)).

The June 30th declaration is valid through July 20, 2020.

**OPTIONS:**

None. No action is necessary at this time.

**RECOMMENDATION:**

None. No action is necessary at this time.

**PRIOR ACTION/INPUT (Council, Boards, Citizens):**

Mayor Ken Shetter issued and City Council simultaneously continued and renewed a new declaration on June 30, 2020. The City Council continued and renewed the June 30th declaration through July 20, 2020.

**FISCAL IMPACT:**

No Fiscal Impact

**STAFF CONTACT:**

Matt Ribitzki, Deputy City Attorney  
Legal Department  
[mribitzki@burlesontx.com](mailto:mribitzki@burlesontx.com)  
817-426-9664