

FAQS

FEDERAL ORDERS AND DIRECTIVES GOVERNOR'S EXECUTIVE ORDERS COUNTY'S ORDER REGARDING FACE COVERINGS CITY OF DALLAS EMERGENCY REGULATIONS

I. BUSINESS ESTABLISHMENTS.

Except as provided in this section, every business establishment shall operate at no more than 75 percent of the total listed occupancy of the establishment.

There is no occupancy limit for the following:

- any services listed by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) in its Guidance on the Essential Critical Infrastructure Workforce, Version 4.0 or any subsequent version (see Section III);
- religious services, including those conducted in churches, congregations, and houses of worship;
- local government operations, including county and municipal governmental operations relating to licensing (including marriage licenses), permitting, recordation, and document-filing services, as determined by the local government;
- child-care services;
- youth camps, including but not limited to those defined as such under Chapter 141 of the Texas Health and Safety Code, and including all summer camps and other daytime and overnight camps for youths;
- recreational sports programs for youths and adults;
- any public or private schools, and any public or private institutions of higher education, not already covered above;
- drive-in concerts, movies, or similar events, under guidelines that facilitate appropriate social distancing, that generally require spectators to remain in their vehicles, and that minimize in-person contact between people who are not in the same household or vehicle; and
- the following establishments that operate with at least six feet of social distancing between work stations:
 - cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade;
 - massage establishments and other facilities where licensed massage therapists or other persons licensed or otherwise authorized to practice under Chapter 455 of the Texas Occupations Code practice their trade; and
 - other personal-care and beauty services such as tanning salons, tattoo studios, piercing studios, hair removal services, and hair loss treatment and growth services.

There is no occupancy limit for outdoor areas, events, or establishments, except that the following outdoor areas or outdoor venues shall operate at no more than 75 percent of the normal operating limits as determined by the owner:

- amusement parks;
- swimming pools;
- water parks;
- museums and libraries; and
- zoos, aquariums, natural caverns, and similar facilities.

All indoor and outdoor professional, collegiate, and similar sporting events, including rodeos and equestrian events, shall remain limited to 50 percent of the normal operating limits as determined by the owner.

Restaurants that have less than 51 percent of their gross receipts from the sale of alcoholic beverages, and whose customers eat or drink only while seated, may offer dine-in services.

In Dallas County, Collin County, Rockwall County, and Kaufman County, people shall not visit bars or similar establishments, but the use by bars or similar establishments of drive-thru, pickup, or delivery options for food and drinks is allowed to the extent authorized by TABC.

In Denton County, bars or similar establishments that hold a permit from the Texas Alcoholic Beverage Commission (TABC), and are not restaurants as defined above, may offer on-premises services at up to 50 percent of the total listed occupancy of the establishment.

- Patrons at bars or similar establishments operating under this paragraph may eat or drink only while seated, except that in an establishment that holds a permit from TABC as a brewer, distiller/rectifier, or winery, customers may sample beverages while standing as long as they are in a group of six people or fewer and there is at least six feet of social distancing or engineering controls, such as partitions, between groups.
- The 50 percent occupancy limit applies only indoors; the limit does not apply to outdoor areas, events, or establishments, although social distancing and other protocols must be followed.

A current map of all counties reopening bars can be found on TABC's website: <https://www.tabc.texas.gov/coronavirus/>.

Facilities with retractable roofs are considered indoor facilities, whether the roof is opened or closed.

Except for office workers and workers at manufacturing services, staff members are not included in determining operating levels.

II. GATHERINGS.

Except as provided in Section I or in the minimum standard health protocols in Section IV, people may not be in groups larger than ten and must maintain six feet of social distancing from those not in their group.

For any outdoor gathering in excess of 10 people, including rafting, tubing, and related services, the gathering is prohibited unless the mayor of the city in which the gathering is held, or the county judge in the case of a gathering in an unincorporated area, approves of the gathering, and such approval can be made subject to certain conditions or restrictions not inconsistent with the executive order. This provision does not apply to:

- CISA services (see Section III);
- religious services, including those conducted in churches, congregations, and houses of worship;
- local government operations as determined by the local government;
- child-care services;
- youth camps;
- recreational sports programs for youths and adults;
- public and private schools;
- drive-in concerts, movies, or similar events;
- the following establishments that operate with at least six feet of social distancing between work stations:
 - cosmetology salons, hair salons, barber shops, nail salons/shops, and other establishments where licensed cosmetologists or barbers practice their trade;
 - massage establishments and other facilities where licensed massage therapists or other persons licensed or otherwise authorized to practice under Chapter 455 of the Texas Occupations Code practice their trade; and
 - other personal-care and beauty services such as tanning salons, tattoo studios, piercing studios, hair removal services, and hair loss treatment and growth services.
- professional, collegiate, or similar sporting events, including rodeos and equestrian events;
- amusement parks;
- swimming pools;
- water parks;
- museums and libraries; and
- zoos, aquariums, natural caverns, and similar facilities.

III. CISA SERVICES.

The following is a summary of the services listed by the U.S. Department of Homeland Security's Cybersecurity and Infrastructure Security Agency (CISA) in its Guidance on the Essential Critical Infrastructure Workforce, Version 4.0. Below are the categories of CISA covered services. For the full comprehensive list, visit: https://www.cisa.gov/sites/default/files/publications/Version_4.0_CISA_Guidance_on_Essential_Critical_Infrastructure_Workers_FINAL%20AUG%2018v3.pdf

- Healthcare/Public Health
- Law Enforcement, Public Safety, and Other First Responders

- Education
- Food and Agriculture
- Energy
 - Electricity Industry
 - Petroleum Industry
 - Natural Gas, Natural Gas Liquids (NGL), Propane, and Other Liquid Fuels
- Water and Wastewater
- Transportation and Logistics
- Public Works and Infrastructure Support Services
- Communications and Information Technology
 - Communications
 - Information Technology
- Other Community- or Government-Based Operations and Essential Functions
- Critical Manufacturing
- Hazardous Materials
- Financial Services
- Chemical
- Defense Industrial Base
- Commercial Facilities
- Residential/Shelter Facilities and Services
- Hygiene Products and Services
- Religious Services

IV. MINIMUM STANDARD HEALTH PROTOCOLS.

Individuals, employers, employees, and customers in the City of Dallas must comply with the applicable Minimum Standard Health Protocols (found at <https://open.texas.gov/>) to the greatest extent possible.

Nothing in the executive order or the emergency regulations precludes a business from requiring a customer to follow additional hygiene measures when obtaining services.

V. FACE COVERINGS REQUIRED.

A. EXECUTIVE ORDER GA-29.

Every person in Texas shall wear a face covering over the nose and mouth when inside a commercial entity or other building or space open to the public, or when in an outdoor public space, wherever it is not feasible to maintain six feet of social distancing from another person not in the same household; provided, however, that this face-covering requirement does not apply to:

1. any person younger than 10 years of age;

2. any person with a medical condition or disability that prevents an individual from wearing a face covering;
3. any person consuming food or drink, or is seated at a restaurant to eat or drink;
4. any person who is (a) exercising outdoors or engaging in physical activity outdoors, and (b) maintaining a safe distance from other people not in the same household;
5. any person driving alone or with passengers who are part of the same household as the driver;
6. any person obtaining a service that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a personal care service involving the face, but only to the extent necessary for the temporary removal;
7. any person in a swimming pool, lake, or similar body of water;
8. any person who is voting, assisting a voter, serving as a poll watcher, or actively administering an election, but wearing a face covering is strongly encouraged;
9. any person who is actively providing or obtaining access to religious worship, but wearing a face covering is strongly encouraged;
10. any person giving a speech for a broadcast or to an audience.

The face-covering requirement applies to any person attending a protest or demonstration involving more than 10 people and who is not practicing safe social distancing of six feet from other people not in the same household.

Following a verbal or written warning for a first-time violator of this face covering requirement, a person's second violation is punishable by a fine not to exceed \$250. Each subsequent violation is punishable by a fine not to exceed \$250 per violation. Local law enforcement and other local officials, as appropriate, can and should enforce this executive order, Executive Order GA-28, and other effective executive orders, as well as local restrictions that are consistent with this executive order and other effective executive orders. But no law enforcement or other official may detain, arrest, or confine in jail any person for a violation of this executive order or for related non-violent, non-felony offenses that are predicated on a violation of this executive order; provided, however, that any official with authority to enforce this executive order may act to enforce trespassing laws and remove violators at the request of a business establishment or other property owner.

This executive order prohibits confinement in jail as a penalty for the violation of any face-covering order by *any* jurisdiction.

B. DALLAS COUNTY ORDER.

The Supplemental Order of County Judge Clay Jenkins (dated June 19, 2020) regarding face coverings can be found at this link: <https://www.dallascounty.org/Assets/uploads/docs/covid-19/orders-media/061920-Amended-SupplementalOrderonContinuingRequirements.pdf>

- 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, that all employees or visitors to the commercial entity’s business premises or other facilities wear face coverings in an area or while performing an activity which will necessarily involve close contact or proximity to co-workers or the public where six feet of separation is not feasible. The Health and Safety Policy required to be developed and implemented by this Order may also include the implementation of other mitigating measures designed to control or 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 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 Order within five (5) calendar days following the Effective Date of this Order may result in a fine not to exceed \$500 for each violation.

- All people 10 years or older shall wear a face covering over their nose and mouth when in a public place where it is difficult to keep six feet away from other people or working in areas that involve close proximity with other coworkers. The CDC advises face coverings for people 2 years or older. Face coverings may include homemade masks, scarfs, bandanas, or a handkerchief. Dallas County residents should continue to maintain social distancing of at least six feet while outside their home. Dallas County employees are also required to wear face coverings under the same circumstances as the general 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 party 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.

To comply with the county’s order on face coverings, all commercial entities in Dallas County must:

(1) create a policy that requires, at a minimum, that all employees or visitors to the commercial entity's business premises or other facilities wear face coverings in an area or while performing an activity that will necessarily involve close contact or proximity to co-workers or the public where six feet of separation is not feasible; and

(2) implement the policy.

However, just because a person is in a business without a mask, does not mean the business has not complied with the order.

Businesses should take the following steps to demonstrate compliance with the county's order:

- (1) Create a face mask policy.
- (2) Post the policy in a location so that patrons can see it.
- (3) Post signs on doors stating that masks are required.
- (4) Tell customers that masks are required.
- (5) Provide alternative means of service for people who do not wear masks.

C. FEDERAL SECURITY DIRECTIVE REQUIRING FACE COVERINGS AT AIRPORTS.

Federal law requires wearing a mask in or on the airport at all times unless one the below exceptions applies. MASK means a material covering the nose and mouth of the wearer, excluding face shields.

Refusing to wear a mask in or on the airport is a violation of federal law and individuals may be escorted out of the airport.

EXCEPTIONS:

- When necessary to temporarily remove the mask for identity verification purposes.
- While eating, drinking, or taking oral medications for brief periods. Prolonged periods of mask removal are not permitted for eating or drinking; the mask must be worn between bites and sips.
- While communicating with a person who is deaf or hard of hearing, when the ability to see the mouth is essential for communication.
- If unconscious (for reasons other than sleeping), incapacitated, unable to be awakened, or otherwise unable to remove the mask without assistance.
- Persons in private conveyances (i.e. aircraft, train, road vehicle, vessel) operated solely for personal, non-commercial use.
- A driver, when operating a commercial motor vehicle if the driver is the sole occupant of the vehicle.
- Children under the age of two.

- People with disabilities who cannot wear a mask, or cannot safely wear a mask, because of the disability as defined by the Americans with Disabilities Act.
- People for whom wearing a mask would create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or federal regulations.

VI. BOARD AND COMMISSION MEETINGS.

All city boards and commissions shall only meet telephonically or by videoconference.

VII. ADDITIONAL REGULATIONS.

- All employees are instructed to remain home if sick.
- Except as specified in Section I, businesses are not required under the City’s Emergency Regulations to keep their employees below a specified maximum number, but must, to the greatest extent possible, comply with the Minimum Health Protocols, as applicable.
- All delivery hour restrictions for transport to or from any entity involved in the selling or distribution of food products, medicine, or medical supplies are suspended in the City of Dallas.
- People may visit nursing homes, state supported living centers, assisted living facilities, or long-term care facilities as determined through guidance from the Texas Health and Human Services Commission (HHSC). Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow infection control policies and practices set forth by HHSC, including minimizing movement of staff between facilities whenever possible.
- Employers may not implement any rules making a negative COVID-19 test or a note from a healthcare provider a requirement before a COVID-19 recovered employee can return to work.

VIII. ORDERS RELATING TO HOSPITAL CAPACITY (GA-31).

Every hospital that is licensed under Chapter 241 of the Texas Health and Safety Code, and is also located in an area with high hospitalizations as defined below, shall postpone 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 who without timely performance of the surgery or procedure would be at risk for serious adverse medical consequences or death, as determined by the patient’s physician; provided, however, that this prohibition shall not apply to any surgery or procedure that, if performed in accordance with the commonly accepted standard of clinical practice, would not deplete any hospital capacity needed to cope with the COVID-19 disaster.

“Areas with high hospitalizations” means any Trauma Service Area that has had seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of all hospitalized patients exceeds 15 percent, until such time as the Trauma Service Area has seven consecutive days in which the number of COVID-19 hospitalized patients as a percentage of all hospitalized patients is 15 percent or less. A current list of areas with high hospitalizations will be maintained at www.dshs.texas.gov/ga303 1.

Furthermore, every hospital that is licensed under Chapter 241 of the Texas Health and Safety Code shall reserve at least 10 percent of its hospital capacity for treatment of COVID-19 patients, accounting for the range of clinical severity of COVID-19 patients, as determined by the Texas Health and Human Services Commission; provided, however, that any hospital that is part of a hospital system consisting of more than one member hospital may reserve less than 10 percent of its capacity so long as the cumulative capacity reserved throughout the hospital system within the same Trauma Service Area is at least 10 percent.

IX. OTHER IMPORTANT FACTS.

For purposes of determining a person’s right to possession of and access to a child under a court-ordered possession schedule, the existing trial court order shall control in all instances. Possession of and access to a child shall not be affected by any shelter-in place order or other order restricting movement issued by a governmental entity that arises from the COVID-19 pandemic (pursuant to Supreme Court of Texas order dated March 24, 2020).

Failure to comply with Emergency Regulations or any executive order will not result in confinement in jail. No jurisdiction can confine a person in jail as a penalty for violating any executive order or local order related to COVID-19.

For further inquiries or to report possible violations in the City of Dallas please call **3-1-1**.

For other city information related to the COVID-19: <https://dallascityhall.com/Pages/Corona-Virus.aspx>

For more information from the County, please visit: <https://www.dallascounty.org/government/comcrt/jenkins/covid-19.php>

For further reference, see the U.S. Department of Homeland Security’s Cybersecurity and Infrastructure Security Agency’s (CISA) Guidance on the Essential Critical Infrastructure Workforce, Version 4.0, or any subsequent version: <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>

For more information on religious and worship services, see the Texas Attorney General’s Guidance for Houses of Worship During the COVID-19 Crisis that can be found at www.texasattorneygeneral.gov/sites/default/files/images/admin/2020/Press/AG%20Guidance%20for%20Houses%20of%20Worship%20During%20the%20COVID-19%20Crisis.pdf.

For further inquiries or to report possible violations of the County's Long-Term Care Facility Order, please call **2-1-1**.

Physicians may call the DCHHS 24/7 answering service at **1-877-605-2660** for consultation.