

**PROTECTING CUSTOMERS AND EMPLOYEES  
AND  
PRESERVING ADEQUATE WORKFORCE CAPACITY**

OCC RECEIVED AT  
JAN 13 '22 AM 8:22

**ORDER NO. 20220113-036**

**BY**

**THE MAYOR OF THE CITY OF AUSTIN**

**WHEREAS**, on March 6, 2020, I, Mayor Steve Adler, issued a Declaration of Local Disaster pursuant to Texas Government Code Chapter 418, ratified by City Council Resolution No. 20200312-074, to allow the City of Austin to take measures in response to the COVID-19 pandemic and protect the health and safety of Austin residents; and

**WHEREAS**, on March 13, 2020, Governor Greg Abbott proclaimed a state-wide state of disaster due to the COVID-19 pandemic; and

**WHEREAS**, infected persons can transmit the COVID-19 virus to others before showing any symptoms, and widespread and consistent use of face coverings over the nose and mouth when in public is a critical and necessary measure to help slow the spread of the virus while allowing local businesses to remain open and help the Austin economy recover; and

**WHEREAS**, a negative test result shows that an individual is not currently infected with COVID-19 and is a screening and infection control protocol that protects employees; and

**WHEREAS**, COVID-19 remains a public health threat due to the rise of variants of the disease and other factors; and

**WHEREAS**, COVID-19 and related variants continue to menace the health of Austin residents and the Austin economy, the local Health Authority has advised that there is a need for education about health measures and continued vigilance in following health measures to prevent further transmission.

**NOW THEREFORE, I, MAYOR OF THE CITY OF AUSTIN, PURSUANT TO THE AUTHORITY VESTED BY TEXAS GOVERNMENT CODE CHAPTER 418, HEREBY ORDER, EFFECTIVE AS OF 12:00 P.M. ON JANUARY 17, 2022, THAT IN THE CITY OF AUSTIN:**

**SECTION 1. Protecting Customers and Employees and Preserving Adequate Workforce Capacity.** To ensure the City's health, health industry, and general economy can continue to recover, the City authorizes a person in control of a site to exercise discretion and impose one or more of the following requirements:

- (a) require employees and customers to wear face coverings while on the site;
- (b) require employees and customers to show a negative COVID-19 test result to enter the site;

- (c) require employees to provide proof that the employee is vaccinated and, when appropriate, boosted; or
- (d) allow employees or customers to choose to provide proof that the employee or customer is vaccinated in lieu of showing a negative COVID-19 test result.

**SECTION 2. Notice of Protections Provided.** A person in control of a site must post a notice that identifies whether the person in control of the site requires face coverings, negative COVID-19 tests, or vaccinations. The notice must be posted at each entry to the site. A notice template is attached as **Exhibit A**.

**SECTION 3. General Signage Required.** A person in control of a site must post the sign attached as **Exhibit B**. The sign must be posted in conspicuous location sufficient to provide notice to employees and customers of all health and safety recommendations during Stages 3, 4, and 5 as set forth in Austin Public Health’s Risk-Based Chart attached as **Exhibit C**.

**SECTION 4. Definition of site.** A “site” means property where goods or services are provided directly to the public. In Sections 2 and 3, a site does not include:

- (a) property maintained by a governmental entity; or
- (b) dwelling unit where an individual resides.

**SECTION 5. Criminal Offense.** A violation of this Order is a violation of Austin City Code Section 2-6-24 and a criminal offense punishable by a fine not to exceed \$1,000, but not by confinement. Peace officers, City of Austin Code Department inspectors, and the Office of the Austin Fire Marshal are hereby authorized to enforce this Order. Each day or a portion of each day during which a person violates this order constitutes a separate offense. This Order may be enforced by the filing of a probable cause affidavit alleging the violation with the appropriate court or by issuing a citation to the person violating that contains written notice of the time and place the person must appear before a magistrate of this state, the name and address of the person charged, and the offense charged.

**SECTION 6. Savings Clause.** If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

**SECTION 7. Posting.** The Austin Public Health Department and the City Clerk will post this Order on their websites.

**SECTION 8. Exhibits.** This Order incorporates by reference the following:

**Exhibit A:** Notice Template.

**Exhibit B:** Signage.

**Exhibit C:** Austin Public Health’s Risk-Based Chart.

**SECTION 9.** Nothing in this Order supersedes Mayor Order Nos. 20210811-033 or 20210813-034. Nothing in this Order prohibits or requires a person in control of a site to:

- (a) require or enforce the wearing of face coverings;

- (b) require employees or customers to obtain vaccines and boosters or to provide proof that the employee or customer is vaccinated and boosted;
- (c) require employees or customers to obtain testing; or
- (d) accept proof of vaccination in lieu of testing.

**ORDERED** this the 13<sup>th</sup> day of January 2022, in the City of Austin, Travis County, Texas, in witness whereof I subscribe my name.

  
\_\_\_\_\_  
Mayor, City of Austin

Filed with me, the City Clerk of the City of Austin, this 13<sup>th</sup> day of January 2022, by Mayor Steve Adler, whose signature I hereby attest under my hand.

  
\_\_\_\_\_  
City Clerk



# NOTICE

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**Please be advised that this establishment is taking the following COVID-19 precautions to protect employees and public health:**

	YES	NO
Requiring employees and customers to wear face coverings while on the site (except while eating or drinking);	<input type="checkbox"/>	<input type="checkbox"/>
Requiring employees and customers to show a negative COVID-19 test result to enter the site;	<input type="checkbox"/>	<input type="checkbox"/>
Requiring employees to provide proof that the employee is vaccinated and, when appropriate, boosted; or	<input type="checkbox"/>	<input type="checkbox"/>
Allowing employees or customers to choose to provide proof that the employee or customer is vaccinated in lieu of showing a negative COVID-19 test result.	<input type="checkbox"/>	<input type="checkbox"/>

**Help us keep employees safe!**

**Local health officials recommend that you:**

*¡Ayúdenos a proteger a nuestro personal!*

*Los funcionarios de salud locales recomiendan que:*



**Wear a Mask**  
*Use Mascarilla*



**Vaccinate and get boosted against COVID-19**

*Se vacune y reciba la dosis de refuerzo contra COVID-19*



**[AustinTexas.gov/COVID19](https://austintexas.gov/COVID19)**

**APH** Austin  
Public  
Health  
PREVENT. PROMOTE. PROTECT.

# Risk-Based Chart — Vaccinated

\* Please continue following additional requirements of local businesses, venues and schools regardless of vaccination status or stage. Schools, hospitals, and long term living centers follow CDC and APH guidelines—or—the regulatory agency's policy.



	Gatherings With People Outside Your Household*				Travel*		Dining*		Shopping*	
	Indoor		Outdoor							
	Low-Risk	High-Risk	Low-Risk	High-Risk	Low-Risk	High-Risk	Low-Risk	High-Risk	Low-Risk	High-Risk
Stage 1										
Stage 2										
Stage 3										
Stage 4										
Stage 5						Only if essential	 Indoors +	 Outdoors		Takeaway/ Curbside



Mask optional, continue washing hands and other hygiene precautions



Not recommended at all, with or without masks



Take prevention measures: wear a mask, wash your hands and social distance following CDC guidelines























Places that require vaccines and masks may pose a lower risk.

EXHIBIT C



# Risk-Based Chart — Partly Vaccinated or Unvaccinated

\* Please continue following additional requirements of local businesses, venues and schools regardless of vaccination status or stage. Schools, hospitals, and long term living centers follow CDC and APH guidelines—or—the regulatory agency’s policy.

	Gatherings With People Outside Your Household*		Travel*	Dining*	Shopping*
	Indoor	Outdoor			
<b>Stage 1</b>					
<b>Stage 2</b>					
<b>Stage 3</b>	 If high risk: avoid unless essential	 If high risk: avoid unless essential	 If high risk: avoid unless essential	 If high risk: avoid unless essential	 If high risk: avoid unless essential
<b>Stage 4</b>			Only if essential	Takeaway/ Curbside	Only if essential
<b>Stage 5</b>				Takeaway/ Curbside	Takeaway/ Curbside



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	Low-Risk	High-Risk	Low-Risk	High-Risk	Low-Risk	High-Risk	Low-Risk	High-Risk	Low-Risk	High-Risk
Stage 1										
Stage 2										
Stage 3										
Stage 4										
Stage 5						Only if essential	Indoors +	Outdoors		Takeaway/ Curbside



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	Indoor	Outdoor			
Stage 1					
Stage 2					
Stage 3	 If high risk: avoid unless essential	 If high risk: avoid unless essential	 If high risk: avoid unless essential	 If high risk: avoid unless essential	 If high risk: avoid unless essential
Stage 4			Only if essential	Takeaway/ Curbside	Only if essential
Stage 5				Takeaway/ Curbside	Takeaway/ Curbside



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