

## **ORDER OF MAYOR HARRY A. GARRETT**

DATE ORDER ISSUED: August 12, 2021

WHEREAS, beginning in December, 2019, a novel coronavirus, now designated SARS-CoV2 which causes the disease COVID-19, spread through the world and was declared a global pandemic by the World Health Organization; and

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"); and

WHEREAS, on July 29, 2021, the Governor of Texas, Greg Abbott (the "Governor") issued Executive Order GA-38, prohibiting cities and other state government entities from enacting mask or vaccine mandates; and

WHEREAS, on August 9, 2021, Dallas County Judge Clay Jenkins filed a Temporary Restraining Order (the "TRO") and declaratory judgment in his capacity as Dallas County Judge against the Governor seeking to hold portions of Executive Order GA-38 unenforceable; and

WHEREAS, on August 10, 2021, Dallas County Judge Tonya Parker granted the TRO against Governor Abbott's ban on mask requirements by local governments; and

WHEREAS, on August 11, 2021, Dallas County Judge Clay Jenkins issued an Order requiring face masks inside Dallas County schools, businesses, and buildings, excluding municipal facilities, because of the increasing rise of COVID-19 cases; and

WHEREAS, the Mayor 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; and

WHEREAS, pursuant to the Texas Government Code, Chapter 418, Mayor Harry A. Garrett finds it in the public interest to issue regulations for City of Glenn Heights facilities;

**THEREFORE, BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF GLENN HEIGHTS, TEXAS:**

Summary: The virus that causes 2019 Coronavirus Disease (COVID-19) is easily transmitted through person-to-person contact, especially in group settings, and it is essential that the spread of the virus be slowed to safeguard public health and safety. The transmission of COVID-19 has not dissipated but remains a significant threat to the health and safety of the Dallas County community and the citizens of the City of Glenn Heights, with rates of infection increasing at an alarming exponential rate and the number of people admitted to either a hospital or ICU, or on ventilators

is also dramatically rising despite efforts by local authorities to control the spread. Because of the risk of the spread of the virus, and the need to protect the most vulnerable members of the community, this Order requires all individuals to wear a face covering when visiting any City of Glenn Heights building, facility, or outdoor space. This Order takes effect at 12:01 a.m. on August 13, 2021, and will continue until rescinded, superseded, or amended or until expired pursuant to applicable law.

**UNDER THE AUTHORITY OF TEXAS GOVERNMENT CODE SECTION 418.108,  
MAYOR HARRY A. GARRETT ORDERS:**

That effective as of 12:01 a.m. on August 13, 2021, and continuing until rescinded, superseded, or amended or until expired pursuant to applicable law, the following is ordered:

1. All previous Emergency Orders of the City of Glenn Heights in conflict with this order are hereby rescinded.
2. All persons shall wear a face covering over their nose and mouth while visiting any city building regardless of vaccination status, provided, however that this face covering requirement does not apply to the following:
  - a. Any person younger than two (2) years of age;
  - b. Any person with a medical condition or disability that prevents wearing a face covering;
  - c. Any person while consuming food or drink;
  - d. Any person while the person is in their office and maintaining a safe distance from other people not in the same household;
  - e. Any person giving a speech for a broadcast or to an audience; or
  - f. Any person expressly exempted by a city policy applicable to the premises or facility.

Following a verbal or written warning for a first-time violator of this face covering requirement, any person not wearing a face covering shall be denied permission to enter any city facility and any official with authority to enforce this executive order may act to enforce trespassing laws and remove such persons from the city facility if such person is violating this emergency order.

Local law enforcement and other local officials, as appropriate, can and should enforce this emergency order.

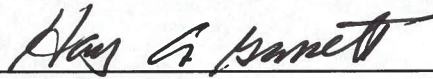
Signs must be prominently posted at each city building or facility advising the public that a face covering is required while on the premises of the building, facility, or outdoor space.

3. Pursuant to Section 418.108(c) of the Texas Government Code, this Order shall be given prompt and general publicity and shall be filed promptly with the Interim City Secretary.

Additionally, the City of Glenn Heights must promptly provide copies of this Order by posting on the City of Glenn Heights website. In addition, the manager or operator of any building, facility, or outdoor space that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public asking for a copy.

4. 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 remaining portions or applications of this Order.
5. This Order shall take effect immediately from and after its issuance and shall remain in effect until the earlier of (1) further order of the Mayor rescinding the Order, (2) issuance of an order or judgment in Cause No. DC-21-10101 in the 116<sup>th</sup> Judicial District Court of Dallas County having the effect of terminating the restraint on enforcement of Governor Abbott's Executive Order No. GA-38, paragraphs (3)(b), (3)(g) and (4), or (3) issuance of an order by the Court of Appeals for the Fifth District of Texas at Dallas having the effect of terminating the restraint on enforcement of Governor Abbott's Executive Order No. GA-38, paragraphs (3)(b), (3)(g) and (4).

**IT IS SO ORDERED**



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Harry A. Garrett  
Mayor, City of Glenn Heights