



STAY HOME – WORK SAFE ORDER NO. 2020-5

Guidance for the Construction Industry

This document provides guidance for persons and business associated with the building and construction industries and trades on the meaning and application of Order 2020-5 issued by the County Judge for the County of Travis on March 24, 2020, related to the Declaration regarding COVID-19 (the “Order”).

1. Critical Infrastructure. The Order requires that businesses cease activities at all locations within Travis County except at certain types of operations, including those defined as “Critical Infrastructure.” In the Order, “Critical Infrastructure” means “all public and private facilities, assets and other functions and sectors vital to the security, governance, public health, safety, and economic continuity of the County of Travis, and municipalities [listed in the Exhibit A of Order No. 2020-5].” The fundamental test for determining whether any business or operation is Critical Infrastructure is whether it meets this definition.

2. Construction as Critical Infrastructure. The Order provides that some types of construction activities are Critical Infrastructure. In general, commercial and residential construction activities are prohibited under the Order except in the very limited situations where the construction involves one of the specific types of essential and critical facilities listed in Exhibit C, Part 2 of the Order. This list includes only:

- Public works construction projects
- Affordable housing projects
- Construction of facilities for individuals experiencing homelessness
- Construction of facilities that provide social services
- Construction of facilities for Essential Government Functions or Critical Infrastructure
- Construction of facilities specifically required by the County in response to the current COVID-19 emergency
- Construction in support of Essential Businesses

For purposes of clarification, “construction in support” refers to necessary repairs and maintenance for the essential business to safely remain open and operational. Additionally, if part of a construction project falls within one of the listed categories above, but the project also includes other construction activities at the same site that do not fall within one of these categories, all construction activities at the project will be deemed to meet the definition of Critical Infrastructure under the Order.

3. Requirements for Construction Businesses and Activities. For construction activities that fall within one of the Critical Infrastructure categories listed above, all employers involved in the construction activity must follow the requirements in Exhibits B and C of the Order.

4. Transition Time. The Order becomes effective for all Travis County businesses, including the municipalities listed in Exhibit A of Order 2020-5 within Travis County, and activities as of 11:59 p.m. on **March 27, 2020**. However, recognizing that many construction sites and projects require a period of time to close down safely, the County will not cite a construction business or operator for a violation of the Order occurring prior to 11:59 p.m. **on March 30** if the business or operator can demonstrate that all activities after the effective date of the Order were undertaken to close down the construction project or activity as safely and quickly as possible.

5. Residential and commercial construction ARE PROHIBITED under the Order.

6. The County Order does not apply to State or Federal projects, employees, facilities.

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Below you will find a supplemental list to assist with permitted and non-permitted construction activities:

ALLOWED UNDER ORDER	NOT ALLOWED UNDER ORDER
<p>Residential Affordable Housing Housing for homeless</p> <p>Health Care Hospital Medical Research facility</p> <p>Educational facilities</p> <p>Social Service facilities Shelters</p> <p>Construction for Maintenance Apartments, Townhouses, Duplex, Single-Family Big Box store Malls Grocery store Retail of Necessary Supplies Restaurant Bars/Taverns Offices for Necessary Services</p>	<p>Residential Apartments, Townhouses, Duplex, Single-Family Swimming Pool Garage</p> <p>New Buildings/Facilities Big Box stores Malls General retail Grocery stores Restaurant Bars/Taverns Offices</p>