

RESOLUTION NO. 2020-089

A RESOLUTION REQUIRING THE USE OF CERTAIN FACE COVERINGS OVER THE NOSE AND MOUTH WHEN IN CERTAIN AREAS OF CITY BUILDINGS AND WHEN PARTICIPATING IN CERTAIN MEETINGS IN CITY BUILDINGS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the novel coronavirus, an infectious virus known to cause the respiratory disease “COVID-19” can spread from person to person, and can result in no symptoms, minor symptoms, or serious illness causing permanent organ damage and death; and

WHEREAS, individuals age 65 or over or living with certain medical conditions identified by the CDC (members of Vulnerable Populations) and members of other populations identified by the CDC (“Other Populations at Risk”) are at risk of severe and lasting harm to health or death from COVID-19; and

WHEREAS, COVID-19 also has been reported to cause severe and permanent damage to some children; and

WHEREAS, there is no vaccine or approved treatment for COVID-19; and

WHEREAS, on March 14, 2020, Governor Brian Kemp declared a Public Health State of Emergency in Georgia, and renewed this declaration on April 8, 2020 and again on April 30, 2020 and May 28, 2020, so that it will remain in effect at least through July 12, 2020; and

WHEREAS, over 46,909 Georgians have tested positive for the novel coronavirus as of May 31, 2020, and over 2,035 Georgians have died from COVID-19; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) has noted that COVID-19 spreads very easily and sustainably when an infected person (who may have no symptoms at all, or minor symptoms) talks, sneezes, or coughs in close proximity with others (within six feet); and

WHEREAS, one Georgia community experienced an outbreak of COVID-19 due in part to an infected person being present in a public building without face coverings, with the result being the infection of many persons and the death of a judge and other individuals; and

WHEREAS, the Governor, through Executive Orders 04.30.20.01 and 05.12.20.02 recognized the need to take extra precautions to protect certain vulnerable populations who meet the criteria for higher risk of severe illness as defined by the CDC and identified in Section III of the Governor’s Executive Order 05.12.20.02 (“Vulnerable Populations”); and

WHEREAS, Executive Orders 04.30.20.01, 05.12.20.02 and 05.28.20.02 require Vulnerable Populations to continue to shelter in place, with exceptions that include participating in essential services and working, through July 12, 2020; and

WHEREAS, City employees and many members of the public who visit City Hall and other City buildings may be members of Vulnerable Populations; and

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WHEREAS, some City employees and many members of the public who visit City Hall and other City properties are members of the following “Other Populations at Risk” identified by the CDC: pregnant women, individuals experiencing homelessness, people with disabilities, and racial and ethnic minorities; and

WHEREAS, the Mayor and Council desire to protect individuals in said Vulnerable Populations and Other Populations at Risk, in a reasonable manner and as recommended by the CDC and by the Georgia Department of Public Health, while such individuals are working in, conducting business in, or visiting City Hall and other City buildings; and

WHEREAS, the CDC¹, Dr. Kathleen Toomey (Georgia’s Commissioner of Public Health), and Governor Kemp through Executive Order 05.12.20.02 recommend that individuals wear face coverings over the nose and mouth to mitigate the spread of COVID-19 when they are in public places where they cannot practice social distancing (i.e., stay at least six feet away from other individuals who do not share the same household); and

WHEREAS, the CDC states that wearing a face covering over the nose and mouth is a recommended precaution designed to prevent symptomatic and asymptomatic individuals who have contracted COVID-19 from spreading it to other individuals; and

WHEREAS, to be an effective precaution, it is necessary to require all City employees and members of the public to wear a face covering over the nose and mouth while in public areas in the City building and while meeting in the City building; and

WHEREAS, Dr. Toomey and Governor Kemp have modeled the behavior of wearing face coverings as examples for Georgians to follow; and

WHEREAS, having City Hall and other City offices open and accessible to the public as necessary to conduct in-person business that cannot be conducted by other means is important for the economic vitality of the City;

¹ [CDC recommends](#) wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies), **especially** in areas of significant community-based transmission.

“In light of new data about [how COVID-19 spreads](#), along with evidence of widespread COVID-19 illness in communities across the country, CDC recommends that people wear a [cloth face covering](#) to cover their nose and mouth in the community setting. This is to protect people around you if you are infected but do not have symptoms.”

A cloth face covering should be worn whenever people are in a community setting, especially in situations where you may be near people. These settings include grocery stores and pharmacies. These face coverings are not a substitute for social distancing. Cloth face coverings are especially important to wear in public in areas of widespread COVID-19 illness.

Yes. Wearing cloth face coverings is an additional public health measure people should take to reduce the spread of COVID-19. CDC still recommends that you stay at least 6 feet away from other people (social distancing), frequent hand cleaning and other everyday preventive actions. A cloth face covering is not intended to protect the wearer, but it may prevent the spread of virus from the wearer to others. This would be especially important if someone is infected but does not have symptoms.

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WHEREAS, certain activities, such as discussing and reviewing construction and other permits, may benefit from or require face-to-face interactions between City employees and other individuals; and

WHEREAS, City facilities were closed on March 18, 2020 to the public, and the City is in process of reopening City Hall and other City buildings to the public; and

WHEREAS, if a City employee is exposed to the novel coronavirus, by an individual visiting a City building or otherwise, in accordance with CDC guidance² such employee will need to quarantine at home for at least 14 days; and

WHEREAS, if a City employee is diagnosed with COVID-19 or develops COVID-19 symptoms, such employee will be required to isolate at home³ in accordance with CDC guidance; and

WHEREAS, O.C.G.A. §36-35-3 allows city governments to establish rules for use of and access to its own property for which no provision has been made by general law and which are not inconsistent with the Constitution or any charter provision applicable thereto; and

WHEREAS, the City is authorized to establish policies for how the public can access City buildings during the Public Health State of Emergency and thereafter, including closing City buildings, or opening City buildings to the public but placing restrictions on public access; and

WHEREAS, the City has made and continues to make efforts to reduce the need for members of the public to physically visit City Hall and other City buildings to interact with City employees, pay bills, and conduct other business with the City; and

WHEREAS, the City intends to assist its employees and the public with mitigating the spread of COVID-19 in City buildings by providing hand sanitizer, designating an entrance door and an exit door, disinfecting common surfaces regularly, prohibiting handshaking, and encouraging social distancing of non-cohabitating persons, as well as other mitigating measures described in Executive Order 05.12.20.02; and

WHEREAS, despite these precautions, the City recognizes that it is not possible to ensure social distancing within the City buildings; and

WHEREAS, the following actions are necessary and appropriate to balance the public's interest in having access to City buildings for the conduct of business and other purposes with the compelling public interest of providing for the health, safety and welfare of the City's employees and individuals who visit City Hall and other City buildings and preventing an outbreak of COVID-19 in the City and the surrounding community;

² <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/quarantine-isolation.html>

³ <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/quarantine-isolation.html>

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NOW THEREFORE BE IT RESOLVED, that for the protection of members of the public and other City employees, including members of Vulnerable Populations and members of Other Populations at Risk, City employees are required to wear face coverings over the nose and mouth, which face coverings are cloth face coverings as defined by the CDC or are face coverings designed to protect others from infection by the wearer, when in public areas of City buildings and when participating in physical meetings with other individuals within non-public areas of City buildings.

BE IT FURTHER RESOLVED, that for the protection of members of the public and City employees, including members of Vulnerable Populations and members of Other Populations at Risk, members of the public are required to wear face coverings over the nose and mouth, which face coverings are cloth face coverings as defined by the CDC or are face coverings designed to protect others from infection by the wearer, when entering and while inside City buildings except as expressly stated in a separate policy, if any, that applies to certain uses of portions of City buildings, such as courtrooms and polling locations.

BE IT FURTHER RESOLVED, that the City will communicate ways to perform city business that do not require entry into a City building.

BE IT FURTHER RESOLVED, for City business that must be done in person, the City will take reasonable steps to provide such in-person service to members of the public who affirm they cannot wear a face covering because they are physically unable to remove such a face covering, have trouble breathing, or must be accompanied by children under age two (CDC states that children under age two should never wear face coverings).

BE IT FURTHER RESOLVED, that the City will communicate the types of acceptable face coverings required for entry into City buildings and instructions by the CDC about how to make such face coverings easily and inexpensively.

BE IT FURTHER RESOLVED, that the City will display information from the CDC explaining or illustrating the proper way to wear and remove face coverings.

BE IT FURTHER RESOLVED, that the City will provide face coverings to individuals visiting City buildings who do not otherwise have a face covering that meets these requirements.

BE IT FURTHER RESOLVED, that this resolution shall become effective immediately upon adoption.

SO RESOLVED, this 1st day of June 2020.

[signature page follows]

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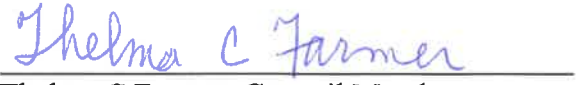
Albert Thurman, Mayor



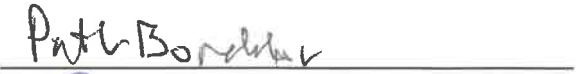
Henry Lust, Council Member



Doris Dawkins, Council Member



Thelma C Farmer, Council Member



Patrick Bordelon, Council Member



Patricia Wisdom, Council Member

ATTEST:
Kelly Axt, City Clerk

