

## RESOLUTION \_\_\_\_\_

### **AN EMERGENCY RESOLUTION BY THE BOARD OF MAYOR AND COMMISSIONERS REQUIRING THE USE OF MASKS OR FACE COVERINGS IN PUBLIC DURING THE COVID-19 OUTBREAK**

**WHEREAS**, there are 97,064 confirmed cases of COVID-19 in Georgia as of July 6, 2020, and 7,050 confirmed cases of COVID-19 in DeKalb County as of July 6, 2020; and,

**WHEREAS**, the presence of community spread in Georgia and DeKalb County has been confirmed and it is expected that substantially more cases will be diagnosed in Georgia and DeKalb County during the COVID-19 outbreak; and,

**WHEREAS**, the World Health Organization declared COVID-19 a worldwide pandemic as of March 11, 2020; and,

**WHEREAS**, on March 13, 2020, President Donald Trump declared a national emergency in response to the outbreak of COVID-19; and,

**WHEREAS**, on March 14, 2020, Governor Brian Kemp declared that a public health emergency exists in the State of Georgia due to the spread of COVID-19 within Georgia; and,

**WHEREAS**, a significant number of Georgia residents are at risk of serious health complications, including death, from COVID-19; and,

**WHEREAS**, a large number of persons with serious infections can compromise the ability of the healthcare system in DeKalb County to deliver necessary care to the public; and,

**WHEREAS**, COVID-19 is a respiratory illness, transmitted through person-to-person contact or by contact with surfaces contaminated with the virus and persons infected with COVID-19 may become symptomatic two to fourteen days after exposure; and,

**WHEREAS**, asymptomatic (including presymptomatic) infected persons are infectious and, without mitigation, the current estimate is that 40%-80% of infections occur from individuals without symptoms; and,

**WHEREAS**, respiratory droplets from infected persons are a major mode of COVID-19 transmission. This understanding is the basis of the recommendations for physical distancing, and of the personal protective equipment guidance for healthcare workers. Droplets do not only come from coughing or sneezing; droplets are generated via talking and breathing; and,

**WHEREAS**, evidence indicates that the use of face coverings reduces the transmissibility per contact by reducing transmission of infected droplets in both laboratory and clinical contexts. Public face covering wearing is most effective at stopping the spread of the virus when compliance is high. This evidence supports the conclusion that the adoption of more widespread face

covering requirements can help to control the COVID-19 epidemic by reducing the shedding of droplets into the environment from asymptomatic individuals; and,

**WHEREAS**, guidelines published by the U.S. Centers for Disease Control (CDC) recommend that all people wear cloth face coverings in public settings where other physical distancing measures may be difficult to maintain. CDC also advises the use of simple cloth face coverings to slow the spread of the virus and help people who may have the virus and do not know it from transmitting it to others; and,

**WHEREAS**, decreased transmissibility due to face covering use could substantially reduce the death toll and economic impact while the cost of the intervention is low; and,

**WHEREAS**, as of July 7, 2020 orders requiring face coverings in total or in part are already in place state-wide in at least twenty-one (21) states and in many local communities in the United States; and,

**NOW THEREFORE**, in a public and specially called emergency meeting, authorized pursuant to O.C.G.A. § 51-14-1(g), the Board of Mayor and Commissioners resolves and declares as follows:

- 1.) Face Covering Required in Public Places. While indoors, all customers, employees and other users of restaurants, retail stores and all other public places shall wear a mask or face covering.
- 2.) Use of Face Coverings Outdoors. All persons shall wear a mask or face covering while outdoors in an environment in which people who do not reside in the same household cannot maintain at least six feet of physical distance from one another (as recommended by the CDC).
- 3.) Reasonable exceptions to the use of face coverings are permitted for:
  - Children under the age of ten (10)
  - People who cannot wear face coverings due to documented medical or behavioral conditions
  - People whose religious beliefs prevent them from wearing a face covering
  - While eating or drinking
  - When complying with the directions of a law enforcement officer or for the purposes of verifying a person's identity
- 4.) Enforcement. The City Manager and his designee(s) shall enforce this ordinance as follows:
  - a. any person found to be in violation of this resolution shall first be given a warning and an opportunity to put on a mask or leave the public area;
  - b. the City Manager or designee shall offer the person a mask in connection with providing the warning required by (a);

- c. if the person violating this resolution refuses to comply with this resolution after being given a warning and offered a mask, then he or she shall be issued a citation.
  - d. a person convicted of violating this resolution shall be assessed a fine of One Hundred Dollars (\$100.00) by the Municipal Court.
- 5.) This resolution shall be effective immediately and shall remain in effect until revised or repealed by further action of the Board of Mayor and Commissioners.

**SO RESOLVED**, this 13<sup>th</sup> day of July 2020.

**BOARD OF MAYOR AND COMMISSIONERS  
CITY OF AVONDALE ESTATES, GEORGIA**

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JONATHAN ELMORE, Mayor

**ATTEST:**

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Gina Hill, City Clerk

Approved as to Form:

Stephen G. Quinn  
Stephen G. Quinn, Assistant City Attorney