

## **RESOLUTION**

### **A RESOLUTION BY THE MAYOR AND COUNCIL OF THE CITY OF NORCROSS REQUIRING THE USE OF MASKS OR FACE COVERINGS IN PROPERTY OWNED OR LEASED BY THE CITY OF NORCROSS DURING THE COVID-19 OUTBREAK**

**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;

**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;

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

**WHEREAS**, on March 14, 2020, Governor Brian Kemp declared a Public Health State of Emergency in Georgia, and renewed this declaration multiple times to present date;

**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);

**WHEREAS**, the Governor’s Executive Orders require Vulnerable Populations to continue to shelter in place, with exceptions that include participating in essential services and working;

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

**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;

**WHEREAS**, the Mayor and Council of the City of Norcross 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;

**WHEREAS**, the CDC, Dr. Kathleen Toomey (Georgia's Commissioner of Public Health), and Governor Kemp 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 City buildings and while meeting in City buildings; 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;

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

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

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

**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;

**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;

**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;

**WHEREAS**, despite these precautions, the City recognizes that it is not always 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.

**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, all City Buildings, including City Hall shall be closed to the general public, unless an individuals' presence is necessary for municipal court hearings or for voting in municipal elections; provided further, that members of the public shall be permitted to enter into City Buildings, including City Hall by appointment, when conducting City business that must be done in person.

**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, order or law, 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.

**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 attempt to 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 becomes effective immediately upon its adoption by the Mayor and Council of the City of Norcross and shall remain in effect only for so long as Governor Brian Kemp's declaration of a Public Health State of Emergency in Georgia remains in effect, or such earlier time as the Mayor and Council of the City of Norcross may elect to repeal it.

**SO RESOLVED**, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Craig Newton, Mayor

ATTEST:

\_\_\_\_\_  
Monique Lang, City Clerk