

A RESOLUTION BY THE MAYOR AND COUNCIL REQUIRING THE USE OF MASKS OR FACE COVERINGS IN BUILDINGS OWNED OR LEASED BY THE CITY DURING THE COVID-19 PANDEMIC

WHEREAS, the Mayor and Council of the City of Peachtree Corners (the "City") is the duly elected governing authority for the City; and

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

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

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

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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; and

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; 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 guidance 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 home 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

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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; and

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, IT IS HEREBY RESOLVED by the governing authority of the City of Peachtree Corners, Georgia, as follows:

1. 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; and
2. 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; and
3. The City will communicate ways to perform city business that do not require entry into a City building; and
4. 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; and

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5. 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; and
6. The City will display information from the CDC explaining or illustrating the proper way to wear and remove face coverings.
7. 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.
8. All Resolutions and parts of Resolutions in conflict with this Resolution are hereby repealed.

SO RESOLVED AND EFFECTIVE, this the 25th day of August, 2020.

Approved:

Mike Mason

Mike Mason, Mayor

Attest:

Rocio Monterrosa

Rocio Monterrosa, Deputy City Clerk
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