

Resolution No. 06222020-200

A Resolution Mandating the Wearing of Facemasks in Public within the City of Montevallo

WHEREAS, the Mayor and City Council of the City of Montevallo recognize the emergency declarations of the President of the United States and the Governor of the State of Alabama related to the spread of COVID-19 disease in our community; and

WHEREAS, COVID-19 is a disease caused by a novel coronavirus, previously unknown in humans, and causes upper-respiratory tract illnesses that can range from mild to severe, spread quickly, and may cause death, particularly in older adults and persons with certain chronic medical conditions; and

WHEREAS, the World Health Organization declared COVID-19 to be a global pandemic as of March 15, 2020; and

WHEREAS, states of emergency have been declared by the President of the United States, the Governor of Alabama, and the Mayor of the City of Montevallo, and continue to exist; and

WHEREAS, the Mayor and City Council find that an emergency of unprecedented size resulting from the natural cause of community spread of a novel human coronavirus disease, COVID-19, has occurred in the State of Alabama and numbers continue to increase throughout Shelby County; and

WHEREAS, as of June 19, 2020, Alabama has 28,583 identified cases of coronavirus, with 812 recorded deaths attributed to COVID-19; and

WHEREAS, the pandemic in Shelby County, where the City of Montevallo is located, continues to be of concern, most recently being rated by the Health Department as "Moderately High," with 740 confirmed cases and 21 deaths; and

WHEREAS, the Mayor and Council recognize that it is critical to continue maintain 6-foot physical distancing to slow the spread of COVID-19, but that the additional use of simple cloth or other face coverings, as recommended by the Centers for Disease Control, can further aid in slowing the spread of the virus by reducing the chances of symptomatic and asymptomatic people transmitting the virus to others; and

WHEREAS, in reopening certain businesses, places of work, and venues and other activities in the City of Montevallo, it is in the best interest of public health for individuals to continue to use physical distancing and the additional precaution of face coverings or masks while in public contact with other persons; and

WHEREAS, it continues to be extremely important to protect individuals from contracting the virus; and

WHEREAS, members of households with vulnerable individuals need to use all reasonable precautions to avoid potential exposure to the virus; and

WHEREAS, numerous medical experts across the nation support the use of face coverings and masks to mitigate the spread of the virus; and

WHEREAS, importantly, the Mayor and Council recognize that this is not a partisan issue – it is a health issue - and find that it is in the best interest of the public peace, health, welfare, and safety, and to preserve the lives and protect the health and wellbeing of citizens of the City of Montevallo to require that masks, consisting of at least simple cloth face coverings, be worn by persons when interacting in indoor public spaces in the City of Montevallo or outdoor spaces when a 6 foot distance cannot be maintained.

SECTION 1.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council Mayor of the City of Montevallo that face coverings or "masks" shall be required in public places within the City to slow the spread of the novel coronavirus disease, known as COVID-19.

(a) DEFINITIONS:

Face covering or mask: A device to cover the nose and mouth of a person to impede the spread of saliva or other fluids during speaking, coughing, sneezing or other intentional or involuntary action. Medical grade masks are not required; coverings may be fashioned from scarves, bandanas or other suitable fabrics. The mask must cover the mouth and nose of the wearer.

Public place: Any place other than outdoor space, personal/private residences or motor vehicles.

(b) Face coverings or masks shall be worn at all times by persons over the age of two years old and who can medically tolerate doing so when in public places within the City of Montevallo where there are 10 or more people present. The requirement applies to employees, customers and clients of businesses within the City.

(c) Face coverings or masks shall be worn in outdoor spaces when there are 10 or more people within 6 feet of one another.

SECTION 2.

A face covering or mask is not required in the following settings and circumstances:

(a) When outdoors (granted there are less than 10 people and they are at least 6 feet apart);

(b) In the privacy of one's own residence or another's residence;

(c) Within one's own motor vehicle or another's motor vehicle;

(d) During individual outdoor exercise, for example, walking or jogging, but must be worn when encountering and interacting with groups of other people in a park or other public place. For the purposes of this subsection, "exercise" includes other forms of physical exertion, whether for recreation or work includes where unrestricted breathing is needed to perform the activity.

(e) Persons working alone in separate office spaces or in non-public workplaces where there is more than adequate physical distancing area, based on the size of and number of people in the space (indoors or out of doors) need not wear a face covering or mask at all times. However, such persons must be prepared to don and wear a face covering or mask when interacting with others in groups of 10 or more persons or in groups of any size where physical distancing of more than six (6) feet cannot be consistently maintained.

(f) Patients in examination rooms of medical or dental offices or clinics or hospitals where there is a necessity to examine or treat the mouth or nasal area, subject to the direction of the medical or dental professionals in charge of the office, clinic or hospital.

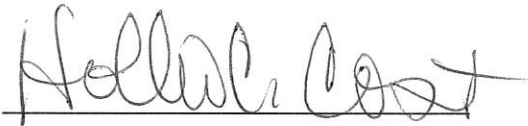
(g) When wearing a face covering or mask poses a greater mental or physical health, safety or security risk such as anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the cover without assistance, For purposes of this subsection, "safety risk" shall include external factors, such as, but not limited to, where wearing a face covering or mask may pose a risk to persons working on ladders or at height, wearing other respiratory protection, heavy physical exertion or operating heavy equipment or operating in an environment where a face covering or mask hinders communications. However, employers are encouraged to structure work to promote physical distancing and limit close contact as much as possible within in workplaces where face coverings or masks may pose such risks.

(h) When eating or drinking in public at a restaurant, bar or other food or beverage establishment operating under conditions required by the state health officer's order. A mask or face covering must be worn when entering and exiting any such establishment.

SECTION 3.

This Resolution shall become effective at 5:00 PM on Tuesday, June 23, 2020, and continuing until it is rescinded, superseded, or amended.

ADOPTED and APPROVED this 22nd Day of June, 2020.

A handwritten signature in black ink, appearing to read "Hollie C. Cost", written over a horizontal line.

Hollie C. Cost, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Herman Lehman", written over a horizontal line.

Herman Lehman, City Clerk