

TITLE

A RESOLUTION FOR THE PURPOSE OF RECOMMENDING  
FACE COVERINGS IN ANY PUBLIC SPACE TO LIMIT THE  
SPREAD OF COVID-19 IN THE CITY OF WARREN, OHIO,  
AND DECLARING AN EMERGENCY.

RESOLUTION NO. 4662/2020

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and can be easily spread from person to person; and

WHEREAS, The Centers for Disease Control and Prevention (CDC) reported over 2,545,250 cases of COVID-19 in the United States, resulting in over 126,369 deaths; and

WHEREAS, on March 9, 2020, the Ohio Department of Health announced confirmed cases of COVID-19 in the State of Ohio, creating a dangerous condition that may affect the health, safety and welfare of the citizens of Ohio; and

WHEREAS, on that same date, Governor Mike DeWine declared a State of Emergency for the entire State to protect the well-being of the citizens of Ohio from the dangerous effects of COVID-19, and to assist in protecting the lives, safety and health of the citizens of Ohio; and

WHEREAS, COVID-19 endangers the lives of the citizens of Warren, creating an emergency to life and public safety and disrupting commerce; and

WHEREAS, The Centers for Disease Control Prevention (CDC) reports that people are most contagious when they are most symptomatic (the sickest), however, some spread is possible before an individual may show symptoms; and

WHEREAS, on March 22, 2020, under the direction of Ohio Governor, Mike DeWine, and the Department of Health Director, Amy Acton, M.D. issued an order requiring all Ohioans to stay in their homes to prevent the further spread of COVID-19 until April 6, 2020 and the order was extended until May 1, 2020 and has been since amended on April 30, May 20 and May 22, 2020 to allow businesses to open with the recommendation that facial coverings be worn except in certain circumstances; and

WHEREAS, as businesses have re-opened, more people are traveling throughout the State, and within the City of Warren, Ohio; and

WHEREAS, a local and statewide State of Emergency continues to exist with limits on mass gatherings and recommendations of social distancing; and

WHEREAS, as a result of the above described emergency, there is a continuing need to protect all citizens and guests of the City of Warren from the risks relating to the COVID-19 pandemic; and

WHEREAS, The Centers for Disease Control and Prevention (CDC) recommends wearing face coverings in public where other physical distancing measures are difficult to maintain to help prevent the spread of COVID-19 from asymptomatic or unknowing carriers to others; and

WHEREAS, recommending face coverings to be worn by any person in a public place within the City of Warren, Ohio best promotes health, safety, and efforts to limit the spread of COVID-19 while enabling the continuation of essential services, businesses, and travel necessary to protect public health and safety, and for the continuity of social and commercial life during the State of Emergency; and

WHEREAS, after weighing the known information about the COVID-19 virus, and considering the guidance from the Ohio Department of Health, concludes that the safety of the City of Warren citizens is best protected by implementing a recommendation to wear face coverings in public places; NOW THEREFORE

BE IT RESOLVED by the Council of the City of Warren, State of Ohio:

Section 1: That this Council and the Administration of the City of Warren, Ohio recommends that all individuals within the City of Warren, Ohio wear a face covering over the individual's nose and mouth in accordance with the following:

- (1) When entering, exiting, or waiting in line to enter a place of business that is open to the public, and while inside a place of business as to the areas within the place of business that are accessible to, and are intended for the use of the public.  
  
    (a) For the purposes of this Resolution, "place of business" means any facility, building, or structure operated by or for a business engaged in the sale or other transaction of any kind for anything of value in exchange for goods, commodities, services, or temporary lodging and that is open to the general public or by appointment, and includes, but is not limited to, grocery stores, retail stores, pharmacies, health care facilities, restaurants and bars (including outdoor seating for such facilities), hotels and motels (excluding the rented room or suite), gyms and similar facilities, but excluding religious facilities.
- (2) When entering, exiting, or waiting in line to enter a City of Warren operated building or facility that is open to the public, and while inside a City of Warren operated building or facility as to the areas within such City of Warren facility that are accessible to, and are intended for the use of, the public.
- (3) In any public transportation such as a bus or other public transit vehicle, a taxi or ridesharing vehicle or any other vehicle for hire, or at a transit stop or waiting area for any public transportation.
- (4) In any outdoor space or outdoor place where or when a person is unable to maintain or does not maintain physical separation of not less than six feet from others who are not members of their own household.

Section 2: The recommendation to wear a face covering through this Resolution does not apply in the following situations:

- (1) Any individual who cannot wear a face covering because of a medical condition, mental health condition or developmental disability, or who is unable to remove the face covering without assistance, and any individual who should not wear face coverings under the CDC guidance. An individual is not required to produce medical documentation of the condition or disability, provided an employer may require such documentation from an employee in accordance with State and Federal Law.
- (2) Individuals under 6 years old.
- (3) Restaurant and bar patrons while eating or drinking. If a patron is not seated at his or her table or at the bar, a face covering is required.
- (4) School individuals (including students, administrators, and teachers) on or in school or school district facilities, so that schools and school districts may follow the regulations and guidelines promulgated by their governing bodies and the Ohio Department of Education. For this Resolution, "school or school districts" means any public, private, or charter school or institution that provides education for any or all of the following grades or education: kindergarten through twelfth grade; or a university, college, or similar post-secondary institution.
- (5) In settings where it is not practicable or feasible to wear a face covering such as when receiving dental services, medical treatments, or while swimming.

- (6) Walking or exercising outdoors so long as physical separation of not less than six feet is maintained, or while walking or exercising outdoors with other members of the same household.
- (7) While actually engaged in exercising in a gym or other similar indoor facility so long as physical separation of not less than six feet is maintained and the individual wears a face covering at all times when not actually engaged in exercising.
- (8) When an individual is in his or her work office, conference room or other workspace not intended for use by the general public.
- (9) When inside a personal or commercial vehicle either parked or moving that is not a vehicle described in Section 1 (3).
- (10) Individuals while acting in their official capacity as a public safety employee or emergency responder when wearing a face covering would interfere with or limit their ability to carry out their official duties or functions. These include peace officers, firefighters, and other public safety or emergency medical personnel that support public safety operations.
- (11) Individuals complying with the directions of public safety employees or emergency responders as described in Section 2 (10).

Section 3: For the purposes of this Resolution, "face coverings" means a piece of cloth, fabric, or other material that fully covers the mouth and nose and that is secured with ear straps or otherwise tied so as to prevent slipping. A face covering may be factory-made or may be handmade and improvised from household materials. Face coverings include, but are not limited to, bandanas, scarfs, medical masks, and cloth masks; and also include respirators, N95 masks or other personal protective equipment that provides a higher level of protection than a face covering defined in this Section. A face covering may be worn so as to cover the mouth and nose in compliance with The Centers for Disease Control Prevention (CDC)'s guidance on wearing face coverings.

Section 4: That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of residents and for the further reason that facial coverings are necessary to protect the residents of and visitors to the City of Warren, Ohio from further spread of COVID-19. WHEREFORE, this Resolution shall go into immediate effect and remain in effect during the pendency of State of Ohio Executive Order 2020-01D.

Passed in Council this 22<sup>ND</sup> day of JULY, 2020.

SIGNED: [Signature]  
PRESIDENT OF COUNCIL

ATTEST: [Signature]  
CLERK

FILED WITH THE MAYOR: 7-23-2020

DATE APPROVED: 7-23-2020

[Signature]  
MAYOR, CITY OF WARREN, OHIO

WARREN CITY COUNCIL	
2020 JUL 23	
VERIFIED	NO
NOVAK	
GREATHOUSE	
FORTE	
MACH	
SAR	
WHITE	
BROWN	
STEINBECK	
RUCKER	
GRAHAM	