STATE OF GEORGIA  
COUNTY OF FULTON

AN ORDINANCE BY THE CITY OF EAST POINT, GEORGIA, TO PROVIDE FOR THE HEALTH, SAFETY, AND WELFARE OF THE GENERAL PUBLIC BY REQUIRING FACE COVERINGS OR MASKS TO BE WORN IN PUBLIC DURING THE COVID-19 PUBLIC HEALTH EMERGENCY

WHEREAS, the duly elected governing authority of the City of East Point, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority is empowered to provide for the health, safety, and welfare of the residents, employees, businesses, and visitors within the city; and

WHEREAS, the spread of the COVID-19 virus has been declared a global pandemic by the World Health Organization ("WHO"); and

WHEREAS, the President of the United States has declared the spread of COVID-19 a national emergency; and

WHEREAS, the Governor of Georgia has declared the spread of COVID-19 a public health emergency in the state; and

WHEREAS, the health, safety, and welfare of residents, businesses, employees, and visitors are the top priority of the governing authority; and

WHEREAS, the governing authority and staff have been closely monitoring the spread of COVID-19 and the associated guidance from medical professionals as well as state and federal government agencies to help stop the spread of the disease; and

WHEREAS, there has been a sharp increase in the number of COVID-19 cases in the City of East Point in recent weeks; and

Ordinance Requiring Face Coverings
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WHEREAS, the World Health Organization has indicated that COVID-19 is spread primarily by respiratory droplets produced when an infected person coughs or sneezes and droplets can also be generated by talking, laughing, or exhaling; and

WHEREAS, the Director for the Centers for Disease Control, Dr. Robert Redfield, stated as many as one in four people who are infected with COVID-19 show no symptoms, and that people who do not experience symptoms can spread COVID-19 to other individuals;

WHEREAS, the CDC has stated that people infected with COVID-19 are contagious before they start showing symptoms, and that individuals who are infected can spread the virus to others before the onset of symptoms;

WHEREAS, the CDC has recently announced that it is in the process of reviewing mask recommendations based on growing evidence that people experiencing no symptoms can spread the disease more widely than previously thought; and

WHEREAS, the United States Surgeon General, Dr. Jerome Adams, acknowledges that there is a significant amount of asymptomatic spread and recommends that individuals use face coverings to reduce the spread of COVID-19;

WHEREAS, Dr. Anthony Fauci, Director of the National Institute of Allergy and Infectious Diseases, has further recommended that individuals wear facial coverings to prevent individuals from infecting others; and

WHEREAS, more than 1,400 Georgia health care workers have sent a letter to Governor Kemp, petitioning that he institute a statewide mask requirement, among other recommendations;

WHEREAS, O.C.G.A. § 38-3-28(a) further grants political subdivisions the power to supplement the Governor’s Executive Order; and

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WHEREAS, this Ordinance is intended to be enacted as a supplement to the Governor’s Executive Order 06.29.20.02, which describes health and safety procedures related to the COVID-19 public health emergency.

THEREFORE, BE IT HEREBY ORDAINED that masks or facial coverings shall be required in public places within the City to slow the spread of COVID-19 as follows:

1. All persons entering a commercial establishment in the City must wear a face covering or mask while inside the establishment. This paragraph does not apply to religious establishments; however, the use of face coverings is also strongly recommended in religious establishments.

2. All restaurants, retail stores, salons, barber shops, grocery stores, and pharmacies in the City shall require all employees to wear a face covering or mask at all times while engaged in face to face interaction with the public.

3. Any person who is unable to safely wear a face covering due to age, underlying health condition(s), or is unable to remove the face covering without the assistance of others is exempt from this Ordinance.

4. Face coverings are not required in the following circumstances:
   a. In personal vehicles;
   b. When a person is alone in an enclosed space or only with other household members;
   c. During outdoor physical activity, provided the active person maintains proper social distancing at a minimum of six (6) feet from others who are not household members;
   d. While eating, drinking, or smoking;
   e. When a licensed health provider has determined wearing a face covering causes or aggravates a health condition in the specific individual;
   f. When wearing a face covering would prevent the receipt of personal services; and
   g. When a person is younger than two (2) years old.
5. All establishments subject to this ordinance shall post a sign in a clearly visible location near the front entrance stating that Per City Ordinance, all persons must wear a mask or face covering and violators are subject to a fine of up to $75.00.

6. A person who fails to comply with the requirements of Part 1 of this Ordinance shall be guilty of a civil infraction punishable by a fine of not more than $75.00.

7. A person who fails to comply with Part 2 of this Ordinance shall be guilty of a civil infraction, punishable by a fine of not more than $75.00. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense. In addition to the fines established herein, persons who own, manage, operate, or otherwise control a business subject to this Ordinance found in repeated violation hereof, shall, along with their business, be subject to treatment as a public nuisance, which may be abated as provided for by law. All reasonable efforts should, however, be made to bring businesses into compliance with this Ordinance prior to enforcement actions.

Effective Dates

Unless otherwise stated herein, this Ordinance shall be effective July 9, 2020 at 12:00 am. and remain in effect while a declared state of emergency related to COVID-19 persists in the State of Georgia. Fines shall not be implemented until Monday, July 13, 2020.

Severability

Should any provision, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by reason

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of any preemptive legislation, the remaining provisions, paragraphs, sentences, or words of this Ordinance shall remain in full force and effect.

Scrivener’s Errors

The City Clerk, in consultation with the City Attorney, is authorized to correct any scrivener’s errors contained in this ordinance.

BE IT ORDAINED by the City Council of East Point, this ______ day of July, 2020.

First Reading: waived

Adoption: July 16, 2020

CITY OF EAST POINT, GEORGIA

Deana Holiday Inghram, Mayor

APPROVED AS TO FORM:

Brad Bowman, City Attorney
MASK UP EAST POINT!

NOTICE:
Per the ordinance adopted by the East Point City Council, effective July 9, 2020, all persons must wear a face covering/mask while inside a commercial establishment. Violators are subject to a fine of up to $75.

For more information, visit www.eastpointcity.org
MASK UP EAST POINT!

East Point City Council Adopts Face Mask Ordinance
Effective July 9, 2020.

Violators are subject to a fine of up to $75 starting Monday, July 13, 2020.

- Patrons entering a commercial establishment in the City must wear a face covering or mask while inside the establishment.

- All restaurants, retail stores, salons, barbershops, grocery stores and pharmacies in the City must require all employees to wear a face covering or mask at all times while engaging in face to face interaction with the public.

- All establishments subject to this ordinance must post a sign in a clearly visible location near the front entrance notifying the public of the ordinance and that violators are subject to a fine of up to $75.

- Any person who is unable to safely wear a face covering due to age, underlying health condition(s), or is unable to remove the face covering without the assistance of others is exempt from this Ordinance.

- Face coverings are not required in the following circumstances:
  - In personal vehicles
  - When a person is alone in an enclosed space or only with other members of the household.
  - During outdoor physical activity, but the active person must maintain proper social distancing at a minimum of six (6) feet from others.
  - While eating, drinking or smoking
  - When a licensed health provider has determined that wearing a face covering causes or aggravates a health condition in the specific individual.
  - When wearing a face covering would prevent the receipt of personal services.
  - When a person is younger than two (2) years old

For more information, visit www.eastpointcity.org
CITY OF EAST POINT FACE COVERING/MASK ORDINANCE FAQs:

Q: Why do I need to wear a face covering/mask?

A: The virus that causes COVID-19 is most commonly spread through respiratory droplets produced when an infected person sneezes, coughs or talks. These aerosols can remain suspended in the air for up to three hours and be transmitted at least 13 feet, based on reports by the Center for Disease Control and Prevention (CDC). Face Covering/Masks are effective in blocking or at least limiting your exposure to these contagious viral droplets and particles. Because we do not always know who is infected (many coronavirus cases are asymptomatic), you should also wear a face covering to protect others.

Q: What kind of face covering/mask should I wear?

A: The CDC recommends people wear washable cloth coverings to ensure there are enough surgical and N95 masks for medical workers.

Here's a breakdown of how common masks work:

Cloth face coverings, bandannas, and do it yourself (DIY) masks: Homemade face coverings do not stop you from inhaling potentially infected particles, but they provide a barrier that may prevent the spread of droplets by asymptomatic individuals. When worn correctly, these masks also keep the wearer's face clean and reduce the likelihood that people will touch their faces.

Surgical masks: Also known as medical and procedure masks, are used in hospitals to reduce the number of potential contaminants that mask wearers release into the immediate environment. These loose-fitting masks can protect against large splashes of droplets. They are less effective for protection against the coronavirus because they allow particles to enter through the sides.
CITY OF EAST POINT FACE COVERING/MASK ORDINANCE FAQs:

Q: What is the proper way to wear face coverings/masks?

A: The World Health Organization has provided the following guidelines for effectively wearing a face mask:
- Before putting on a mask, clean hands with alcohol-based hand sanitizer or soap and water.
- Cover your mouth and nose with the mask and make sure there are no gaps between your face and the mask.
- Avoid touching the mask while using it. If you do, clean your hands immediately. Replace the mask with a new one as soon as it is damp.
- To remove the mask, take it off from behind (do not touch the front of mask); discard immediately in a closed bin; and wash or sanitize your hands.
- Do not reuse or share disposable N95 or surgical masks.

Q: When does the City of East Point's Face Covering/Mask ordinance go into effect?

A: Thursday, July 9, 2020 at 12:00 a.m.

Q: Do kids have to wear face coverings?

A: Yes, children age 2 and older are required to wear face coverings in the circumstances listed in the ordinance.

Q: I have a medical exemption. Do I need a doctor’s note?

A: No, those who cannot wear face coverings/masks due to a medical, mental health, developmental condition, inability to remove the face covering/mask without assistance or anyone who cannot wear face coverings/masks under CDC guidance, do not have to have a doctor’s note and are not required to produce one.

Q: Do I have to wear a face covering/mask while outdoors?

A: No, face coverings/masks are not required while exercising, walking or spending time outside as long as physical distancing of six feet is maintained between you and anyone that is not a part of your household. If you’re walking or exercising outside with members of your own household, you do not need to wear a face covering even if you are within six feet from one another.
Q: Do I have to wear a face covering/mask while swimming?

A: No, face coverings/masks are not required while swimming, but physical distancing should be maintained. Face coverings/masks are required in locker rooms.

Q: Do I have to wear a face covering/mask while shopping?

A: Yes, face coverings/masks are required while entering, exiting, waiting in line to enter, and while inside places of business including, but not limited to, grocery stores, retail stores, pharmacies, health care facilities, restaurants and bars (including outdoor seating for such facilities), gyms and similar facilities.

Q: Do I have to wear a face covering/mask while at a bar or restaurant?

A: Yes, face coverings/masks are required while entering, exiting, waiting for a table and ordering. Face coverings/masks can be removed while eating or drinking but must be worn otherwise. If a patron is not seated at a table or at the bar, a face covering/mask is required.

Q: Do I have to wear a face covering/mask at work?

A: If you interact with the public while at work, a face covering/mask is required. If you do not interact with the public while at work, physical distancing of at least six feet is recommended with your co-workers but you do not need to wear a face covering.

Q: Do I have to wear a face covering/mask in my car?

A: No, face coverings/masks are not required while inside a personal or commercial vehicle that is not a public transportation vehicle, taxi, or ride sharing service. It is recommended to wear a face covering if you cannot maintain six feet of physical distancing between you and someone who is not a member of your household.
Q: Where can I get a face covering?

A: Face coverings are widely available at retailers in the City of East Point and face masks are given away at COVID-19 Testing sites in East Point weekly on Wednesdays from 10am – 2pm at the Downtown Commons Area, located 2714 East Point Street, East Point, Georgia 30344. For weekly COVID-19 Testing sites with face mask giveaway in the city go to www.eastpointcity.org.

You can also use a bandana, scarf or piece of fabric as a face covering. Here is information from the CDC on how to make and wear face coverings: https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-make-cloth-face-covering.html.

Q: Why are religious establishments exempt from the requirement of face coverings/masks?

A: While the use of face coverings/masks and physical distancing at religious establishments is highly recommended, it is not included in the ordinance due to federal protections.

Q: What are the consequences for not wearing a face covering/mask?

A: The enforcement of this ordinance is not designed to be punitive. Enforcement will begin with education and may increase to fines or more, depending on the circumstance and severity of the violation(s).

Q: When does the requirement expire?

A: The ordinance is in effect during the declared state of emergency related to COVID-19.
Face Covering Do’s and Don’ts:

**DO:**
- Make sure you can breathe through it
- Wear it whenever going out in public
- Make sure it covers your nose and mouth
- Wash after using

**DON’T:**
- Use on children under age 2
- Use surgical masks or other personal protective equipment (PPE) intended for healthcare workers

[cdc.gov/coronavirus]
How to make a homemade mask

1. Grab a handkerchief or scarf
2. Fold the top and bottom to the center
3. Fold the top and bottom again
4. Slide on your elastic bands
5. Fold over the fabric to the center (this will be against your face)

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