

RENEWAL OF EMERGENCY ORDER REQUIRING
THAT FACE COVERINGS OR MASKS BE WORN IN
PUBLIC IN THE CITY OF SAVANNAH DURING THE
COVID-19 PUBLIC HEALTH EMERGENCY

WHEREAS, the state of Georgia remains under a public health state of emergency as a result of the COVID-19 pandemic; and

WHEREAS, Governor Brian P. Kemp, by Executive Order dated November 30, 2020 renewed the public health state of emergency through Friday, January 8, 2021; and

WHEREAS, on November 30, 2020, Governor Kemp issued an Executive Order entitled Empowering a Healthy Georgia, which provided that “all residents and visitors of the State of Georgia shall practice Social Distancing...and refrain from Gathering...” and “all residents and visitors of the State of Georgia are strongly encouraged to wear face coverings as practicable while outside their homes or place of residence, except when eating, drinking, or exercising outdoors.”; and

WHEREAS, the incidence of infection and death in the metropolitan Savannah area continues to rise signifying the continued spread of the highly contagious and deadly COVID-19 disease; and

WHEREAS, the Centers for Disease Control and Prevention (“CDC”) advises that the use of masks or cloth face coverings will slow the spread of COVID-19, and the CDC recommendations on PPE usage are hereby incorporated by reference; and

WHEREAS, taking measures to control outbreaks minimizes the risk to the public, maintains the health and the safety of the City’s residents, and limits the spread of infection in our communities and within the healthcare delivery system; and

WHEREAS, pursuant to the authority of O.C.G.A. § 38-3-28(a), local governments are specifically empowered to enact rules and regulations as may be necessary for emergency management purposes; and

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

WHEREAS, this order is intended to be entered with due regard for the uniform principle that masks or face coverings will slow the spread of COVID-19 as contemplated by O.C.G.A. § 38-3-28(c); and

WHEREAS, this emergency order is authorized by O.C.G.A. §§ 38-3-4 and 38-3-28 and the local control provisions of Governor Kemp’s Orders of November 30, 2020; and it is specifically intended to supplement such declarations, as amended, and should not be construed to be inconsistent therewith; and

WHEREAS, in the judgment of the Mayor of the City of Savannah, with advice from the City Manager and other subject matter experts, emergency conditions persist within the City requiring extraordinary and immediate corrective actions for the protections of the health, safety, and welfare of the citizens of the City of Savannah.

NOW, THEREFORE, pursuant to the authority vested in me by local and state law;

IT IS HEREBY ORDERED that masks or facial coverings shall be required in all public places within the City to slow the spread of the novel coronavirus disease known as COVID-19 as follows:

1. All persons entering any 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 masks or face coverings is highly recommended during religious activity/services. A person who fails to comply with this Paragraph shall be guilty of a civil infraction punishable by a fine of not more than \$500.00 pursuant to Section 3-3015 of the City Code.
2. All persons occupying any outdoor public space, including all public rights-of-way, within the City shall wear a face covering or mask. This paragraph applies to and includes any person conducting or participating in a guided tour notwithstanding whether the tour is conducted on foot or within a vehicle. "Vehicle" includes cars, trolleys, buses, bicycles, quadricycles, scooters, low speed vehicles, boats, and pedicabs. This paragraph applies neither to persons traveling alone in a personal motor vehicle nor occupants of a motor vehicle provided such occupants reside together. A person who fails to comply with this Paragraph shall be guilty of a civil infraction punishable by a fine of not more than \$500.00 pursuant to Section 3-3015 of the City Code.
3. All restaurants, retail stores, salons, grocery stores, and pharmacies in the City must require their employees to wear a face covering at all times while having face-to-face interaction with the public. A person who fails to comply with this Paragraph shall be guilty of a civil infraction punishable by a fine of not more than \$500.00 pursuant to Section 3-3015 of the City Code. Each day of a continuing violation of this Order shall be considered a separate and distinct offense. In addition to the fines established by this paragraph, repeated violations of this Order by a person who owns, manages, operates, or otherwise controls a business subject to this Order may, subject to all procedural protections set forth in the City Code, result in being declared a public nuisance, which may be abated by the City as provided by law. The foregoing notwithstanding, every effort shall be made to bring the business into voluntary compliance with the terms of this Order prior to the issuance of any citations. For purposes of this paragraph, "person" shall be defined as any individual associated with the business who has the control or authority and ability to enforce the Social Distancing requirements of the Governor Kemp's Executive Orders, as amended, within the business such as an owner, manager, or supervisor. "Person" may also include an employee or other designee that is present at the business but does not have

the title of manager, supervisor, etc., but is vested with the authority and ability to ensure that the requirements of this Order are met while the business is open to the public.

4. Any person who is unable to safely wear a face covering due to age, an underlying health condition, or is unable to remove the face covering without the assistance of others is exempt from this Order.
5. Face coverings are not required in the following circumstances:
 - a. When a person is alone in an enclosed space or only with other household members;
 - b. During physical activity, provided the active person maintains a minimum of 6 feet from other people with whom they do not cohabitate;
 - c. While drinking, eating, or smoking;
 - d. When wearing a face covering causes or aggravates a health condition;
 - e. When wearing a face covering would prevent the receipt of personal services; and
 - f. When a person is 10 years of age or younger.
6. Should any provision, paragraph, sentence, clause, or word of this Order be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of preemptive legislations, the remaining provisions, paragraphs, sentences, clauses, or words of this Order has hereby issued shall remain in full force and effect.
7. This Order is effective as of 12:00 a.m. on December 11, 2020 and shall remain in effect until 11:59 p.m. on January 9, 2021.

SO DECLARED at 7:40 p.m., on December 10, 2020.




Van R. Johnson II
Mayor, City of Savannah

ATTEST:


Mark Massey
Clerk of Council