

**SECOND AND REVISED AMENDED PROCLAMATION OF THE CHAIRMAN AND
MECKLENBURG COUNTY BOARD OF COMMISSIONERS, IN CONSULTATION
WITH THE MECKLENBURG COUNTY PUBLIC HEALTH DIRECTOR AND IN
CONJUNCTION WITH THE DIRECTOR OF THE OFFICE OF THE CHARLOTTE
MECKLENBURG EMERGENCY MANAGEMENT DEPARTMENT**

WHEREAS, The North Carolina General Assembly has adopted Article 1A of Chapter 166A of the General Statutes, entitled “North Carolina Emergency Management Act”, which sets forth the authority and responsibility of the Governor, State agencies, and local governments in prevention of, preparation for, response to, and recovery from natural or man-made emergencies; and

WHEREAS, G.S. §166A-19.22 and G.S. §166A-19.31, which are part of the North Carolina Emergency Management Act, authorize counties and municipalities to declare states of emergency and authorizes counties and municipalities to impose prohibitions and restrictions under conditions and following procedures contained in G.S. §166A-19.22 and G.S. §166A-19.31; and

WHEREAS, the novel Coronavirus (COVID-19) is a global pandemic that is easily transmitted from person to person and has created a state of emergency in the State of North Carolina, County of Mecklenburg, City of Charlotte and surrounding six Towns; and

WHEREAS, based on the public health concerns, the Governor declared a state of emergency on behalf of the state of North Carolina on March 10, 2020; and

WHEREAS, Mecklenburg County in conjunction with the City of Charlotte and six Towns within the County signed a Joint Proclamation of State of Emergency on March 13, 2020; and

WHEREAS, Mecklenburg County in conjunction with the City of Charlotte and six Towns within the County have acted together to impose restrictions and guidelines to act in the best interest of the residents of the County, City and Towns; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) has determined that COVID-19 is spread primarily between people in close proximity to one another, and can be transmitted through respiratory droplets produced when an infected person coughs, sneezes or talks and recommends social distancing to prevent the continued spread of the virus; and

WHEREAS, slowing and controlling community spread is critical to ensure healthcare facilities can meet the demands of those needing health care and not overwhelm the system; and

WHEREAS, CDC recommends wearing a face covering or non-surgical protective face masks in public settings, practicing social distancing and washing one’s hands frequently as measures designed to help slow or prevent the spread of the virus and to prevent individuals who may be infected and unaware from transmitting the virus to others; and

WHEREAS, to reduce COVID-19 spread, the Governor issued Executive Order No. 141, requiring safety measures in certain business settings, limiting mass gatherings, and closing certain types of businesses and operations; and

WHEREAS, in Executive Order No. 141, issued on May 20, 2020, the Governor urged that all people in North Carolina follow social distancing recommendations, including that everyone wear a cloth face covering, wait six (6) feet apart and avoid close contact, and wash hands often or use hand sanitizer, and began a phased reopening; and

WHEREAS, to mitigate the spread, on July 7, 2020, the Mecklenburg County Board of Commissioners adopted a Proclamation to include the provisions of Executive Order 147 with additional requirements for wearing face covering while on county owned or leased property, or indoors or outdoors where CDC recommended social distancing cannot be maintained; and to wear face coverings when in the public setting; and

WHEREAS, the Mayor of the City of Charlotte and Board of Commissioners of the Town of Matthews joined in the July 7, 2020 Proclamation, however, do not join in this Second Revised and Amended Proclamation; and

WHEREAS, over recent months in North Carolina and in Mecklenburg County, due to measures taken to date there have been improvements in the COVID-19 metrics; and

WHEREAS, COVID-19 vaccines are now widely available at no cost to all eligible residents who wish to receive a vaccination, and

WHEREAS, over the course of the pandemic, North Carolina's public health experts have gained enhanced knowledge of the COVID-19 virus including a better understanding of what settings and activities pose the greatest risk of transmitting the virus and what mitigation strategies are most effective to curb the spread; and

WHEREAS, the County Manager has provided the Board with a Phased return to work plan for county employees and building access and use by the general public which accounts for the variables necessary to monitor the situation as necessary; and

WHEREAS, on May 14, 2021, the Governor issued Executive Order 215, "Lifting COVID-19 Restrictions to Reflect New Public Health Recommendations"; and

WHEREAS, to align with the Governor's most recent Executive Order, Mecklenburg County adopts the provisions of Executive Order 215 unless modified herein; and

WHEREAS, in consideration of all the current available data related to the impact of COVID-19 in Mecklenburg County the Board of County Commissioners have determined that due to the trends it is in the best interest of the residents of Mecklenburg County, to revise and amend the current Joint Proclamation subject to the following conditions.

NOW THEREFORE BE IT FURTHER ORDAINED THAT:

While there has been significant improvement in statewide and county metrics, remember COVID-19 is still in our community, therefore individuals should still take precautions to protect

themselves and the community by either wearing a face covering as required and are encouraged to obtain a vaccination. The current Proclamation is revised as set out below. Nothing herein prevents an individual from wearing face coverings.

In addition, the following is recommended:

- Fully vaccinated individuals are not required to, but may, if they choose, wear a face covering indoors or outdoors if social distancing is not possible
- Non-fully vaccinated individuals should wear a face covering inside County facilities at all times and maintain social distance in all indoor County facilities and outdoors if in a large gathering /or unable to social distance
- All individuals, whether vaccinated or unvaccinated, are required to wear face covering in the following indoor settings as detailed in Executive Order 215 section 3, specifically:
 - Health care settings including hospitals, nursing homes and other non-hospital health care settings as defined by the CDC,
 - Planes, buses, trains, and other forms of public transportation
 - State and local correctional and detention facilities
 - Homeless service providers
 - Settings that primarily serve children (i.e. childcare, schools, day and night camps)

This Second Revised and Amended Proclamation, for so long as it remains in effect authorizes the County Manager to implement the Phased return to work policy as necessary without further board action or amendments to this Proclamation.

This Second Revised and Amended Proclamation incorporates the terms and provisions of the Governor's Executive Orders, as amended, and continues the Declaration of the State of Emergency within the jurisdiction of Mecklenburg County, and applies to County employees, customers and users of county owned or leased buildings and facilities including county parks.

Unless modified herein, the terms and duration of this Second and Revised Amended Proclamation shall coincide with the current Governor's Executive Order 215, as amended, unless this Second Revised and Amended Proclamation shall sooner be revised, amended, extended or terminated by action of the Board of Commissioners.

This Second Revised and Amended Proclamation is adopted this 1st day of June, 2021 effective immediately.

Chairman Board of Commissioners

APPROVED AS TO FORM

County Attorney