

Proclamation by the Mayor

Proclamation and Issuing Executive Orders effective November 1, 2021

WHEREAS, the spread of COVID-19 within our community threatens to strain our health care systems and local economy; and

WHEREAS, the COVID-19 virus by way of the Delta variant is gaining strength and it is important that citizens protect themselves and others by practicing social distancing and wearing face masks in order to reduce infections; and

WHEREAS, the central Ohio regional hospital systems are running out beds and staff to take care of COVID-19 patients and the surge of the Delta variant is impacting medical care throughout Ohio and the United States; and

WHEREAS, the Delta variant can make some fully vaccinated individuals sick and has led to this surge in cases and hospitalizations, the overwhelming majority who are unvaccinated; and

WHEREAS, it is imperative to reduce transmission everywhere with universal masking in our schools, community, and workplaces to mitigate risk for everyone, vaccinated and unvaccinated, and

WHEREAS, per this proclamation, all requirements listed below relating to the containment of COVID-19 contagion shall be enforceable via Whitehall City Code Section 509; and

NOW, THEREFORE, I, Kim Maggard, Mayor of the City of Whitehall, as a result of the above-noted conditions, and pursuant to Whitehall City Code Section 509, do hereby Proclaim and ORDER an additional requirement of wearing a face mask in all public indoor settings to reduce the number of people infected with the COVID-19 virus within the City of Whitehall.

1. Face Covering Requirements

Definitions

"Face Covering" means a covering of the nose, mouth and chin that is secured to the head with ties, straps, or loops over the ears or is simply wrapped around the lower face. A Face Covering can be made of a variety of synthetic and natural fabrics, including cotton, silk, or linen. Ideally, a Face Covering has two (2) or more layers. A Face Covering may be factory-made, sewn by hand, or can be improvised from household items such as scarfs, bandanas, t-shirts, sweatshirts, or towels. These Face Coverings are not intended for use by healthcare providers in the care of patients.

2. Requirements for face coverings in indoor areas accessible to the public:

- a. All customers must wear Face Coverings when they are inside a retail business establishment, unless the customer states that an exception applies as set forth in Section 3.

- b. All customers in restaurants and bars must wear Face Coverings when not at their table, unless the customer states that an exception applies as set forth in Section 3.
 - c. All customers of personal care and grooming businesses must wear Face Coverings when they are inside the establishment, unless the customer states that an exception applies. Customers may take off their Face Coverings if they are receiving a facial treatment, shave, or other services on a part of the head which the Face Covering covers or by which the Face Covering is secured.
- 3. Exceptions
 - a) This Executive Order does not require Face Coverings for, and a Face Covering does not need to be worn by, a customer or patron who:
 - 1. Should not wear a Face Covering due to any medical or behavioral condition or disability (including, but not limited to, any person who has trouble breathing, or is unconscious or incapacitated, or is otherwise unable to put on or remove the face covering without assistance);
 - 2. Is actively eating or drinking;
 - 3. Is strenuously exercising, including walking and running
 - 4. Is seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible;
 - 5. Is giving a speech for a broadcast or to an audience;
 - 6. Is temporarily removing his or her Face Covering to secure government or medical services or for identification purposes;
 - 7. Is a child whose parent, guardian, or responsible person has been unable to place the Face Covering safely on the child's face.
 - 8. Is a child under five (5) years of age.
 - 9. For whom face coverings are prohibited by law or regulation or are inconsistent with industry standards while the customer is on duty.
 - b) Anyone who declines to wear a Face Covering for these reasons should not be required to produce documentation or any other proof of a condition or exception.
 - c) Anyone who declines to wear a Face Covering for any reason is not exempt from the requirement to practice adequate social distancing, keeping a minimum of 6' between them and any other person outside of their household.
- 4. Children under two (2) years of age should not wear a Face Covering.
- 5. Right to refuse service;
 - a. Businesses who observe a violation of this Section have a right to refuse service based upon the violation.
- 6. Enforcement Process
 - a. The enforcement of this Section shall occur through the following process:
 - 1. Initial warning. An initial verbal warning shall be issued, along with written information pertaining to the requirements of this Section, by the Code Enforcement Officer in the event that the Code Enforcement Officer is made aware of a violation and is able to witness said violation.
 - 2. Second warning

A second, written warning shall be issued, along with written information pertaining to the requirements of this Section, by the Code Enforcement Officer in the event that the Code Enforcement Officer is made aware of a second violation and is able to witness said violation.

7. Effective Date

- a. These executive orders shall be in full force and effect on and after September 13, 2021 until December 31, 2021.

8. This proclamation shall be in full force and effect for an indefinite period of time, and may be modified or extended at any time if public health conditions warrant.

As a result of the foregoing ORDERS I call upon all citizens, visitors, and those working within the City of Whitehall to protect yourselves and others in the efforts to slow the COVID-19 virus in order to promote a healthier Whitehall and central Ohio region. Whoever violates any prohibition contained in these ORDERS, or knowingly fails to perform any duty required by this Proclamation Order and in effect pursuant to the laws and ordinances of the City of Whitehall, shall be subject to penalties pursuant to Whitehall City Ordinance 509.99 which is a third degree misdemeanor subject to up to sixty days imprisonment and a maximum fine of five hundred dollars.

Signed and sealed with the official seal of the City of Whitehall this first day of November, A.D., Two Thousand and Twenty-One at Whitehall, Ohio.

By:



Kim Maggard, Mayor