

Called Council Meeting
July 23, 2020

A Called meeting of City Council was held this date in City Hall Council Chambers at 1:25 pm, following a special called work session that started at 12 noon. In attendance were Mayor Terence Roberts, Mayor Pro Tem Stewart, Council Members Thompson, Laughridge, Chapman, Newton, John Roberts, and Jeff Roberts. Councilman Harbin was not present. Also, in attendance were Assistant City Manager, Andrew Strickland; Finance Director, Margot Martin; and City Attorney, Frankie McClain. The invocation was given by Mayor Terence Roberts and respects to the flag was given by Councilman Kyle Newton.

REQUEST APPROVAL OF EMERGENCY ORDINANCE 20-24 REQUIRING INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN CIRCUMSTANCES, AND MATTERS RELATED THERETO.

Assistant City Manager Andrew Strickland reviewed the details of the face covering ordinance, summarized below.

Section 1. Definitions. As used herein, the terms below shall have the following meanings

- “Establishment” means a Foodservice Establishment or Retail Establishment.
- “Face Covering” means a uniform piece of cloth, fabric, or other material that securely covers a person’s nose and mouth and remains affixed in place without the use of one’s hands. Face Coverings include, but are not limited to, bandanas, medical masks, cloth masks, scarves, and gaiters, provided that they are worn such that they securely cover the person’s nose and mouth. Face shields may be used if necessary.
- “Foodservice Establishment” means any establishment within the City that sells prepared food on a dine-in, delivery, carry-out, or drive-through basis.
- “Responsible Person,” with respect to an Establishment, means any individual associated with the Establishment who has the authority and ability to enforce the requirements of the Ordinance within the Establishment, such as an owner, manager, or supervisor. “Responsible Person” may also include an employee or other designee that is present at the Establishment but does not have the title of manager or supervisor, but who has the temporary or designated authority and ability to ensure that the requirements of this Ordinance are met while the Establishment is open to the public.
- “Retail Establishment” means any retail business, organization, establishment, or facility open to the public within the City, including without limitation:
 1. grocery stores, convenience stores, and any other establishment engaged in the retail sale of non-prepared food;
 2. commercial stores engaged in the retail sale of goods or services to the public including without limitation sporting goods stores; furniture and home-furnishings

stores; clothing, shoe, and clothing-accessory stores; jewelry, luggage, and leather goods stores; department stores; hardware and home-improvement stores; book, craft, and music stores; florists and flower stores; and all other stores that sell supplies for household consumption or use;

3. pharmacies and other stores that sell medications or medical supplies;
 4. alcoholic beverage stores; and
 5. laundromats
 6. Salons and Barber Shops:
- "Public Transportation" means buses and other forms of transportation that charge set fees, run on fixed routes and are available to the public.

Section 2. Use of Face Coverings. Effective as of the 24th day of July, 2020 at 12:01 A.M.

Section 3. Exemptions. Face Coverings shall not be required:

1. in outdoor or unenclosed areas appurtenant to Retail Establishments or Foodservice Establishments in which social distancing of at least six feet is possible and observed;
2. for people whose religious beliefs prevent them from wearing a Face Covering;
3. for those who cannot wear a Face Covering due to a medical or behavioral condition;
4. for children under 10 years old, provided that adults accompanying children age two through 10 shall use reasonable efforts to cause those children to wear Face Coverings while inside the enclosed area of any Retail Establishment or Foodservice Establishment
5. for patrons of Foodservice Establishments while they are dining;
6. in private, individual offices;
7. when complying with directions of law enforcement officers;
8. in settings where it is not practical or feasible to wear a Face Covering, including when obtaining or rendering goods or services such as the receipt of dental services or while swimming;
9. while exclusively with members of a family or the same household, and no person other than such family or household is within the same enclosed area.

Section 4. Individual Violations: Civil Infraction. Any person violating the provisions of this Ordinance by failing to wear a Face Covering when required shall be guilty of a civil infraction, punishable by a penalty of not more than \$25.00. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense.

Section 5. Responsible Person Violations: Civil Infraction. Any Responsible Person violating the provisions of this Ordinance by failing to require employees of the Establishment to wear a Face Covering when required shall be guilty of a civil infraction, punishable by a penalty of not more than \$25.00. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense.

Section 6. Responsible Person Violations: Public Nuisance. In addition to the penalties established by Section 5 hereof, repeated violations of this Ordinance by a Responsible Person

by failing to require employees of the Establishment to wear a Face Covering are additionally hereby declared to be a public nuisance, which may be abated by the City by restraining order, preliminary and permanent injunction, or other means provided for by the laws of this State. The foregoing notwithstanding, every effort shall be made to bring Establishments into voluntary compliance with the terms of this Ordinance prior to the commencement of any enforcement action.


An emergency ordinance can be passed with one reading but it is only in effect for sixty (60) days and requires 2/3 majority vote to pass.

A motion by Councilmember Thompson seconded by Councilman Laughridge carried unanimously (8-0) to approve emergency Ordinance 20-24 requiring individuals to wear face coverings.

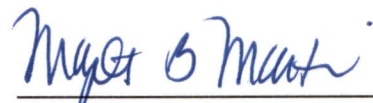
ADJOURNMENT

A motion by Councilman John Roberts seconded by Councilman Laughridge carried unanimously (8-0) to adjourn at 1:35 P.M.

ATTEST:



Terence V. Roberts
Mayor



Margot B. Martin
City Clerk Treasurer