

VILLAGE OF YELLOW SPRINGS, OHIO

RESOLUTION 2020-23

**REQUIRING PHYSICAL DISTANCING, FACIAL COVERING AND HAND
SANITIZING/WASHING WHEN IN THE CENTRAL BUSINESS DISTRICT WITHIN
THE VILLAGE OF YELLOW SPRINGS, OHIO**

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death, caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person. The virus is spread between individuals who are in close contact with each other (within about six feet) through respiratory droplets. It may be possible that individuals can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose or eyes; and

WHEREAS, on January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak of COVID-19 a public health emergency of international concern; and

WHEREAS, on January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, on February 1, 2020, the Ohio Department of Health issued a statewide Health Alert Network to provide local health departments with updated guidance for COVID-19; and

WHEREAS, on March 9, 2020, Governor Mike DeWine signed an Executive Order declaring a State of Emergency for the entire State of Ohio in relation to COVID-19 pursuant to the Governor's authority vested in him by the Constitution, the laws of the State of Ohio and in accordance with Revised Code section 5502.22; and

WHEREAS, the Governor's Executive Order declaring a State of Emergency for the entire State of Ohio urged all citizens to heed to the advice of the Department of Health and other emergency officials regarding COVID-19 in order to protect their health and safety; and

WHEREAS, on March 12, 2020, Governor DeWine announced the closing of all kindergarten through 12th grade schools through April 3, 2020, which was extended to the end of the school year, and the Ohio Department of Health Director Amy Acton signed an order prohibiting mass gatherings in the state of Ohio; and

WHEREAS, on March 13, 2020, the Ohio Department of Health issued an amended Director's Order to Limit Access to Ohio Nursing Homes and Similar Facilities; and

WHEREAS, on March 14, 2020, the Greene County Board of Health declared a Public Health Emergency due to this imminent threat of an acutely hazardous disease, posing a high probability of widespread exposure to an infectious agent that poses a significant risk of substantial harm to

a large number of people, including a large number of serious or long-term disabilities or a large number of deaths; and

WHEREAS, on March 14, 2020, the Ohio Department of Health issued a Director's Order to close all K-12 schools in the State of Ohio; and

WHEREAS, the CDC reports that people are most contagious when they are most symptomatic (the sickest); however, some spread might be possible before people show symptoms; and

WHEREAS, on March 16, 2020, the Ohio Department of Health issued a Director's Order closing all polling locations on March 17, 2020 in the State of Ohio; and

WHEREAS, the CDC has advised those that have possible or confirmed COVID-19 to stay home and away from public places; and

WHEREAS, on March 22, 2020, under direction of Ohio Governor Mike DeWine, Ohio Department of Health Director Amy Acton, M.D. issued an order requiring all Ohioans to stay in their homes to prevent the further spread of COVID-19 until April 6, 2020 and the order was extended until May 1, 2020 and was amended on April 30, May 20 and May 22, 2020 to allow businesses to open with the requirement that facial coverings (a.k.a. masks) be worn by all employees except in certain circumstances; and

WHEREAS, on April 20, 2020, Council for the Village of Yellow Springs declared a local emergency based on the COVID-19 pandemic; and

WHEREAS, on May 22, 2020, the travel ban order found in the April 30, 2020 order was rescinded, and now more people are traveling throughout the state, Greene County and within the Village; and

WHEREAS, a local and statewide State of Emergency continues to exist with limits on mass gatherings and strong recommendations to physically distance; and

WHEREAS, as a result of the above described emergency, there is a continuing and urgent need to protect all citizens and guests of Yellow Springs from the risks relating to the COVID-19 pandemic through the protection provided by physically distancing, wearing facial coverings and regularly washing/sanitizing hands; and

WHEREAS, Council for the Village of Yellow Springs does hereby recognize that the Village population is comprised of many people who are considered to be "at risk" if they contract the COVID-19 virus and that Yellow Springs is a community frequented by persons who travel from locations both outside the Village and the County; and

WHEREAS, Council further recognizes that many visitors come to the Village to sightsee, shop and eat within the Central Business District where narrow sidewalks and small businesses make physical distancing less possible; and

WHEREAS, after weighing the available information about the COVID-19 virus, consulting with the Greene County Combined Health District, considering the guidance from the Ohio Department of Health and input from Governor DeWine, and seeking input from our residents, business owners and Village team members, Council concludes that the safety of Village residents, guests and business owners in the Central Business District is best protected by implementing a physical distancing, facial covering and hand sanitizing/washing requirement;

NOW, THEREFORE, be it **RESOLVED** by Council for the Village of Yellow Springs, Greene County, Ohio that:

Section 1. All persons within the area of the Village zoned Central Business District shall be required to maintain physical distance of at least six feet of separation from non-group members, to wear a facial covering provided expressly for that purpose, and to regularly sanitize/wash hands.

Section 2. Exceptions to the above are individuals with a documented medical condition that prevents them from wearing a facial covering and children under the age of four: this exception applies only to facial covering and does not affect the need to physically distance or to engage in hand-washing/sanitizing.

Section 3. The Village expects all individuals, except as above exempted, to comply with these requirements.

Section 4. This Resolution shall be in full force and effect immediately upon adoption and shall expire on the later of December 30, 2020 or by an order issued by the Governor or Director of the Ohio Department of Health that a state of emergency no longer exists.

Section 5. This resolution is hereby declared to be an emergency measure under home rule power granted by the Village Charter and immediately necessary to preserve the public interest and for the health, safety and welfare of the citizens of and visitors to the Village.

Signed: _____

Brian Housh, President of Council

Passed: 6-15-2020

Attest: _____

Judy Kintner, Clerk of Council

ROLL CALL:

Brian Housh_Y__ Marianne MacQueen_Y__ Kevin Stokes__Y__

Lisa Kreeger_Y__ Laura Curliss_N__