

**A RESOLUTION ADDRESSING THE WEARING OF A FACE COVERING OR MASK WHILE IN PUBLIC PLACES TO CONTROL AND PREVENT THE SPREAD OF COVID-19, AND TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF THE CITIZENS OF ROCKDALE COUNTY, GEORGIA.**

**WHEREAS**, as the Governing Authority of Rockdale County, Georgia, the Board of Commissioners, pursuant to the home rule powers of the Georgia Constitution to enact ordinances, rules, and regulations that are reasonably necessary to protect the health, safety, and welfare of its citizens; and

**WHEREAS**, the World Health Organization has indicated that COVID-19 is spread primarily by respiratory droplets expelled when an infected person coughs, sneezes or speaks; and

**WHEREAS**, the Centers for Disease Control (CDC) have advised it is possible that as many as one in four people who are infected with COVID-19 show no symptoms, and that people who do not experience symptoms can spread COVID-19 to other individuals; and,

**WHEREAS**, the CDC has stated that people infected with COVID-19 are contagious before they start showing symptoms, and that individuals who are infected can spread the virus to others before the onset of symptoms; and,

**WHEREAS**, based on evidence that people experiencing no symptoms can spread COVID-19, the CDC recommends that all persons over the age of (2) two years wear face coverings in public and when around people of separate households, particularly when other social distancing measures are difficult to maintain; and,

**WHEREAS**, Governor Brian Kemp has ordered that “Code Section 16-11-38(b)(4) shall not apply to any person wearing a ‘mask, hood, or device by which any portion of the face is so hidden, concealed, or covered as to conceal the identity of the wearer’ if that person is wearing such device for the purpose of complying with the guidance of any healthcare agency or to prevent the spread of COVID-19.” See Executive Order 04.13.20.02; and,

**WHEREAS**, Governor Kemp has issued an executive order “strongly encouraging” the use of face coverings. See Executive Order 07.15.20.01; and,

**WHEREAS**, the guidelines promulgated by the White House on reopening America specifically call for a 14-day downward trajectory among other gating criteria, which guidelines are specifically incorporated by reference; and,

**WHEREAS**, the number of cases is growing rapidly and if COVID-19 continues to spread in the County, the number of persons needing medical attention and facilities could exceed available resources and the private and public sector workforce and economy will be negatively impacted; and,

**WHEREAS**, the purpose of face covering is to protect the public from the mask wearer inadvertently spreading the virus. As such, the use of face coverings is a matter of public health,

and individuals who do not use such coverings create a public safety hazard by potentially exposing others to the virus, meanwhile gaining the health benefit offered by others who utilize face coverings. Requiring the use of face coverings is therefore necessary to ensure the safety of all persons and to slow the spread of the virus; and,

**WHEREAS**, the public health crisis in Rockdale County Georgia is ongoing. As of July 25, 2020, there have been 12 deaths, 155 hospitalizations, and 976 confirmed cases in Rockdale County.

**WHEREAS**, this ordinance is authorized and specifically intended to comply with the Governor's Executive Orders regarding the public health crisis in the State of Georgia;

**NOW, THEREFORE, BE IT RESOLVED**, all residents and visitors of Rockdale County Georgia, who are over the age of eight (8) years old, shall wear face coverings which covers the nose and mouth when in any public place as is reasonably practicable while outside their homes or places of residences.

**BE IT FURTHER RESOLVED**, no face coverings shall be required in the following instances and situations:

- 1) While outdoors, provided individuals maintain a minimum 6-foot radius from others who are not a part of that person's household;
- 2) In personal vehicles;
- 3) If a medical provider has advised against the use of a face covering due to an underlying medical issue or because wearing such covering presents a health, safety, or security risk;
- 4) If wearing a face covering causes prevent the receipt of personal services;
- 5) If removal of a face covering is necessary to treat or examine a person subject to the direction of a medical professional;
- 6) When consuming food or beverages; however a face covering shall be required when interacting with others who are not at an individual's immediate table (i.e. fellow patrons, servers, staff, etc.)
- 7) If temporary removal of the face cloth is necessary for the purposes of verifying a person's identity for the purposes of law enforcement, purchasing alcohol, tobacco, or prescription drugs;
- 8) If a person is employed and working in their capacity as a governmental professional (i.e. public safety, fire, sanitation), or medical professional and is wearing more protective equipment or is otherwise prohibited from utilizing a face covering by the policy of their employer;
- 9) If an employer consults with an occupational safety and health professional who determines in writing that face coverings are not appropriate for employees, because of heat or other health related or safety;
- 10) If wearing a mask poses a greater mental or physical health safety or security risk such as when a person has trouble breathing, is unconscious, is incapacitated, or is unable to remove the face covering without assistance; or
- 11) If an individual has a well-founded and conscientious objection to the wearing of a face covering based upon health, ethical, or religious reasons.


**BE IT FURTHER RESOLVED**, the following exemptions shall exist for children, childcare establishments, and schools:

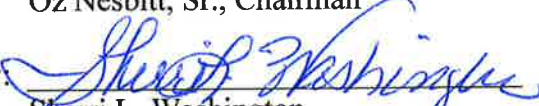
- 1) Children two (2) years of age and under should not wear face coverings or mask while in a public place as the mask may pose a risk of choking, strangulation or suffocation to infants and young toddlers;
- 2) Parents or guardians of children eight (8) years or younger shall exercise their own discretion regarding the wearing of masks by such children.
- 3) All schools, daycares, and other child care establishments shall develop face covering policies and procedures based on guidance from public health authorities, the state department of education and the local board of education. These policies should weigh the risks and benefits of masks to children, teachers and other employees of such establishments. Parents and guardians should be notified of such policies and procedures. Where the consistent use of face coverings or masks is not possible due to supervision of multiple children, the facility shall adhere to sanitary, hygienic and face covering practices to the maximum extent possible.
- 4) All persons other than teachers, employees, and children is such establishment shall abide by the applicable provisions of this article. Teachers, children, and employees shall abide by the policies developed by such established as required above.

**BE IT FURTHER RESOLVED**, any resolution in conflict with this resolution is hereby repealed.

**SO RESOLVED** by the Rockdale County Board of Commissioners this 23<sup>rd</sup> day of July, 2020.

**Rockdale County, Georgia  
Board of Commissioners**

By:   
Oz Nesbitt, Sr., Chairman

By:   
Sherri L. Washington

By:   
Doreen L. Williams

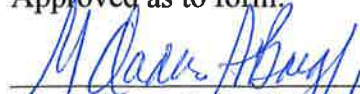
[SIGNATURES CONTINUED TO NEXT PAGE]

Attest:



Jennifer Rutledge, County Clerk

Approved as to form:

  
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M. Qader A. Baig, County Attorney