

1 ORDINANCE NO. 2020-244

**Late Filing**  
**First Reading Passage Requested**  
**(D. Matz)**

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE \_\_\_\_\_ COMMITTEE: Rules

6  
7 **An Ordinance establishing face covering guidelines for persons engaging in public**  
8 **activity in Summit County, for the Executive and declaring and emergency.**

9 WHEREAS, COVID-19 is an infectious disease that causes respiratory illness ranging  
10 in severity from moderate illness to death and can be easily spread from person to person; and

11 WHEREAS, on March 11, 2020, the World Health Organization characterized the  
12 global outbreak of COVID-19 as a pandemic and has indicated this is a first-ever pandemic  
13 caused by a coronavirus; and

14 WHEREAS, on March 9, 2020, Governor Mike DeWine declared a state of  
15 emergency for the State of Ohio to protect the well-being of the citizens of Ohio from the  
16 dangerous effects of COVID-19; and

17 WHEREAS, on March 13, 2020, Executive Shapiro declared a state of emergency  
18 for the County of Summit due to COVID-19 to protect the health, safety and welfare  
19 of the residents of the County; and

20 WHEREAS, on March 22, 2020, under the direction of Ohio Governor DeWine,  
21 Ohio Department of Health Director Amy Acton M.D. issued an order requiring all  
22 Ohioans to stay in their homes to prevent the further spread of COVID-19 until April 6,  
23 2020, which order was extended until May 1, 2020, and has been since amended on April  
24 30, May 20, and May 22, 2020, to allow businesses to open with the recommendation that  
25 facial coverings be worn except in certain circumstances; and

26 WHEREAS, on June 26, 2020 Executive Shapiro issued an executive order requiring  
27 face coverings to be worn in all County owned buildings; and

28 WHEREAS, on July 8, 2020, Governor DeWine announced the creation of Ohio's  
29 Public Health Advisory System, which consists of four alert levels that provide Ohioans  
30 with guidance as to the severity of COVID-19 spread in the counties in which they live.  
31 Each level is calculated based on seven data-driven health indicators and summarized as  
32 follows:

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- 34 • Alert Level 1: Active Exposure and Spread – Yellow
  - 35 • Alert Level 2: Increased Exposure and Spread. Exercise high degree of  
36 caution – Orange
  - 37 • Alert Level 3: Very High Exposure and Spread. Limit activities as much as  
38 possible. – Red
  - 39 • Alert Level 4: Severe Exposure and Spread. Only leave home for supplies  
40 and services – Purple

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4 WHEREAS, on July 8, 2020, Governor DeWine also announced an Ohio  
5 Department of Health order which mandates face coverings in public in all counties that  
6 are designated as a Red Alert Level 3 Public Health Emergency or a Purple Alert Level 4  
7 Public Health Emergency. Those in counties designated as Red Alert Level 3 or Purple  
8 Alert Level 4 are required to wear a face covering:

- 9
- 10 • In any indoor location that is not a residence;
  - 11 • When outdoors and unable to consistently maintain a distance of six feet or more  
12 from individuals who are not members of their household; or
  - 13 • While waiting for, riding, driving, or operating public transportation, a taxi, a  
14 private car service, or a ride-sharing vehicle.

15 WHEREAS, on July 9, 2020, Ohio Governor Mike DeWine increased the Risk  
16 Level for Summit County to Alert Level 3-Red as a result of the increase in the number of new  
17 cases per capita, sustained increase in new cases, the proportion of cases not resulting from  
18 congregate housing and a sustained increase in outpatient visits; and

19 WHEREAS, the transmission of COVID-19 through community spread remains a  
20 significant threat to the health and safety of the Summit County community as rates of  
21 infection continue to increase despite efforts to control the spread of COVID-19; and

22 WHEREAS, the CDC recommends the use of face covers based on the role respiratory  
23 droplets play in the spread of the virus that causes COVID-19, paired with emerging  
24 evidence from clinical and laboratory studies; and

25 WHEREAS, the requirement that face coverings be worn by any person in a public  
26 place within Summit County best promotes health, safety, and welfare of the public by  
27 reducing the spread of COVID-19 while enabling the continuation of essential services,  
28 businesses, and travel necessary to protect public health and safety, and for the continuity of  
29 social and commercial life during the state of emergency; and

30 WHEREAS, the Executive and this Council believe that it is the civic and patriotic duty  
31 of those engaged in public activity in Summit County to protect the health and welfare of its  
32 residents and visitors to the County by wearing face coverings in Summit County, beginning at  
33 Alert Level 2 – Orange and thus desire to define the requirements for wearing a face covering  
34 when in public; and

35 WHEREAS, this Ordinance is adopted pursuant to the County’s authority set forth in  
36 Article I, Sections 1.01 and 1.02 of the County of Summit Charter, and will apply in the  
37 Townships within the County, but may also be adopted by its cities and villages;

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39 NOW THEREFORE, BE IT ORDAINED by the Council of the County of Summit, State  
40 of Ohio that:

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2 PAGE THREE

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4 SECTION 1

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6 Chapter 522 of the Codified Ordinances of the County of Summit, entitled "Face  
7 Coverings During Pandemic " is hereby enacted as set forth on Exhibit A, attached hereto and  
8 incorporated herein by reference.

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10 SECTION 2

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12 This Ordinance is declared to be an emergency in the interest of the health, safety, and  
13 welfare of the residents of the County of Summit and for the further reason to immediately enact  
14 Chapter 522 instituting the requirement to wear face coverings in public to prevent the spread of the  
15 COVID-19 virus.

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18 SECTION 3

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20 Provided this Ordinance receives the affirmative vote of eight members, it shall take effect  
21 immediately upon its adoption and approval by the Executive; otherwise it shall take effect and be  
22 in force at the earliest time provided by law.

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24 SECTION 4

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26 It is found and determined that all formal actions of this Council concerning and relating to  
27 the adoption of this Ordinance were adopted in an open meeting of this Council, and that all  
28 deliberations of this Council and any of its committees that resulted in such formal action were in  
29 meetings open to the public, in compliance with legal requirements, including Section 121.22 of the  
30 Ohio Revised Code.

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33 INTRODUCED July 27, 2020

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35 ADOPTED \_\_\_\_\_

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CLERK OF COUNCIL

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42 APPROVED \_\_\_\_\_

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46 \_\_\_\_\_  
EXECUTIVE

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\_\_\_\_\_  
PRESIDENT

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ENACTED EFFECTIVE