

**RESOLUTION NO. 137-20**

**A RESOLUTION THAT STRONGLY URGES THE CITIZENS OF THE CITY OF MEDINA, OHIO TO WEAR FACIAL COVERINGS, SOCIALLY DISTANCE, AND SANITIZE THEIR HANDS TO LIMIT THE SPREAD OF COVID-19, AND DECLARING AN EMERGENCY.**

**WHEREAS:** COVID-19 is a respiratory disease that can result in serious illness and death, and can easily spread from person to person; and

**WHEREAS:** The Center for Disease Control and Prevention (CDC) reported over 3,000,000 cases of COVID-19 in the United States, resulting in over 130,000 deaths thus far; and

**WHEREAS:** On March 9, 2020, The Ohio Department of Health announced confirmed cases of COVID-19 in the State of Ohio, creating a dangerous condition that may affect the health, safety and welfare of the citizens of Ohio; and

**WHEREAS:** On that same day, Governor Mike DeWine declared a state of emergency for the entire State to protect the well-being of the citizens of Ohio from the dangerous effects of COVID-19, and to assist in protecting the lives, safety, and health of the citizens of Ohio; and

**WHEREAS:** COVID-19 endangers the lives of citizens in Medina, creating an emergency to life and public safety, as well as disrupting commerce, the places of work, and places of education; and

**WHEREAS:** The Ohio Department of Health created the Ohio Public Health Advisor System that evaluates each county's risk level, putting Medina County at a Level 2 Public Emergency, which means Medina citizens must exercise a high degree of caution because they are at an increased risk exposure and spread of COVID-19; and

**WHEREAS:** The Ohio Public Health Advisor System has evaluated the neighboring counties of Lorain, Cuyahoga, and Summit at a Level 3 Public Emergency, which means those citizens have an elevated level of exposure and spread and are required by the state to wear facial coverings in public or will be criminally prosecuted; and

**WHEREAS:** As a result of the above described emergency there is a continuing need to protect all citizens and guests to the City of Medina from the risks relating to the COVID-19 pandemic; and

**WHEREAS:** The CDC, the Ohio Department of Health, and the Medina County Health Department recommend wearing face coverings in public where other physical distancing measures are difficult to maintain to help prevent the spread of COVID-19 from asymptomatic or unknowing carriers to others; and

**WHEREAS:** The Medina County Health Department and the Medina County Health Commissioner advised the community in a June 30, 2020 letter that there is a surge in new COVID-19 cases through person-to-person transmission and stated that wearing a facial covering can drastically reduce virus transmission; and

**WHEREAS:** Encouraging face coverings to be worn by any person in a public place within the City of Medina best promotes health, safety, and efforts to limit the spread of COVID-19 while enabling the continuation of essential services, businesses, and travel necessary to protect public health and safety, and for the continuity of social and commercial life during the state of emergency; and

**WHEREAS:** After weighing the known information about the COVID-19 virus, consulting with the Medina County Health Commissioner, and considering the guidance from the Ohio Department of Health, Medina City Council and Mayor, it is concluded that the safety of the City of Medina citizens is best protected when face coverings are worn in public places; therefore

**NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MEDINA, OHIO:**

**SEC. 1:** All individuals in the City of Medina are strongly urged to wear masks or cloth face coverings over their noses and mouths when indoors in public settings or communal spaces outside the home.

**SEC. 2:** All individuals participating in outdoor gatherings with individuals outside of their immediate family, where social distancing is not possible, are encouraged to wear masks or cloth face coverings.

**SEC. 3:** It is strongly recommended that employers provide access to masks or cloth face coverings to employees present in the workplace and require employees to utilize them while at work.

**SEC. 4:** Businesses are encouraged to recommend that patrons wear masks or cloth face coverings and clearly post signs stating such recommendation. Businesses are further encouraged to make face coverings available for customers upon request.

**SEC. 5:** Guidelines for facial coverings do not apply to the following:

- a. Children under the age of five
- b. Individuals for whom a mask or cloth face covering would cause impairment due to an existing physical or mental condition.
- c. Individuals working in a profession in which the use of a mask or face covering will not be compatible with the duties of the profession.
- d. Individuals who do not have contact with the public and can maintain social distancing with other employees at all times.
- e. Individuals exercising if a mask or face covering would interfere with their breathing.
- f. Individuals who are seated at a restaurant or bar while eating or drinking.
- g. Individuals while acting in their official capacity as a public safety employee or emergency responder when wearing a face covering would interfere with or limit their ability to carry out their official duties or functions. These include police officers, firefighters, and other public safety or emergency medical personnel that support public safety operations.

**SEC. 6:** Businesses that elect to observe the recommendations above have a right to refuse service based upon the violation of those recommendations to individuals that enter their place of business. It is recommended that businesses place signage near the entrance and/or verbally request individuals to adhere to the recommendations prior to any action taken to refuse service to an individual. Individuals are highly encouraged to be civil and follow the requests of business owners while inside of their place of business.

**SEC. 7:** For the purposes of this Resolution, "face covering" means a piece of cloth, fabric, or other material that fully covers the mouth and nose and that is secured with ear straps or otherwise tied so as to prevent slipping. A face covering may be factory-made or may be handmade and improvised from household materials. Face coverings include, but are not limited to, bandanas, scarfs, medical masks, and cloth masks; and also include respirators, N95 masks or other personal protective equipment that provides a higher level of protection than a face covering defined in this Section. A face covering shall be worn so as to cover the mouth and nose in compliance with the CDC's guidance on wearing face coverings.

- SEC. 8:** All individuals are strongly urged to maintain a minimum of six feet distance between themselves and others outside of the immediate family, when in public. When social distancing is not possible, individuals shall leave as much room as one can and wear a facial covering.
- SEC. 9:** All individuals are strongly urged to frequently wash and sanitize their hands throughout the day, especially after being in a public place.
- SEC. 10:** In keeping with the City of Medina’s community spirit and welcoming atmosphere, all individuals that visit our historic square and patronize our businesses are strongly encouraged to be kind to one another. Though it may be difficult for everyone to wear a mask at all times, the City of Medina encourages everyone to respect each other in this difficult time.
- SEC. 11:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law.
- SEC. 12:** That this Resolution shall be considered an emergency measure necessary for the immediate preservation of the public peace, health and safety, and for the further reason due to the COVID-19 pandemic health emergency; wherefore, this Resolution shall be in full force and effect immediately upon its passage and signature by the Mayor.

**PASSED:** July 13, 2020

**SIGNED:** John M. Coyne, III  
President of Council

**ATTEST:** Kathy Patton  
Clerk of Council

**APPROVED:** July 14, 2020

**SIGNED:** Dennis Hanwell  
Mayor