

EMERGENCY ORDER NO. 20-006

AN ORDER OF THE DIRECTOR OF EMERGENCY SERVICES FOR THE CITY OF VALLEJO REQUIRING THE MANDATORY WEARING OF FACE MASKS IN ENCLOSED PUBLIC SPACES

WHEREAS, COVID-19, commonly known as the novel Coronavirus, has spread throughout the United States and sometimes causes severe illness and death; and

WHEREAS, the President of the United States has declared a national emergency as a result of the Coronavirus; and

WHEREAS, the Governor of the State of California has declared a state emergency as a result of the Coronavirus; and

WHEREAS, the County of Solano has declared a county-wide emergency as a result of the Coronavirus; and

WHEREAS, the City of Vallejo has declared a City-wide emergency as a result of the Coronavirus on March 16, 2020, by Resolution No. 20-026; and

WHEREAS, residents of the state and the City of Vallejo ("City") have been dramatically impacted by COVID-19 and federal, state and local government responses thereto; and

WHEREAS, the novel Coronavirus is highly contagious and poses a threat to the well-being of every person; and

WHEREAS, the County of Solano has not issued any orders requiring the wearing of face masks; and

WHEREAS, it has been shown that the wearing of face masks by individuals is highly effective in limiting the spread of the novel Coronavirus; and

WHEREAS, the City has an important governmental interest in protecting the health and welfare of its citizens; and

WHEREAS, requiring the wearing of face masks in enclosed public spaces will provide additional protections to the citizens of Vallejo; and

WHEREAS, Section 2.50.070(D)(1) of the City of Vallejo Municipal Code empowers the Director of Emergency Services to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by any emergency proclaimed by the Director of Emergency Services or by the City Council.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED as follows:

1. Each person over the age of five years old shall wear a mask or cloth face covering which covers both the mouth and nose ("Face Mask") at all times when in an enclosed space open to members of the public including, but not limited to, any government building, police station, marina, or fire station; a business open to the public of any kind including, but not limited to, grocery stores, convenience stores, liquor stores, supermarkets, pharmacies, laundromats, dry cleaners, hardware stores, commercial office buildings, tobacco stores; a restaurant, bar or pub of any kind; any medical facility of any kind including, but not limited to, hospitals, clinics, urgent care facilities, long term care facilities, and senior care facilities; and a church, mosque, temple or other religious building.

Notwithstanding the foregoing, patrons of restaurants, bars and pubs may remove their Face Masks while eating dinner and/or drinking beverages. In addition, those who are inside a building and occupying an individual office may remove their masks while alone in their office but shall wear Face Masks when anyone enters their office or when they leave their office.

2. No person shall be required to wear a Face Mask when outdoors unless it is not possible to maintain a distance of six feet from every other person. In the event that a person cannot maintain the aforesaid six feet outdoors, then that person shall be required to wear a Face Mask.

3. In residential buildings consisting of at least two dwelling units ("Residential Buildings"), any person entering without limitation, any lobby, hallway, elevator, stairwell, laundry room, garage or any other enclosed areas which are accessible to more than one dwelling, unit shall wear a Face Mask while in those areas.

4. This Emergency Order shall only apply to persons over the age of five years old. It shall not apply to anyone who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the mask without assistance, anyone with a disability or medical condition for whom wearing a Face Mask is not recommended by their healthcare professional, and/or any other person exempted by any federal, state or local law or regulation.

5. This Emergency Order shall take effect at midnight on the day executed by the Director of Emergency Services.

IT IS FURTHER ORDERED that this order shall remain in full force and effect until the City Council determines that the Emergency proclaimed by the City on March 16, 2020, is over.

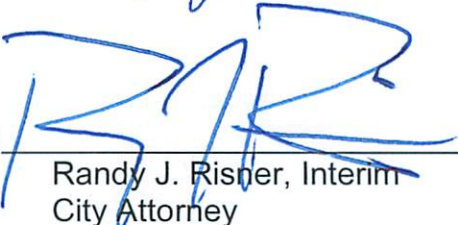
IT IS FURTHER ORDERED that this order shall be presented to the City Council for ratification at the earliest possible time.

DATED: May 26, 2020

By: 
Greg Nyhoff, Director of
Emergency Services

Approved as to Form:

Dated: May 26, 2020

By: 
Randy J. Risher, Interim
City Attorney