

AMENDED JOINT PROCLAMATION OF THE CHAIRMAN AND MECKLENBURG COUNTY BOARD OF COMMISSIONERS, MAYOR OF THE CITY OF CHARLOTTE AND MAYOR OF THE TOWN OF MATTHEWS IN CONSULTATION WITH THE MECKLENBURG COUNTY PUBLIC HEALTH DIRECTOR IN CONJUNCTION WITH THE DIRECTOR OF THE OFFICE OF THE CHARLOTTE MECKLENBURG EMERGENCY MANAGEMENT DEPARTMENT

**WHEREAS**, The North Carolina General Assembly has adopted Article 1A of Chapter 166A of the General Statutes, entitled “North Carolina Emergency Management Act”, which sets forth the authority and responsibility of the Governor, State agencies, and local governments in prevention of, preparation for, response to, and recovery from natural or man-made emergencies; and

**WHEREAS**, G.S. §166A-19.22 and G.S. §166A-19.31, which are part of the North Carolina Emergency Management Act, authorize counties and municipalities to declare states of emergency and authorizes counties and municipalities to impose prohibitions and restrictions under conditions and following procedures contained in G.S. §166A-19.22 and G.S. §166A-19.31; and

**WHEREAS**, the novel Coronavirus (COVID-19) is a global pandemic that is easily transmitted from person to person and has created a state of emergency in the State of North Carolina, County of Mecklenburg, City of Charlotte and surrounding six Towns; and

**WHEREAS**, based on the public health concerns, the Governor declared a state of emergency on behalf of the state of North Carolina on March 10, 2020; and

**WHEREAS**, Mecklenburg County in conjunction with the City of Charlotte and six Towns within the County signed a Joint Proclamation of State of Emergency on March 13, 2020; and

**WHEREAS**, Mecklenburg County in conjunction with the City of Charlotte and six Towns within the County have acted together to impose restrictions and guidelines to act in the best interest of the residents of the County, City and Towns; and

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) has determined that COVID-19 is spread primarily between people in close proximity to one another, and can be transmitted through respiratory droplets produced when an infected person coughs, sneezes or talks and recommends social distancing to prevent the continued spread of the virus; and

**WHEREAS**, slowing and controlling community spread is critical to ensure healthcare facilities can meet the demands of those needing health care and not overwhelm the system; and

**WHEREAS**, CDC recommends wearing a face covering or non-surgical protective face masks in public settings, practicing social distancing and washing one’s hands frequently as measures designed to help slow or prevent the spread of the virus and to prevent individuals who may be infected and unaware from transmitting the virus to others; and

**WHEREAS**, to reduce COVID-19 spread, the Governor issued Executive Order No. 141, requiring safety measures in certain business settings, limiting mass gatherings, and closing certain types of businesses and operations; and

**WHEREAS**, in Executive Order No. 141, issued on May 20, 2020, the Governor urged that all people in North Carolina follow social distancing recommendations, including that everyone wear a cloth face covering, wait six (6) feet apart and avoid close contact, and wash hands often or use hand sanitizer, and began a phased reopening; and

**WHEREAS**, the number of laboratory-confirmed positive cases in the State and in Mecklenburg County continue to climb as do the number of deaths related to the virus but social distancing continues to decline; and

**WHEREAS**, on June 22, 2020, the Town of Matthews Board of Commissioners adopted a resolution entitled “Resolution in support of requiring face coverings to be worn in Mecklenburg County during COVID-19 pandemic”, and

**WHEREAS**, to mitigate the spread, on June 23, 2020, the Mecklenburg County Board of Commissioners directed that residents under the jurisdiction of the Board be required to wear face coverings when in the public setting; and

**WHEREAS**, the Mayor of the City of Charlotte has determined, in the interest of slowing the spread of COVID-19, that it is the best interest of the public and the residents of the City of Charlotte who access city services to wear face covering when entering a city owned or leased building or facility, and

**WHEREAS**, on June 24, 2020, the Governor issued Executive Order 147, “Extension of Phase 2 Order and New Measures to Save Lives in the COVID-19 Pandemic” requiring face coverings be worn when in public places, indoor or outdoor, where physical distancing of six (6) feet from other people who are not members of the same household or residence is not possible; and

**WHEREAS**, in the same Order, the Governor strongly encouraged local governments to adopt similar policies that require face coverings as well; and

**WHEREAS**, in consideration of all the current available data related to the impact of COVID-19 in Mecklenburg County the Board of County Commissioners and undersigned have determined that due to the trends it is in the best interest of the residents of Mecklenburg County, City of Charlotte and Town of Matthews to amend the current Joint Proclamation subject to the following conditions.

**NOW THEREFORE BE IT FURTHER ORDAINED THAT:**

The current Joint Proclamation is hereby amended to adopt the provisions of Executive Order 147 which are incorporated herein by reference with the following additional requirements:

A face covering shall be worn while indoors by all customers, employees and other users of County, City or Town owned, or leased, buildings and facilities, and all persons in any other indoor or outdoor situation in which people cannot maintain the CDC recommended social distance, including those in County parks.

This Amended Joint Proclamation requirement does not apply to the eleven (11) exceptions listed in Executive Order 147 and in addition:

- i. to staff in private offices
- ii. when complying with directions of law enforcement officers
- iii. in settings where it is not practical or feasible to wear a face covering when obtaining or rendering goods or services
- iv. to family or household members.

This Amended Joint Proclamation incorporates the terms and provisions of the Governor's Executive Orders, as amended, and continues the Declaration of the State of Emergency within the jurisdiction of Mecklenburg County, City of Charlotte and the Town of Matthews. The terms and duration of this Amended Joint Proclamation shall coincide with the current or future Governor's Executive Orders, as amended, unless this Amended Joint Proclamation is sooner revised, amended, extended or terminated by action of the parties hereto.

This Amended Joint Proclamation is adopted this \_\_\_\_\_ day of July 2020 effective immediately.

APPROVED AS TO FORM

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County Attorney

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Chairman Board of Commissioners

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Mayor, City of Charlotte

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Mayor, Town of Matthews

