

1st reading 12-2-20
2nd reading _____
3rd reading _____
Voted On 12-2-20
Ayes: 7 Nays: 0
PASSED ☒ DEFEATED ☐

12/2/2020

ORDINANCE NO. 2020-21

**AN ORDINANCE
REQUIRING PERSONS WHO ENTER UPON AND UTILIZE CERTAIN
VILLAGE PARK FACILITIES TO WEAR A FACIAL COVERING
(MASK) AND DECLARING AN EMERGENCY.**

WHEREAS, on March 9, 2020, Governor Michael DeWine issued Executive Order 2020-01D declaring a state of emergency in the State of Ohio to protect Ohioans from the dangerous effects of COVID-19; and

WHEREAS, diagnosed cases of COVID-19 within Cuyahoga County and the State of Ohio have increased significantly since November 1, 2020; and

WHEREAS, the Department of Health has issued an order stating that everyone 10 years old or older must wear a facial covering when in a retail store;

WHEREAS, this Council believes it is in the best interest of Orange Village to require, with certain exceptions, that facial coverings be worn by individuals who are utilizing certain Village facilities that are located in the Orange Village Community Park upon the same standards established by the State of Ohio.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF ORANGE VILLAGE, STATE OF OHIO:

SECTION 1. That it is the policy of Orange Village that all individuals must wear a facial covering (mask) when entering upon and remaining on the Village Playground and the Village Sledding Hill, located within the Orange Village Park, with the following exceptions:

- A. individuals under 10 years of age;
- B. individuals consuming food or beverage while maintaining a distance of at least six feet from individuals who are not members of their family or household; and
- C. individuals with a documented medical condition or disability that contraindicates the wearing of a facial covering.

SECTION 2. That a "facial covering" (mask) shall be made of a cloth material or comparable material and shall fully cover the person's nose, mouth, and chin. The face covering should be comfortable, so that the wearer can breathe comfortably through the nose and not adjust the mask frequently.

SECTION 3. That any failure to comply with the requirements of Section 1 of this ordinance shall be deemed to be a trespass on Village property, pursuant to Section 541.05(a)(2) of the Orange Village Codified Ordinances.

A. Any Village official may warn a noncomplying person of the requirement.

B. A person who will not wear a facial covering in accordance with this ordinance and who remains on Village property in violation of this ordinance after having been warned by a Village official, may be cited for violation of Section 541.05(a)(2) of the Orange Village Codified Ordinances.

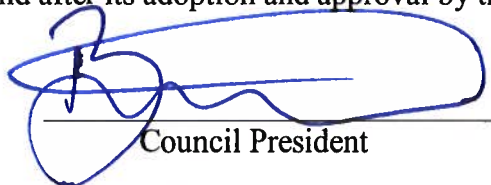
C. If a person persists in violating this ordinance after receiving a citation, that person may be arrested.

SECTION 4: That this is a temporary ordinance that shall expire immediately upon the expiration of the state of emergency imposed by Governor Michael DeWine's Executive Order 2020-01D.

SECTION 5: That actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Chapter 105 of the Codified Ordinances of Orange Village.

SECTION 6: That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of Orange Village, and for the further reason that this regulation is necessary to decrease the rate of spreading COVID-19 at certain Village recreational facilities; wherefore, this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: DECEMBER 2, 2020

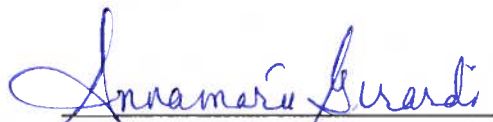


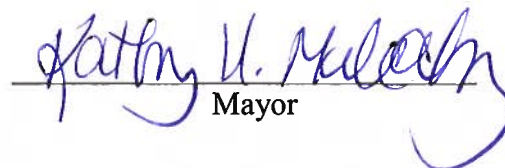
Council President

Submitted to the Mayor for
approval on this 2nd day of DECEMBER, 2020

Approved by the Mayor this
2nd day of DECEMBER, 2020

ATTEST:



Clerk of Council

Mayor