

ORDINANCE 2021-052

AN ORDINANCE REPEALING ORDINANCE NO. 2020-62, PASSED JULY 15, 2020, WHICH ORDERED THAT ALL PERSONS IN PUBLIC PLACES WITHIN THE CITY OF KENT WEAR FACIAL COVERINGS, AND DECLARING AN EMERGENCY.

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

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

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

WHEREAS, on March 13, 2020, City Manager Dave Ruller declared a state of emergency for the City of Kent due to COVID-19, to protect the health, safety and welfare of the City and its residents, which remains ongoing; and

WHEREAS, under the direction of Ohio Governor, Mike DeWine, the Ohio Department of Health issued numerous orders to prevent the further spread of COVID-19; and

WHEREAS, there has been significant evidence of person-to-person and asymptomatic transmission of the virus that causes COVID-19 and, similar to other coronaviruses such as SARS and MERS, it is understood to spread through droplets of respiratory secretions when an infected person coughs or sneezes; and

WHEREAS, throughout the majority of the pandemic, the Centers for Disease Control and Prevention (CDC) recommended wearing face coverings in public to help prevent the spread of COVID-19 from asymptomatic or unknowing carriers to others; and

WHEREAS, starting in late 2020, effective vaccines against COVID-19 received emergency use authorization through the Food and Drug Administration (FDA) and started to become available to Ohio citizens; and

WHEREAS, several COVID-19 vaccines are now authorized for emergency use by the FDA and widely available at no cost to any Ohioan age 12 and over; and

WHEREAS, the threat of uncontrolled transmission of COVID-19 through the community has reduced as more and more Ohioans access the vaccine; and

WHEREAS, given the availability of the vaccine and the greater number of persons who are vaccinated, a general requirement that face coverings be worn by any person in a public place within the City of Kent is no longer necessary at this time- and individuals should be permitted to make personal choices regarding face coverings based upon public health information and medical guidance; and

WHEREAS, Kent businesses and places of public accommodation can and should establish their own guidelines for face coverings, which should be respectfully followed by all customers and visitors.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, that:

SECTION 1. Ordinance No. 2020-62 be and is hereby repealed in its entirety.

SECTION 2. Nothing within this ordinance should be construed to discourage individuals from voluntarily wearing a face covering or to discourage businesses and other places of public accommodation from establishing face covering rules that comply with state and federal guidelines and are designed to protect the health and safety of workers and customers. Kent residents are encouraged to continue to follow CDC guidance and any applicable requirements from the Ohio Department of Health or individual businesses/industries, and to make responsible personal decisions that will limit the spread of COV ID-19, including receiving the vaccine if medically able or, if not vaccinated, continuing to wear a face covering and practice social distancing.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 of Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: June 2, 2021
Date

J. T. Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: June 2, 2021
Date

ATTEST: Amy Wilkens
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2021-052, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON June 2, 2021.

(SEAL)

Amy Wilkens
AMY WILKENS
CLERK OF COUNCIL