



Albemarle County

Legislation Text

File #: 20-565, **Version:** 1

AGENDA DATE: 11/18/2020

TITLE:

Ordinance to Amend Section 9, Succession to Ordinance No. 20-E(5) and Duration, of an Ordinance to Prevent the Spread of the Novel Coronavirus, SARS-CoV-2, and the Disease it Causes, Commonly Referred to as COVID-19

SUBJECT/PROPOSAL/REQUEST: Ordinance to Amend Section 9, Succession to Ordinance No. 20-E (5) and Duration, of an Ordinance to Prevent the Spread of the Novel Coronavirus, SARS-CoV-2, and the Disease it Causes, Commonly Referred to as COVID-19

ITEM TYPE: Regular Action Item

STAFF CONTACT(S): Richardson, Walker, Henry, Kamptner

PRESENTER (S): Greg Kamptner

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: On July 27, 2020, the Board of Supervisors adopted Ordinance No. 20-E(5), An Emergency Ordinance to Prevent the Spread of the Novel Coronavirus, SARS-CoV-2, and the Disease it Causes, Commonly Referred to as COVID-19 (the "Ordinance"). The Ordinance, which became effective August 1, established regulations pertaining to: (1) the maximum indoor occupancy allowed at restaurants, farm wineries, limited breweries, and limited distilleries; (2) the maximum size of public and private gatherings; and (3) the requirement for persons to wear face coverings in public places. The Ordinance was narrowly focused to address areas of concern regarding the spread of COVID-19, and provided exceptions in limited circumstances. The Ordinance was amended by the Board on September 2, 2020 to exempt the "Horse and Other Livestock Shows" and "Horse Racing Racetracks" business sectors from the 50-person limitation on gatherings, subject to identified requirements.

On September 16, 2020, the Board adopted a non-emergency version of the Ordinance following a public hearing. Section 9 of the Ordinance provided that the Ordinance would be effective until November 18, 2020. The Ordinance is before the Board to consider whether to extend for approximately 60 days.

STRATEGIC PLAN: Mission: To enhance the well-being and quality of life for all citizens through the provision of the highest level of public service consistent with the prudent use of public funds.

DISCUSSION: The Centers for Disease Control and Prevention and the Virginia Department of Health continue to identify wearing face coverings, avoiding crowded places, and maintaining physical (social) distancing as behaviors that help protect public health by reducing the spread of COVID-19.

The Thomas Jefferson Health District's positivity rate (seven-day moving average, PCR testing only) has dropped from 6.6% on July 27, 2020 (the date the emergency version of the Ordinance was adopted), to 4.5%

on September 16, 2020 (when the Ordinance was last considered by the Board), to 1.7% on November 9, 2020 (the last date data available before submittal of this executive summary). However, nationwide, as of November 9, 2020, new daily cases rose 29.1%, new daily reported deaths rose 20.9%, and hospitalizations rose 18.5%, all over the prior week. All states and United States territories, with the exception of Puerto Rico, including Virginia (+10%, in addition to +21% the week before), reported increases in cases over the prior week. (Washington Post, November 9, 2020). Public health experts are warning that the coming winter, with people spending much more time indoors and in drier air, will bring on a new surge in COVID-19 cases unless face coverings are worn, gatherings are limited, and physical distancing is maintained. Dr. Denise Bonds and staff from the Thomas Jefferson Health District will provide the Board with the most current COVID-19 information on November 18 before the public hearing on the Ordinance.

BUDGET IMPACT: None

RECOMMENDATION:

Staff recommends the Board adopt the proposed Ordinance (Attachment A).

ATTACHMENTS:

Attachment A - Proposed Ordinance

Attachment B - Revised Proposed Ordinance with Comments

Attachment C - Revised Clean Proposed Ordinance