



Albemarle County

Legislation Details (With Text)

File #: 20-474 **Version:** 1 **Name:**
Type: Ordinance **Status:** Public Hearing
File created: 8/31/2020 **In control:** Board of Supervisors
On agenda: 9/16/2020 **Final action:**

Title: Ordinance to Prevent the Spread of the Novel Coronavirus, SARS-CoV-2, and the Disease it Causes, Commonly Referred to as COVID-19. To receive public comment on its intent to adopt an ordinance entitled "An Ordinance to Prevent the Spread of the Novel Coronavirus, SARS-CoV-2, and the Disease it Causes, Commonly Referred to as COVID-19," which was first adopted by the Board of Supervisors as an emergency ordinance on July 27, 2020 (Ordinance No. 20-E(5)). The ordinance establishes: (1) limitations on the number of persons at food establishments, farm wineries, limited breweries, and limited distilleries; (2) limitations on the number of attendees at gatherings; and (3) requires persons to wear face coverings in public places. The ordinance also includes definitions, specific provisions for when and how the above-described limitations apply, and imposes criminal penalties for violations.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Att.A - Ordinance

Date	Ver.	Action By	Action	Result
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AGENDA DATE: 9/16/2020

TITLE:

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 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.

On September 2, 2020, the Board adopted an emergency amendment to Ordinance No. 20-E(5) to exempt the “Horse and Other Livestock Shows” and “Horse Racing Racetracks” business sectors from the 50-person limitation on gatherings, provided that any shows or events are closed to spectators and that all of the applicable State guidelines are followed.

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: Emergency ordinances may not be enforced for more than 60 days unless they are re-adopted following notice and a public hearing. Ordinance No. 20-E(5) will expire on September 29. The proposed ordinance (Attached A), is the same as Ordinance No. 20-E(5) adopted by the Board on July 27, and as amended on September 2, but with the recitals updated and necessary amendments made as the ordinance is converted from an emergency to a non-emergency ordinance.

As of September 7, Virginia’s 7.30 percent positivity rate in COVID-19 testing over a 14-day period exceeds the World Health Organization’s recommendation that the positivity rate remain at 5 percent or lower for at least 14 days before governments lift public health and social measures (“re-open”). The seven-day positivity rate in the Thomas Jefferson Health District is 6.4 percent. In addition, the community has just entered an uncertain period with approximately 4,400 students having returned to the University of Virginia to live on grounds since September 3, and in-person instruction beginning at the University on September 8. Staff will provide the Board with the most current information at the public hearing on September 16.

BUDGET IMPACT: None

RECOMMENDATION:

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

ATTACHMENTS:

A - Proposed Ordinance