



Albemarle County

Legislation Text

File #: 21-288, **Version:** 1

AGENDA DATE: 5/5/2021

TITLE:

Emergency Ordinance to Amend Ordinance No. 21-E(1), 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

SUBJECT/PROPOSAL/REQUEST: Consideration of an Emergency Ordinance to Amend Ordinance No. 21-E(1), 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

ITEM TYPE: Regular Action Item

STAFF CONTACT(S): Richardson, Kamptner

PRESENTER (S): Greg Kamptner

LEGAL REVIEW: Yes

REVIEWED BY: Jeffrey B. Richardson

BACKGROUND: In response to concerns that the number of COVID-19 cases was rising and thousands of students would soon be coming to the community for the University of Virginia's fall semester, 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") on July 27, 2020. The Ordinance was part of a cooperative effort by the County, the City of Charlottesville, which adopted a similar ordinance, and the University of Virginia, to control the spread of COVID-19. The Ordinance 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. When it was first adopted, the Ordinance was more restrictive than the Governor's Executive Orders in effect at the time.

Since its original adoption on July 27, the Ordinance has been amended several times as new information became available and the Governor adopted or amended Executive Orders. The Ordinance was most recently amended by the Board on April 7, 2021 in Ordinance No. 21-E(1), an emergency ordinance which mirrored, for the most part, the "slight easing" of restrictions in EO 72. Since April 7, the Governor amended EO 72 twice on April 21 and April 22 to further relax the restrictions on certain gathering sizes and the number of persons attending other activities, as well as relaxing the restrictions on the number of persons who may attend certain private bookings. The April 22 amendment to EO 72 has a delayed effective date of May 15, 2021.

The Charlottesville City Council repealed its COVID-19 ordinance on April 19, 2021.

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 proposed Ordinance (Attachment A) would again mirror the amendments to EO 72 by increasing the maximum sizes of private bookings at food establishments and similar venues (Section 4(A)), gatherings (Section 5(A)), persons attending entertainment and amusement businesses (Section 5(B)), persons attending sports venues (Sections 5(C)(1) and (2)), and persons attending races and marathons (Sections 5(C)(3) and (4)). To be consistent with the amendments to EO 72, the proposed Ordinance would amend certain restrictions pertaining to races and marathons effectively immediately to incorporate the April 21 amendment to EO 72. Otherwise, the substantive amendments in the proposed Ordinance would have a delayed effective date of May 15, 2021 to be consistent with the delayed effective date of the April 22, 2021 amendment to EO 72.

The County's face covering restrictions in Section 6 are unchanged. They remain consistent with EO 72 and its predecessors with the exception of the County's additional requirement that any person claiming to be exempt from the face covering requirement for a health or other qualifying reason must provide documentation from a health practitioner.

BUDGET IMPACT: None

RECOMMENDATION:

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

ATTACHMENTS:

A - Proposed Ordinance