CITY OF WINSTON-SALEM
OFFICE OF THE MAYOR

CITY OF WINSTON-SALEM SEVENTH AMENDED DECLARATION OF A STATE OF EMERGENCY REINSTATING THE MASK REQUIREMENTS FOR CITY OWNED AND LEASED BUILDINGS

WHEREAS, the novel coronavirus disease (COVID-19) is a disease spreading across the globe causing flu-like symptoms, but with a significantly higher rate of death, particularly among those who are elderly or medically vulnerable; and

WHEREAS, on January 31, 2020, the Health and Human Services Secretary, Alex M. Azar II, declared COVID-19 to be a public health emergency in the United States; and

WHEREAS, on March 10, 2020, in order to address and mitigate the threat of COVID-19 to vulnerable populations and to slow the spread of COVID-19 in North Carolina, Governor Roy Cooper declared a State of Emergency in North Carolina; and

WHEREAS, on March 13, 2020, President Trump declared the COVID-19 pandemic to be a National Emergency; and

WHEREAS, on March 13, 2020, the undersigned declared a State of Emergency in the City of Winston-Salem (“Declaration”) due to COVID-19; and

WHEREAS, the undersigned, after consulting with local health care officials about the impact of COVID-19 on the Winston-Salem community, issued an Amended Declaration
referred to as a Stay-At-Home Order on March 25, 2020, which became effective on March 27, 2020, at 5:00p.m; and

WHEREAS, the undersigned, after consulting with local health care officials about the continued need to slow the spread of COVID-19, issued a Second Amended Declaration extending the Stay-At-Home Order until May 7, 2020; and

WHEREAS, the undersigned issued a Third Amended Declaration on April 29, 2020 rescinding the Stay-At-Home Order; and

WHEREAS, the undersigned issued a Fourth Amended Declaration on July 16, 2020 implementing a mask requirement for city facilities; and

WHEREAS, undersigned issued a Fifth Amended Declaration on November 24, 2020 emphasizing enforcement of the Governor’s mask requirements and capacity limits; and


WHEREAS, over recent months in North Carolina, due to measures taken to date by the Governor and due to the resilience and persistence of all North Carolinians, there have been improvements in the state’s key COVID-19 metrics; and
WHEREAS, COVID-19 vaccines are now widely available at no cost to all eligible North Carolinians who wish to receive one, and all eligible individuals are encouraged to get vaccinated; and

WHEREAS, on May 13, 2021, the U.S. Centers for Disease Control and Prevention ("CDC") issued new Interim Public Health Recommendations for Fully Vaccinated People; and

WHEREAS, the Governor issued Executive Order 215 on May 14, 2021, effective May 24, 2021 at 1:30 p.m., lifting the face covering requirements in most settings and lifting the capacity restrictions and social distancing requirements in all settings; and

WHEREAS, the undersigned, based upon recommendations of the CDC, lifted the face covering requirements and social distancing requirements for City-owned and leased building and issued a Sixth Amended Declaration on May 21, 2021; and

WHEREAS, the CDC recently issued guidance advising that the Delta variant is very contagious and that face coverings should be worn indoors, regardless of one’s vaccination status.

NOW, THEREFORE, pursuant to the authority vested in me as the Mayor of the City of Winston-Salem under N.C.G.S. § 166A-19.31 and Chapter 18 (formerly Chapter 38) of the Winston-Salem Code of Ordinances, I hereby declare and proclaim the following:

Section 1. Reaffirmation. The Declaration of a State of Emergency issued on March 13, 2020, is hereby reaffirmed, and will continue until rescinded, within the jurisdiction of the City of Winston-Salem.

Section 2. Wearing of Face Covering.
(a) **Definition.** "Face Covering" means a covering of the nose and mouth that is secured to the head with ties, straps, or loops over the ears or is simply wrapped around the lower face. A Face Covering can be made of a variety of synthetic and natural fabrics, including cotton, silk, or linen. Ideally, a Face Covering has two (2) or more layers. A Face Covering may be factory-made, sewn by hand, or can be improvised from household items such as scarfs, bandanas, t-shirts, sweatshirts, or towels. These Face Coverings are not intended for use by healthcare providers in the care of patients. "Surgical Mask" means American Society for Testing and Materials ("ASTM") Level 1, 2, or 3 approved procedural and surgical masks. An N95 respirator approved by the National Institute for Occupational Safety and Health ("NIOSH") (or a respirator from another country allowed by the Occupational Safety & Health Administration, the Food & Drug Administration, or the CDC) is not recommended for general public use or use in public settings, as it should be reserved for healthcare providers and other medical first responders in a health care setting. However, if worn, these respirators would meet both the Face Covering and Surgical Mask requirements of this Seventh Amended Declaration. A face shield that covers the nose and mouth also meets the Face Covering requirements of this Seventh Amended Declaration.

(b) **Requirement.** All persons, who attempt to enter a building, enclosed structure or facility owned or leased by the City of Winston-Salem ("City Building"), are hereby required to wear a clean face covering at all times while in a City Building, where it is not possible to consistently maintain and adhere to the CDC’s six-foot social distancing recommendation. The term City Building shall include, but shall not be limited to, any and all City-owned and City-leased buildings, parking decks, the Winston-Salem Transit Center including transit vehicles. The list of City-owned and City-leased facilities that are covered by this face covering requirement can be found at [www.cityofws.org](http://www.cityofws.org) under COVID-19 Updates. To the extent feasible, the City will
also post signs at the City-owned buildings and City-leased facilities covered by this Seventh Amended Declaration.

This face covering requirement shall not apply to City-owned or leased open-air facilities such as basketball shelters, swimming pools, picnic shelters, gazebos, tennis courts, the Woodland Cemetery shelter, the uncovered/open air portions of the Truist (formerly BB&T) Ballpark, and the Reynolds Park golf course. While a face covering will not be required for such open-air facilities, individuals are strongly encouraged to adhere to CDC’s six-foot social distancing recommendation.

While wearing the face covering, it is essential to still maintain social distance insofar as possible since social distancing is the best defense against the spread of the COVID-19. While supplies last, the City may provide, voluntarily, a mask to persons wishing to enter a City Building.

(c) Exemptions. Face coverings are not required:

- For those whose religious beliefs prevent them from wearing a Face Covering.
- For those who cannot wear a face covering due to a medical or behavioral condition or disability (including but not limited to, any person who has trouble breathing, or is unconscious or incapacitated, or is otherwise unable to put on or remove the face covering without assistance);
- For children under 5 years old;
- While a person is actively eating or drinking;
- While a person is strenuously exercising;
- While a person is seeking to communicate with someone who is hearing impaired in a way that requires the mouth to be visible;
- When complying with directions of law enforcement officers; and
• While a person is temporarily removing his or her Face Covering to secure government or medical services or for identification purposes.

Anyone who declines to wear a Face Covering for one of the aforementioned reasons should not be required to produce documentation or any other proof of a condition. However, the City may elect to provide access or service to said person through alternative means such as the telephone, email, or other electronic means rather than in-person. Children under two (2) years of age should not wear a Face Covering.

This Seventh Amended Declaration shall not apply to City employees who are covered by the City of Winston-Salem personnel policies and procedures implemented and enforced by the City Manager and his designees.

**Section 3. Enforcement.**

The City Manager’s Office is hereby authorized to designate city staff to enforce the Seventh Amended Declaration, including the issuance of civil penalties pursuant to Section 18-21(1) of the Winston-Salem Code of Ordinances, for any and all violations that are not remedied after voluntary compliance is sought.

**Section 4. Applicability.** This Seventh Amended Declaration shall apply within the city limits of the city of Winston-Salem.

**Section 5. Distribution.** I, hereby, order this Seventh Amended Declaration: (a) to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) to be posted on the City’s website; (c) to be filed with the City Clerk or Deputy City Clerk; and (d) to be distributed to others, as necessary, to ensure proper implementation of this Seventh Amended Declaration.
Section 5. Effective Date and Time. This Seventh Amended Declaration shall take effect Friday July 30\textsuperscript{th} at 5:30p.m. and shall remain in effect until modified or rescinded.

DECLARED, this, the 30\textsuperscript{th} day of July, 2021 at 3:20 p.m.

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\textsf{Mayor, City of Winston-Salem}
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ATTEST:
\textsf{City Clerk}
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