



City of Winston-Salem

OFFICE OF THE MAYOR

POST OFFICE BOX 2511 • WINSTON-SALEM, NC 27102

J. ALLEN JOINES
MAYOR

CITY OF WINSTON-SALEM OFFICE OF THE MAYOR

CITY OF WINSTON-SALEM TENTH AMENDED DECLARATION OF A STATE OF EMERGENCY REQUIRING FACE COVERINGS TO BE WORN INSIDE AND OUTSIDE AT THE FAIRGROUNDS AND ANY ACCESSORY FACILITIES DURING THE 2021 CAROLINA CLASSIC FAIR AND AT THE WINSTON-SALEM STATE UNIVERSITY FOOTBALL GAMES AT BOWMAN GRAY STADIUM UNTIL THE UNIVERSITY DETERMINES OTHERWISE

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, in responding to the COVID-19 pandemic, and for the purpose of protecting the health, safety, and welfare of the people of North Carolina, Governor Cooper issued a series of Executive Orders including 116-122, 124-125, 129-131, 133-136, 138-144, 146-153, 155-157, 161-165, 169-173, and 176-177; 180-181, 183-185, 188-193, 195, 197-198, 200, 204-207, 209-212 and 215; 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 for City owned and leased buildings 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; and

WHEREAS, the undersigned issued the Seventh Amended Declaration on July 30, 2021 requiring face coverings to be worn indoors, regardless of vaccination status, in all City owned and leased facilities; and

WHEREAS, Winston-Salem has seen a significant increase in the number of positive COVID-19 cases; and

WHEREAS, the undersigned, after consulting with the local medical community, instituted a City-wide face covering requirement, regardless of one's vaccination status, to help slow the spread of COVID-19 and its variants; and

WHEREAS, the undersigned issued an Eighth Amended Declaration implementing a City-wide face covering requirement on August 16, 2021, effective August 20, 2021 at 5: 30p.m; and

WHEREAS, the undersigned issued a Ninth Amended Declaration on August 20, 2021, after consulting with the local medical community, including Joshua Swift, the Forsyth County Public Health Director, and Dr. Christopher Ohl, an Infectious Disease Specialist, modifying the exemption relating to speeches, performances, and broadcasts by reducing the distance requirement from twenty (20) feet to ten (10) feet.

WHEREAS, the City will be holding the 2021 Carolina Classic Fair from October 1, 2021 through and including October 10, 2021, where patrons will gather and participate in said Fair; and

WHEREAS, the undersigned, after consulting with the local medical community, including Joshua Swift, the Forsyth County Public Health Director, and Dr. Christopher Ohl, an Infectious Disease Specialist, finds it necessary to issue this Tenth Amended Declaration requiring all persons attending, participating in or working the 2021 Carolina Classic Fair at the Fairgrounds to wear a face covering or mask, regardless of vaccination status, while indoors or outdoors at the Fair; and

WHEREAS, Winston-Salem State University (“University”) has advised that, for the 2021 Football Season, it will require all persons attending, or working in any manner its football games at Bowman Gray Stadium to wear a face covering or mask both indoors and outdoors within Bowman Gray Stadium; and

WHEREAS, the undersigned believes it is imperative to support the University’s mask requirement by issuing this Tenth Declaration to require face coverings or masks to be worn by all persons attending, working, or participating in any manner in the aforementioned football games.

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, the Seventh Amended Declaration issued on July 30, 2021, the Eighth Amended Declaration issued on August 16, 2021 and Ninth Amended Declaration issued on August 20, 2021 are hereby reaffirmed, and will continue until rescinded, within the jurisdiction of the City of Winston-Salem.

Section 2. Indoor and outdoor mask/face covering requirement for the City of Winston-Salem 2021 Carolina Classic Fair and the Winston-Salem State University Football Games played at Bowman Gray Stadium in 2021.

(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 Tenth Amended Declaration. A face shield that covers the nose and mouth also meets the Face Covering requirements of this Tenth Amended Declaration. The term "Face Covering" is used interchangeably with "Mask".

(b) **Requirement.**

(i) City of Winston-Salem 2021 Carolina Classic Fair ("Fair"). All persons attending, working, or participating in any manner in the Fair, including all vendors, are hereby required to wear a clean face covering at all times inside any building or facility at the Fairgrounds, while outside at the

Fairgrounds, or while on any property utilized by the City in conjunction with said Fair. This requirement does not apply to any parking areas outside of the footprint of the 2021 Carolina Classic Fair, excluding the parking lots of the Lawrence Joel Veterans Memorial Coliseum.

(ii) Winston-Salem State University football games played in Bowman Gray Stadium in 2021 (“WSSU Football Games”). All persons attending or working in any manner in the WSSU Football Games at Bowman Gray Stadium in 2021, including all vendors, are hereby required to wear a clean face covering or mask at all times inside any building or facility at Bowman Gray Stadium, while outside at the Stadium, or while on any property within the footprint of Bowman Gray Stadium, excluding any City parking lots, until the University determines that such is no longer necessary. This requirement does not apply to any parking areas outside of footprint or any gate at Bowman Gray Stadium. This requirement may be enforced pursuant to Section 3 below and pursuant to any enforcement protocol determined by the University. The University may consult with the City regarding said enforcement protocol.

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.

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 2 years old;
- While a person is actively eating or drinking;
- 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.

Section 3. Enforcement.

The City Manager’s Office is hereby authorized to designate City staff to enforce the Tenth Amended

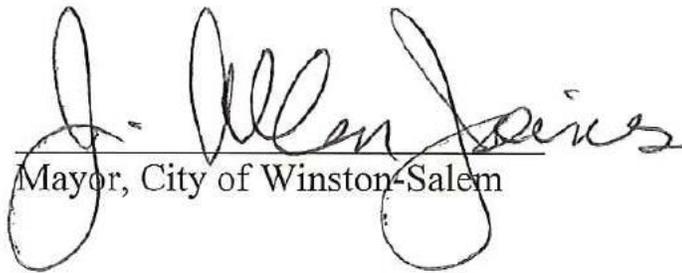
Declaration, including the issuance of civil penalties pursuant to Section 18-21(l) of the Winston-Salem Code of Ordinances, for any and all violations that are not remedied after voluntary compliance is sought. Persons violating this Declaration may be ordered to leave the 2021 Carolina Classic Fair or any WSSU Football Game for noncompliance without a refund or compensation of any kind.

Section 4. Applicability. This Tenth Amended Declaration shall apply within the City limits of the City of Winston-Salem.

Section 5. Distribution. I, hereby, order this Tenth 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 Tenth Amended Declaration.

Section 5. Effective Date and Time. This Tenth Amended Declaration shall take effect Thursday, September 30th at 5:00p.m. and shall remain in effect until modified or rescinded.

DECLARED, this, the 29th day of September, 2021 at 9:00 a.m.



Mayor, City of Winston-Salem

ATTEST:


City Secretary

