

CITY OF BATON ROUGE-PARISH OF EAST BATON ROUGE
OFFICE OF THE MAYOR-PRESIDENT
SHARON WESTON BROOME
EXECUTIVE ORDER NO. SWB 2020-07-01
JULY 3, 2020

On behalf of the City of Baton Rouge-Parish of East Baton Rouge, this Executive Order asserts Mayor-President Sharon Weston Broome's commitment to the health and well-being of the citizens throughout the duration of the coronavirus pandemic. This order further asserts Mayor-President Sharon Weston Broome's commitment to reopening the City-Parish economy safely without the need for the stricter economic mitigation efforts put in place earlier this year. This order establishing the requirement for all commercial and nonprofit entities in the City-Parish providing goods or services directly to the public must implement a "No Mask - No Service" policy.

WHEREAS, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721 *et seq.*, and Code of Ordinances Section 15:1 *et seq.*, confers upon the Mayor-President of the City of Baton Rouge, Parish of East Baton Rouge powers to deal with emergencies and disasters, in order to ensure that the preparations of this parish will be adequate to respond to such emergencies or disasters and to preserve the lives and property of the people of the City of Baton Rouge, Parish of East Baton Rouge;

WHEREAS, on March 13, 2020, I, Mayor-President Sharon Weston Broome, issued a parish-wide Emergency Disaster Declaration pursuant to the National Emergencies Act, 50 U.S.C 1601, *et seq.*, proclaiming a public health emergency and directing the Mayor's Office of Homeland Security and Emergency Preparedness to coordinate the City-Parish response to the virus;

WHEREAS, as of July 1, 2020, East Baton Rouge Parish has experienced 5,350 confirmed cases of COVID-19 and 271 confirmed deaths by the Louisiana Department of Health as a result of the disease;

WHEREAS, infected persons can transmit the COVID-19 virus to others before showing any symptoms, and widespread and consistent use of face coverings over the nose and mouth when in public is a critical and necessary measure to help slow the spread of the virus while allowing local businesses to continue to reopen and help the East Baton Rouge economy recover;

WHEREAS, Governor Edwards has clarified that his plan to reopen Louisiana's economy includes maintaining the authority of local governments to require businesses to adopt and enforce health policies that include face covering requirements;

WHEREAS, COVID-19 continues to menace the health of East Baton Rouge Parish residents and the East Baton Rouge Parish economy, and the local Health Community has advised on the need for increased vigilance by individuals and mandatory health measures from East Baton Rouge Parish businesses;

WHEREAS, thereafter I have been evaluating the health and safety aspects of placing reasonable limitations on business owners, their employees, and their customers in all businesses in the Parish of East Baton Rouge to help ensure that our highly-valued businesses can continue to remain open and safely serve their customers, while at all times ensuring that COVID-19 is contained;

WHEREAS, new information and data from medical professionals indicates that the Coronavirus is more likely to be spread from individual to individual through close contact indoors and particularly through mass gatherings where people do not practice social distancing or wear masks or face coverings;

WHEREAS, the spread of COVID-19 between individuals is reduced through the wearing of face coverings while indoors;

WHEREAS, on June 22, 2020 Governor Edwards extended his Phase 2 Order, as a result of the number of COVID-19 cases and related hospitalizations rising across the state; and

WHEREAS, this Order is issued in response to the declared public health emergency which exists as a result of COVID-19 and in the interest of public safety and welfare.

NOW THEREFORE, I, SHARON WESTON BROOME, by the authority vested in me as Mayor-President of the City of Baton Rouge, Parish of East Baton Rouge, hereby order as follows:

SECTION 1. Because an infected person can transmit the COVID-19 virus to others before showing any symptoms and for other reasons, the covering of a person's nose and mouth is necessary to help slow the spread of the virus. All commercial and nonprofit entities in the City-Parish providing goods or services directly to the public must implement a "No Mask - No Service" policy ("Policy") by July 3, 2020 at 12:01 p.m.

The Policy must require, at a minimum, that all employees and visitors to the entity's business premises or other facilities wear face coverings which cover the nose and mouth when in an area or while performing an activity that will necessarily involve close contact or proximity to coworkers or the public. The Policy may allow individuals with an operational need to remove a face covering as such operational needs are specifically addressed in the Policy.

The "No Mask - No Service" Policy must be posted conspicuously at or near all entrances of any commercial or non-profit entity in the City-Parish in clear view of any employees or members of the public entering the business.

All persons over the age of 2 must wear some form of covering that fits snugly over their nose and mouth, such as a commercially made or homemade fabric mask, scarf, bandana or handkerchief, at all times while inside all commercial and nonprofit entities in the City-Parish providing goods or services directly to the public, except:

- a) when doing so poses a greater mental or physical health, safety or security risk due to a medical condition, mental health condition, or disability; federal, state, or local workplace safety regulations; or other increased safety risk to the person;
- b) when visibility of the mouth is necessary for communication by or with a person who is hearing impaired;
- c) when the person is eating or drinking at a restaurant, coffee shop, dining area, food court, bar, or nightclub; ,
- d) when the person is at a gym or fitness center, however, a face covering must be worn upon entering and exiting gyms or other fitness or recreational facilities;
- e) when temporary removal of the face covering is required to receive a service involving the area of the nose or mouth authorized by this Order or the Governor's Order; or
- f) when a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.

SECTION 2. Throughout the duration of the Order, restaurants, coffee shops, dining areas, food courts, bars , nightclubs, gyms, fitness clubs, barber shops, salons, casinos, shopping malls, movie theaters and other similar businesses are required to strictly adhere to the Governor's Executive Order and Open Safely Requirements as found at <https://opensafely.la.gov/PublicLinks.aspx>.

SECTION 3. Schools, daycares and summer camps are to follow the guidance established by the Louisiana Department of Education (LDOE) and Louisiana Department of health (LDH).

SECTION 4. Places of worship are to follow the guidance established by the Governor's Executive Order.

SECTION 5. For elections, all persons are to follow the guidance established by the Secretary of State.

SECTION 6. Enforcement and or Mechanics

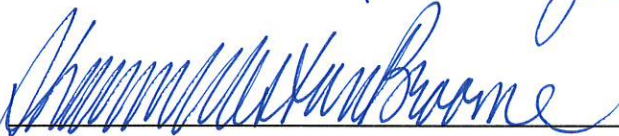
- A. The City of Baton Rouge Fire Department is authorized to enforce this order as follows:
 - i. Upon the report of a first violation and visit by the Baton Rouge Fire Department, a courtesy notification will be issued.
 - ii. Upon the report of a second violation and visit by the Baton Rouge Fire Department, a documented warning will be issued.
 - iii. Upon the report of a third violation the business will be reported to the appropriate law enforcement agency for issuance of a summons.
- B. The Baton Rouge Police Department is authorized to enforce this order as follows:

- i. Upon the report of a first violation and visit by the Baton Rouge Police Department, a courtesy notification will be issued.
- ii. Upon the report of a second violation and visit by the Baton Rouge Police Department, a documented warning will be issued.
- iii. Upon the report of a third violation the business will be issued a summons for violation under Municipal Ordinance Section 15:5.

SECTION 7. This Executive Order shall exclude the City of Baker, City of Central and the City of Zachary.

SECTION 8. This Declaration shall take effect July 3, 2020 at 12:01 p.m. and shall remain in effect until August 3, 2020 at 11:59 p.m.

SIGNED THIS 1 DAY OF July, 2020.



SHARON WESTON BROOME

MAYOR-PRESIDENT

CITY OF BATON ROUGE-PARISH OF EAST BATON ROUGE, LOUISIANA