

ORDINANCE NO. 2072

AMEND ORDINANCE NO. 2071 BY REAMENDING SEC. 26 OF THE CITY CODE WITH RESPECT TO BUSINESSES REQUIRING THE USE OF FACE COVERINGS PURSUANT TO AN EMERGENCY ORDER ISSUES BY THE JEFFERSON COUNTY HEALTH OFFICER AND PENALTIES FOR VIOLATIONS THEREOF

WHEREAS, the City of Mountain Brook is, along with the rest of the state in the midst of the COVID-19 pandemic; and;

WHEREAS, despite measures put in place by the Governor, the County Health Offices and the City, the number of new cases continue to rise; and

WHEREAS, social distancing measures and face coverings are prescribed by national and local health offices as effective ways of managing transmission risks; and

WHEREAS, the Jefferson County Health Officer has issued emergency orders making the use of face coverings in public places mandatory under the circumstances outlined in the Orders of June 26, 2020 and June 30, 2020 due to the continued widespread community spread of COVID-19 in Jefferson County over the last week; and

WHEREAS, the Orders apply in the City of Mountain Brook and must be followed; and

WHEREAS, the City Council believes it appropriate and necessary to adopt this additional measure to ensure that businesses which are open to the public respect, follow and require patrons to adhere to the mandatory face covering Order of the Jefferson County Health Officer.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Mountain Brook, Alabama as follows:

1. **Requirement.** All businesses, as defined in Sec. 26-206 of the Mountain Brook City Code, which are open to the public, shall require the use of face coverings by patrons, guests and employees in accordance with the terms, conditions and directives of the Jefferson County Health Officer in the Orders dated June 26, 2020 and June 30, 2020, as may be amended from time to time.
2. **Violation.** The business license of any business that violates the provisions of this Ordinance shall be subject to revocation or suspension pursuant to Mountain Brook City Code Sec. 26-223.
3. **Repealer.** All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Mountain Brook, Alabama that are inconsistent with the provisions of this ordinance are hereby expressly repealed.
4. **Severability.** If any part, section or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding.

5. **Effective Date.** This Ordinance shall become effective immediately upon adoption and publication as provided by law and shall remain in effect until such time as the Order of the County Health Officer requiring face coverings in public places is no longer in effect.

ADOPTED: This 30th day of June, 2020.



Council President

APPROVED: This 30th day of June, 2020.



Mayor

CERTIFICATION

I, Steven Boone, City Clerk of the City of Mountain Brook, Alabama, hereby certify the above to be a true and correct copy of an ordinance adopted by the City Council of the City of Mountain Brook, Alabama at its meeting held on June 30, 2020, as same appears in the minutes of record of said meeting, and published by posting copies thereof on July 1, 2020, at the following public places, which copies remained posted for five (5) days as required by law.

City Hall, 56 Church Street
Overton Park, 3020 Overton Road

Gilchrist Pharmacy, 2805 Cahaba Road
Cahaba River Walk, 3503 Overton Road



City Clerk