BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

RESOLUTION NUMBER 79-2021

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA ENCOURAGING THE USE OF FACE COVERING EQUIPMENT WHILE IN PUBLIC WITIHIN THE GEOGRAPHIC BOUNDARIES OF STUART, FLORIDA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSESS.

* * * * *

WHEREAS, the City Commission finds that there has been an increase in the number of people diagnosed with and hospitalized due to COVID-19 or its variants; and

WHEREAS, the City Commission hereby finds that efforts to have the residents obtain vaccinations at a level high enough to curb the spread of the virus have failed. The variants of the coronavirus appear to be highly contagious and continue to pose a threat to the health of all City of Stuart residents; and

WHEREAS, the COVID variants seem to spread more easily and quickly which has caused a strain on the healthcare resources, more hospitalizations, and potentially more deaths; and

WHEREAS, the Florida Legislature passed Senate Bill 2006. The law allows municipalities to exercise police powers when there is a compelling governmental interest. This resolution is based on a compelling governmental interest to protect the public health and safety of the residents and visitors to Stuart, Florida because the COVID-19 pandemic has not been curtailed.

WHEREAS, the Center for Disease Control states that strong confidence in COVID-19 vaccines within communities leads to more people getting vaccinated, which will stop the pandemic.

WHEREAS, the CDC recommends everyone 12 years and older should get a COIVD-19 vaccination to help protect against COIVID-19.

WHEREAS, the CDC encourages leaders in the community, workplace and other organizations to be "vaccine champions" and promote others to receive the COVID-19 vaccination by strongly recommending the vaccine and clarifying and responding to questions about the need for the vaccine.

WHEREAS, the CDC recommends that once you are fully vaccinated, you can provide maximum protection from the Delta Variant and prevent possibly spreading it to others by wearing a mask indoors while in public areas or in an area of substantial or high transmission. Martin County, Florida has been identified by the Center for Disease Control as an area of High Community Transmission.

WHEREAS, wearing a mask is important if you have a weakened immune system or if someone in your household has been unable to obtain the vaccination.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, THAT:

SECTION 1. The City Commission urges all residents of the City of Stuart to voluntarily wear face coverings in all public spaces outside their homes, including sidewalks, public rights of way, boardwalks and open parks, including while attending public meetings or hearings; and,

SECTION 2. The City Commission requires that anyone entering a City Building is required to wear a mask. The requirement applies to those that are vaccinated as well as those that have been previously diagnosed with COVID-19. It also applies to those that have chosen not to obtain the vaccine against the Center for Disease Control recommendations.

SECTION 3. The City Commission urges everyone to receive the vaccine and if you have been vaccinated to make effort to have others to obtain the vaccination. If the number of vaccinated people was sufficient, herd immunity would prevail and the need for masks and other limitations would end.

SECTION 5. Effective Date. This Resolution shall take effect immediately upon adoption.

Commissioner _____ offered the foregoing Resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

	YES	NO	ABSENT	ABSTAIN
EULA R. CLARKE, MAYOR				
MICHAEL J. MEIER, VICE MAYOR				
BECKY BRUNER, COMMISSIONER				
KELLI GLASS LEIGHTON, COMMISSIONER				
MERRITT MATHESON, COMMISSIONER				

ADOPTED this _____ day of August, 2021

ATTEST:

_____
MARY R. KINDEL
CITY CLERK

_____
EULA R. CLARKE
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

_____
MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY