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JOSEPH P. GANIM
Mayor

EMERGENCY LOCAL CHIEF EXECUTIVE ORDER

ORDER: No. 4

ISSUED: August 10, 2021

BY: Joseph P. Ganim, Mayor

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MANDATORY USE OF FACE COVERINGS IN THE CITY OF BRIDGEPORT

WHEREAS, on January 31, 2020, the U.S. Secretary of Health and Human Services (HHS) declared a public health emergency under section 319 of the Public Health Service Act (42 U.S.C. 247d) in response to COVID-19; and

WHEREAS, on March 10, 2020, the Governor of the State of Connecticut declared a public health emergency and a civil preparedness emergency for the State of Connecticut, pursuant to Connecticut General Statutes Sections 19a-131 and 28-9, in response to the global pandemic of COVID-19 disease; and,

WHEREAS, since March 12, 2020, Governor Lamont has issued multiple (at least 28) COVID-19 based Executive Orders - Nos. 7 through 7AA to date; and

WHEREAS, on March 13, 2020, President of the United States issued a Proclamation Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on March 16, 2020 Governor Lamont issued Executive Order No. 7D *Protection of Public Health and Safety During COVID 19 Pandemic and Response – Crowd Reduction and Social Distancing*; and

WHEREAS, on March 17, 2020 Bridgeport CT Mayor Joseph P. Ganim Proclaimed and Ordered a Declaration of Local State of Emergency due to the COVID-19 pandemic and pursuant to his authority under Connecticut General Statutes, Sections 28-1 and 28a, and Bridgeport City Charter (including but not limited to Chapter 3, Section 1) and Bridgeport Code of Ordinances, Sections 10.28.030 and 2.02.070; and

WHEREAS, COVID-19 and the civil preparedness and public health emergency it spawned has also created an economic, financial and fiscal emergency for the City of Bridgeport; and

WHEREAS, on March 22, 2020 Governor Lamont issued Executive Order No. 7N *Protection of Public Health and Safety During COVID 19 Pandemic and Response – Increased Distancing, Expanded Family Assistance, and Academic Assessment Suspension*; and

WHEREAS, on March 31, 2020 Governor Lamont issued Executive Order No. 7X *Protection of Public Health and Safety During COVID 19 Pandemic and Response – Renter Protections, Extended Class Cancellation and Other Safety Measures, Educator Certification, Food Trucks for Truckers*; and

WHEREAS, on July 19, 2021 Governor Lamont issued Executive Order No. 13 *Protection of Public Health and Safety During COVID-19 Pandemic – Extension of COVID-19 Orders*; and

WHEREAS, on August 5, 2021 Governor Lamont issued Executive Order No. 13A *Protection of Public Health and Safety During COVID-19 Pandemic – Revised Order for Masks and Face Coverings, Nursing Home Staff Testing*; and

WHEREAS, as of the time of this Declaration, the City of Bridgeport has been linked through employment, residency or hospitalization to numerous confirmed cases of coronavirus; and

WHEREAS, it is vital that local chief executive officer have, and exercise all powers and authorities necessary and available to limit the spread of the COVID-19 and to protect public health and safety within their jurisdictions; and

WHEREAS, the Connecticut General Statutes, Section 28-8a and the Charter of the City of Bridgeport, Chapter 3, Section 1, names the Mayor as the chief executive officer with ultimate operational control of all City departments and agencies; and

WHEREAS, the Charter of the City of Bridgeport, Chapter 3, Section 1 provides: (1) “the Mayor shall take care that the laws are executed and enforced within the city; shall be the conservator of the peace [within the city; shall have and may exercise, within the limits of the city, all the powers given the sheriffs or other officers as provided by law; and shall exercise ultimate operational control of all departments and agencies of the city”; (2) “[i]t shall be the duty of the Mayor to recommend the adoption of all such measures connected with police, fire, and public safety, public health and social services...” ; and (3) “[t]he Mayor shall have authority to perform such acts and duties as may be prescribed in this Charter or by the laws of this state or the United States or by the ordinances of the city of Bridgeport”; and

WHEREAS, the Bridgeport Code of Ordinances, authorize the Mayor to declare a state of emergency thereby placing the City’s emergency operation plan into effect (Section 10.28.030), and in the event of any natural disaster, or potentially dangerous situation authorize the Mayor to declare any area, building or dwelling a prohibited area for the purpose of preventing personal injury (Section 2.02.070); and

WHEREAS, the duties assigned by the City Charter to the Mayor of the City of Bridgeport invest in the Mayor the jurisdiction, duty and responsibility to cause the City's Charter and ordinances and other laws to be executed and enforced; and to conserve the peace within the City; and to be responsible for the proper and efficient operation of government of the City; and

WHEREAS, it is in the best interests of the City of Bridgeport and its residents to promote public health and to ensure civil preparedness, to minimize the substantial adverse health, safety, and economic, financial and fiscal impacts and threats created by the current public health emergency and civil preparedness emergency posed by the spread of COVID-19; and

WHEREAS, the City of Bridgeport's local government must do its part, and exercise its lawful powers, to keep the general public and itself as safe, healthy, economically effective, financially solid and fiscally sound as reasonably possible in view of the COVID-19 emergency; and

WHEREAS, on July 27, 2021, based upon current observations about the highly infectious Delta variant of COVID-19, which now accounts for the majority of infections in the U.S., the Centers for Disease Control ("CDC") issued new COVID-19 guidance; and

WHEREAS, the CDC now states that vaccinated individuals who become infected with the Delta variant may be able to transmit the infection and also may be able to become infected with COVID-19; and

WHEREAS, this risk of transmission from vaccinated individuals was thought to be extremely unlikely until the emergence of the Delta variant. The new CDC guidance is designed to lower the risk of such transmission; and

WHEREAS, based on latest data, the CDC's tracking system has classified Fairfield County as experiencing a "substantial" rate of transmission due to an increase in the number of infections over the last week; and

WHEREAS, the CDC has recognized that vaccination is an important tool to help stop the COVID-19 pandemic; and that COVID-19 vaccination helps protect people from getting sick or severely ill with COVID-19 and might help protect people around them; and

WHEREAS, due to the significant adverse impact on public health of COVID-19, and the acceleration of the spread of the disease, the Mayor of the City of Bridgeport must continue to act at the local government level for the purpose of ensuring civil preparedness and mitigating the adverse effects of this emergency upon the residents of the City of Bridgeport, particularly with respect to the spread of the highly contagious, infectious and dangerous Delta variant.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that pursuant to the Connecticut General Statutes (including but not limited to Sections 28-1 and 28-8a); the Charter (including but not limited to Chapter 3, Section 1) and Code of Ordinances (including but not limited to Sections 10.28.030 and 2.02.070) of the City of Bridgeport; and in response to: the civil preparedness and public health emergency now facing the nation, the State and the City of Bridgeport; and the State of Connecticut Governor's March 10, 2020 Declaration of Civil

Preparedness and Public Health Emergency; and the Governor's various Executive Orders, including but not limited to No. 13A; and the City of Bridgeport Mayor's March 17, 2020 Proclamation and Order Declaring a Local State of Emergency; and the Mayor's Emergency Local Chief Executive Orders previously issued; that all persons within the City of Bridgeport are urged to stay at home and only leave their residences for essential business or to obtain necessary medicines or groceries, etc.; and when venturing outside the confines of their homes, are urged to wear a face mask, scarf or other appropriate facial covering at all times in accordance with the Center for Communicable Diseases (CDC) and other federal and/or State of Connecticut guidelines, to prohibit the contraction of, or the spread of, the coronavirus - since it is recommended and encouraged that masks be worn in all outdoor public settings where social distancing is not possible or feasible.

NOW THEREFORE, IT IS FURTHER PROCLAIMED AND ORDERED that all workers in essential retail businesses, including grocery stores and big-box stores or wholesale clubs that also sell foods or beverages; restaurants and hotels where food is prepared, pharmacies, gas stations, convenience stores, *bodegas* and liquor/package stores must wear face coverings over their noses and mouths while performing their work.

Face coverings are not required to be medical-grade masks or N95 respirators, but rather may be non-medical grade masks, cloth masks, or other fabric coverings, in accordance with the Center for Communicable Diseases (CDC) and other federal and State of Connecticut guidelines.

Face coverings for employees required under this order must be provided by the employers, although an employee may provide his or her own face covering.

All customers and visitors of retail businesses subject to this order must wear face coverings over their noses and mouths to provide additional protection for employees and customers.

An owner or operator of a retail business subject to this order may refuse admission or service to any individual who fails to wear a required face covering.

Masks shall not be required while eating or drinking.

Owners and operators of retail business subject to this order shall use proper sanitization practices to sanitize frequently used and touched items and infrastructure within stores and provide proper hand washing and sanitizing materials for employees as recommended by the CDC and other federal and/or State of Connecticut guidelines.


NOW THEREFORE, IT IS FURTHER PROCLAIMED AND ORDERED that (consistent with Governor Lamont's Executive order No. 13A nothing in this order shall require the use of a mask or cloth face covering by anyone for whom doing so would be contrary to his or her health or safety because of a medical condition, behavioral condition, or disability, or anyone under the age of 2 years. Any person who declines to wear a mask or face covering because of a medical condition, behavioral condition, or disability shall be exempt from this order.

NOW THEREFORE, IT IS FURTHER PROCLAIMED AND ORDERED that pursuant to authority granted the chief executive officer of a municipality under Connecticut General Statutes, Section 28-8a, the City of Bridgeport's Health Director, Chief of Police, Fire Chief, Chief Administrative Office and any other appropriate City officials and employees are designated to take such action as each deems reasonably necessary to further the implementation and enforcement of this order and to mitigate the major disaster or emergency and to secure and preserve any documents and evidence pertinent to and necessary for a future investigation, so long as such actions are consistent with the executive orders issued by the Governor and Mayor.

NOW THEREFORE, IT IS FURTHER PROCLAIMED AND ORDERED that this order shall remain in effect (the "effective period") until it is amended or terminated.

NOW THEREFORE, IT IS FURTHER PROCLAIMED AND DECLARED that in the event, and to the extent, any of this order is determined to conflict with any executive order issued by the Governor of the State of Connecticut, or by any of his executive agencies, this order to the extent necessary to comply with such orders by the State of Connecticut shall be deemed null and void.

NOW THEREFORE, IT IS FURTHER PROCLAIMED AND ORDERED that this order will be made publicly available for inspection and review in the City of Bridgeport's Office of the City Clerk; and shall be posted on the City of Bridgeport's website.



Joseph P. Ganim, Mayor
Chief Executive Officer, City of Bridgeport
Duly Authorized

Dated: August 10, 2021