

RESOLUTION NO. 2021-05-949R

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

A RESOLUTION AMENDING RESOLUTION NO. 2020-12-907R TO PROVIDE FOR THE USE OF MASKS IN THE CITY OF TONTITOWN, ARKANSAS.

WHEREAS, on or about December 1, 2020 the City Council for the City of Tontitown adopted Resolution No. 2020-12-907R which provided for the use of masks and the conduct of meetings in relation to the COVID-19 pandemic in the City of Tontitown; and

WHEREAS, it has come to the attention of the City Council of Tontitown that Resolution No. 2020-12-907R needs to be amended; and

WHEREAS, following the public announcement from Arkansas Governor Asa Hutchinson to lift the statewide mask mandate, the City Council of the City of Tontitown now finds it to be in the best interest of the citizens of Tontitown to remove Section 4 of Resolution No. 2020-07-895 as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TONTITOWN, ARKANSAS:

Section 1. Section 4 of Resolution No. 2020-12-907R is hereby removed.

Section 2. The rest and remainder of Resolution No. 2020-12-907R remains in full force and effect.

Section 3. That the provisions of this Resolution are hereby declared to be severable and if any section, phrase, or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

Section 4. Declaration of Emergency. It is hereby found and determined that the existing Resolutions relating to the regulations of wearing masks within the city need to be amended based upon the needs of the City of Tontitown. Therefore, an emergency is declared to exist, and this act being immediately necessary for the preservation and protection of the public peace, health, safety and welfare of the City and its citizens, shall become effective on the date of its passage and approval by the Mayor. If the Resolution is neither approved nor vetoed by the Mayor, it shall become effective on the expiration of the period of time during which the Mayor may veto this Resolution. If the Resolution is vetoed by the Mayor and the veto is overridden by the City Council, it shall become effective on the date the City Council overrides the veto.

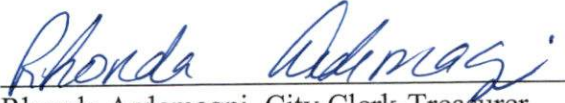
PASSED AND APPROVED this 4th day May, 2021.

APPROVED:



Paul Colvin, Jr., Mayor

ATTEST:



Rhonda Ardemagni, City Clerk-Treasurer  
(SEAL)



RESOLUTION NO. 2020-12-907B

CITY OF TONTITOWN, WASHINGTON COUNTY, ARKANSAS

**A RESOLUTION RATIFYING THE ESTABLISHED  
TEMPORARY PROTOCOLS FOR CITY WORKPLACE AND  
PUBLIC MEETINGS DURING TIMES OF NATIONAL OR  
STATEWIDE EMERGENCY.**

**WHEREAS**, on March 11, 2020, Arkansas Governor Asa Hutchinson issued an Executive Order to Declare a State of Emergency due to the outbreak of coronavirus disease 2019 (COVID-19) across the United States and in Arkansas; and

**WHEREAS**, various temporary protocols and orders due to this State of Emergency have been ordered by Governor Hutchinson and the Arkansas Department of Health related to indoor public and work environments, including the wearing of masks or proper face coverings, washing hands and observing social distancing; and

**WHEREAS**, the disease is known spread from person to person contact, and specifically in indoor environments; and

**WHEREAS**, due to the nation-wide and state-wide emergencies that have been declared, the state mandated orders and the city's authority under Arkansas law to use police powers to protect the health, safety and welfare of citizens and the general public, the City of Tontitown has already implemented and observed such protocols in the workplace and during public meetings while best adhering to the principals of the Arkansas Freedom of Information Act ("FOIA") and Arkansas law; and

**WHEREAS**, the City Council desires to ratify these protocols calling for the wearing of face masks or appropriate face coverings, the washing of hands and the observing social distancing guidelines in the city workplace and during city public meetings and to further authorize the Mayor of the City of Tontitown to continue to ensure that such protocols are observed.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TONTITOWN, ARKANSAS:**

1. Public Meetings through electronic or virtual participation by city officials, city employees or the general public shall continue to be allowed during a time of a nation-wide or state-wide emergency upon the order of the Mayor of Tontitown.
2. City Council members, Planning Commissioners, members of the Board of Zoning Adjustments may choose to be physically present or to attend any Public Meetings during this temporary period-of-time through a conference call or telephone or a computer device which allows audio or video to be transmitted and recorded. Such electronic or virtual participation shall ensure that that an official can hear other official participants of the meeting and also be heard by other participants of the meeting.

3. Public hearings required by state law shall continue to be held in the City Council Chambers and the public may participate and offer comments through electronic or virtual participation if desired. The public may also observe and participate in such public meetings through a conference call or telephone or a computer device which allows audio or video to be transmitted and recorded, and for the conduct of the meeting to be observed or heard by a member of the public participating electronically or virtually.
4. For the city workplace or public meetings in which city officials, city employees or the general public are present, the wearing of face masks or proper face coverings, the washing of hands and the proper distancing guidelines as recommended by the Governor and the Arkansas Department of Health shall be observed, and the Mayor of the City of Tontitown is hereby authorized and responsible for the issuance of all orders regarding the same.
5. These temporary protocols shall expire by order of the Mayor, and in no event shall extend beyond the expiration of the State of Emergency issued by Governor Hutchinson.

PASSED AND APPROVED this 1<sup>st</sup> December day ~~November~~, 2020.

**APPROVED:**

  
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Paul Colvin, Jr., Mayor

**ATTEST:**

  
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Rhonda Ardemagni, Clerk-Treasurer