



## **Detroit Health Department**

Detroit, Michigan 48201

Phone (313) 876-4000 • Fax (313) 877-9244

### **Denise Fair, MBA, MPH, FACHE**

Chief Public Health Officer

### **EMERGENCY ORDER FOR CONTROL OF EPIDEMIC**

This Order is made pursuant to Section 2453 of the Public Health Code, being MCL §333.2453. In response to the public health emergency and the risk posed by a resurgence of COVID-19, matters concerning the public health of the residents of the City of Detroit (“Detroit”) have been brought to the attention of Detroit’s Chief Public Health Officer (the “Local Health Officer”).

The Local Health Officer has determined that action is necessary to reduce transmission of COVID-19 and to protect the public’s health in Detroit, based on the following facts and findings:

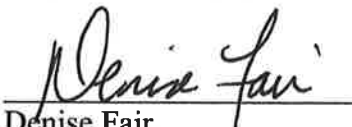
- COVID-19 remains an imminent threat to the public in the City of Detroit. Cases have been on an upward trend since mid-February, growing from 302 cases for the period of 2/7-2/13/2021 to 804 cases for the period of 3/14-3/20/2021, which represents a 166% increase in the number of cases reported in a span of six weeks.
- The positivity rate for COVID-19 tests has also been increasing, rising from 3.2% for the period of 2/7-2/13/2021 to 7.0% for the period of 3/14-3/20/2021. In the time between March 9th and March 16th, the State of Michigan had the highest rate of increase in COVID-19 cases in the entire country, with cases rising 53.3%. Per the Centers for Disease Control and Prevention (CDC), Michigan is second in the nation in the number of SARS-CoV-2 B.1.1.7 variant cases at this time.
- With the significant increase in reported cases, the emergence and spread of the SARS-CoV-2 variants in Detroit and surrounding communities, and current vaccination rates; certain in-person open meetings pose a substantial risk to members of the public and governmental bodies in the City of Detroit.
- Over the past year, remote meetings of public bodies within Detroit have been held in accordance with the public access requirements in the Governor’s former Executive Orders and Public Act 228 of 2020 (the Open Meetings Act, or OMA) currently in effect, with transparency and accountability, some with greater participation.

- Under this order, a local body may resume in-person meetings, if it limits the size of the meeting to 25 members or fewer (or a larger number, if state guidance allows), with all participants wearing masks and exercising social distancing per the guidance issued by the Michigan Department of Health and Human Services. The most recent guidance about open meetings was provided by MDHHS in a March 19, 2021 Gatherings and Face Mask Order: [www.michigan.gov/coronavirus/0,9753,7-406-98178\\_98455-554922--,00.html](http://www.michigan.gov/coronavirus/0,9753,7-406-98178_98455-554922--,00.html) as well as the associated Frequently Asked Questions: [www.michigan.gov/coronavirus/0,9753,7-406-98178\\_98455-555011--,00.html](http://www.michigan.gov/coronavirus/0,9753,7-406-98178_98455-555011--,00.html)
- A number of public bodies in Detroit, subject to the OMA, MCL 15.261 *et seq.*, will find it difficult, if not impossible, to conduct their business in live meetings that are open to the public, without violating safety guidelines issued by the CDC, the Michigan Department of Health and Human Services and the Detroit Health Department. For example, several public bodies do not have facilities that will allow for adequate physical distancing or open attendance in an in-person setting.

In light of these facts and findings, it is hereby ordered that:

- 1. Requiring public bodies to make their decisions in a meeting open to the public and in person (without the option of telephonic and video conferencing) would risk the personal health and safety of the members of the public or the members of the public body.**
- 2. A local state of emergency is declared, effective March 30, 2021 until May 31, 2021, or until an earlier time when this order is rescinded by a subsequent order, and public bodies subject to the OMA must avoid meeting in person in order to reduce the risk of spreading infection.**

Date: March 30, 2021

  
Denise Fair  
Chief Public Health Officer  
City of Detroit