



## **Detroit Health Department**

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

**Chief Public Health Officer**

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

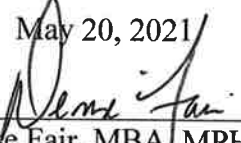
This Order is made pursuant to Section 2453 of the Public Health Code, being MCL §333.2453. In response to the public health emergency and the necessity to protect the public health from further transmission of COVID-19, the Local Health Officer has determined that action is necessary to reduce transmission of COVID-19 and to protect the public's health in the City of Detroit, based on the following facts and finding:

- COVID-19 remains an imminent threat to the public in the City of Detroit.
- Per the Centers for Disease Control and Prevention (CDC), Michigan remains second in the nation in the number of SARS-CoV-2 B.1.1.7 variant cases at this time.
- The emergence and spread of the SARS-CoV-2 variants in Detroit and surrounding communities, and current vaccination rates; certain in-person 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 the City of Detroit have been held in accordance with the public access requirement 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). The most recent guidance about open meetings was provided by MDHHS in a May 15, 2021 Gatherings and Face Mask Order: [https://www.michigan.gov/coronavirus/0,9753,7-406-98178\\_98455-559589--,00.html](https://www.michigan.gov/coronavirus/0,9753,7-406-98178_98455-559589--,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 those instances 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 member of the public or members of the public body.

In light of these facts and findings, it is hereby ordered that a Local state of emergency is declared, effective from today's date until June 30, 2021 or until an earlier time when this order is rescinded by a subsequent order; public bodies subject to the OMA may hold in-person meetings only if, on the date of the scheduled in-person meeting the public body is compliant with the then-current state guidance issued by the MDHHS. In-person meetings, held without full compliance with current state guidance issued by the MDHHS pose a serious danger to public health, during the Local state of emergency declared by this order. The order will be enforced, and any violations are subject to citation and penalties as outlined in the Michigan Public Health Code.

Date: May 20, 2021

  
Denise Fair, MBA, MPH, FACHE  
Chief Public Health Officer  
City of Detroit