

THE CITY OF REHOBOTH BEACH

**THIRD MODIFICATION TO
PROCLAMATION OF CIVIL EMERGENCY
AND
ORDER CONCERNING THE COVID-19 PANDEMIC**

WHEREAS, on March 12, 2020 at 3:00 p.m., the Governor of the State of Delaware issued a State of Emergency due to the public health threat of COVID-19, which became effective as of 8:00 a.m. on March 13, 2020 (the “COVID-19 State of Emergency”);

WHEREAS, pursuant to Section 22-3 of the Municipal Code of the City of Rehoboth, on March 22, 2020, the Mayor of the City of Rehoboth Beach proclaimed a civil emergency in response to the COVID-19 pandemic (“Civil Emergency Proclamation”);

WHEREAS, the Mayor implemented an Amended First Modification to the Civil Emergency on May 15, 2020;

WHEREAS, the Mayor implemented a Second Modification to the Civil Emergency on July 1, 2020;

WHEREAS, there has been a recent resurgence of COVID-19 cases in the greater Rehoboth Beach area, necessitating the need for greater observance of social distancing measures and the required donning of facial coverings while in commercial establishments, on the public streets, on the Boardwalk, and on the beach;

WHEREAS, the Mayor and Commissioners of the City of Rehoboth Beach convened a public meeting on July 7, 2020 to consider recovery measures to be implemented within the City.

NOW, THEREFORE, I, PAUL KUHNS, Mayor of the City of Rehoboth Beach, Delaware, by virtue of the authority vested in me by the Municipal Code of the City of Rehoboth Beach, do hereby **TERMINATE** the Second Modification to the Proclamation of Civil Emergency and Order Concerning the COVID-19 Pandemic issued on March 22, 2020 and **ORDER** this Third Modification to the Proclamation of Civil Emergency and Order Concerning the COVID-19 Pandemic issued on March 22, 2020, as follows:

1. All persons, within the City of Rehoboth Beach shall wear facial coverings, covering mouth and nose, in all public places, including but not limited to all public streets, public sidewalks, public parks, the Boardwalk, the beach, and commercial establishments, subject to the following exceptions:

- a. Facial coverings shall not be required while actively bathing in the ocean water;
 - b. Facial coverings shall not be required within dining establishments when not required under the State of Emergency and modifications issued there to by Governor Carney;
 - c. Facial coverings shall not be required to be worn by persons age twelve (12) and younger;
 - d. Facial coverings shall be required while entering and leaving the beach. Facial coverings shall not be required to be worn while on the beach when social distancing is possible. For purposes of this order, social distancing shall be defined as maintaining at least 6 feet of space between persons who are not from the same household.
 - e. Facial coverings shall not be required to be worn while exercising when social distancing is possible. For purposes of this order, exercise shall be defined as strenuous activity requiring physical effort, carried out to sustain or improve health and fitness;
 - f. Facial coverings shall be worn at all times while on the Boardwalk. There shall be no exemptions while on the Boardwalk.
 - g. Facial coverings shall not be required anytime doing so would present a health risk;
2. This Order is intended to apply to all persons, including bicyclists.
 3. This Order has the force and effect of law, and may be enforced in accordance with Section 22-11 of the City of Rehoboth Beach Municipal Code.
 4. This Third Modification to the March 22, 2020 Proclamation of Civil Emergency and Order shall take effect immediately upon the Mayor's execution.

GIVEN, under my hand and seal this 7th day of July 2020.

CITY OF REHOBOTH BEACH



/s/ Paul Kuhns
PAUL KUHNS, Mayor