

VILLAGE OF GEORGETOWN, OHIO

ORDINANCE NO. 1305

ORDINANCE PROHIBITING THE VILLAGE OF GEORGETOWN, OHIO FROM REQUIRING VACCINATION AGAINST COVID 19 FOR EMPLOYMENT, OR FOR THE PROVISION OF VILLAGE SERVICES, AND PROHIBITING DISCRIMINATION BASED UPON COVID VACCINATION STATUS AND DECLARING AN EMERGENCY

WHEREAS, it is the intent of the Village of Georgetown to protect the fundamental rights and privacies of its employees and residents in connection with the COVID-19 pandemic; and

WHEREAS, the Village Council of the Village of Georgetown recognizes that during the pandemic, individuals may be unable to obtain, or may not wish to obtain, a COVID-19 vaccination due to health, religious, or other reasons; and

WHEREAS, vaccination against COVID-19 is not required by law at this time.

WHEREAS, participation in a vaccine or immunization or COVID-19 vaccine status tracking program is not required by law at this time.

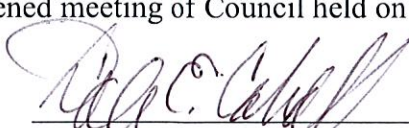
BE IT ORDAINED by the Council of the Village of Georgetown, Brown County, Ohio, a two-thirds majority of all members thereof concurring as follows:

Section 1. That the Village of Georgetown hereby adopts a Vaccination Ordinance, a copy of which is attached as Exhibit A and incorporated herein by reference.


Section 2. Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and it shall go into effect forthwith. The reason for the emergency is the immediate need to immediately protect the rights of the Village, its residents and employees.

PASSED AND ADOPTED at a legally convened meeting of Council held on the 30th day of November, 2021.



Dale E. Cahall, Mayor

ATTEST:


Natalie K.R. Newberry, Fiscal Officer

Exhibit A

VILLAGE OF GEORGETOWN VACCINATION ORDINANCE

Vaccinations, Prohibitions, and Exceptions.

(A) Definitions.

As used in this Ordinance:

- (1) "Individual" means an adult or minor, state resident or otherwise.
- (2) "Person" means an individual, corporation, business trust, estate, trust, partnership, and association.
- (3) "Political subdivision" means the Village of Georgetown, Ohio.
- (4) "Vaccine," "vaccination," and "immunization" means any product manufactured to create acquired immunity to COVID 19 or any variant of COVID 19 or the process of administering such a product.
- (5) "Vaccine status" means whether or not an individual has received a specific vaccination or series of vaccinations.

(B) It is the policy of the Village of Georgetown that individuals have a right to direct their own health care decisions, free from coercion or penalty, and with informed consent, for themselves, their children, their family, and anyone for whom they stand in loco parentis.

- (1) The Village of Georgetown shall not mandate, require, or otherwise request an individual to receive a vaccine.

(C) It is the policy of the Village of Georgetown that individuals have a right to expect that their personal privacy rights remain protected, specifically private health information.

- (1) Except as provided in division (C)(2) of this Ordinance, the Village of Georgetown shall not do any of the following:
 - (a) Mandate, require, or otherwise request an individual to disclose the individual's vaccine status;
 - (b) Mandate, require, or otherwise request participation in a vaccine passport system, vaccine registry, or other mechanism that is designed for the purpose of tracking an individual's vaccine status;
 - (c) Disclose an individual's vaccination status.

(2) Exceptions.

- (a) Division (C)(1) of this Ordinance does not apply to the Village of Georgetown's health care provider or insurer as it pertains to patient care, treatment, or billing. In such case, an individual's vaccine status shall be considered and treated as protected health information pursuant to Chapter 3798 of the Ohio Revised Code.

(3) The Village of Georgetown shall not make public an individual's vaccine status.

(D) It is the policy of the Village of Georgetown that individuals have a right to expect that their personal health choices shall not result in discriminatory treatment.

(1) The Village of Georgetown shall not do any of the following:

- (a) Deny service or access to, segregate, require a vaccine status label for, require disease or immunity testing of, penalize as a result of, or otherwise discriminate against an individual based on their refusal to receive a specific vaccination or series of vaccinations, subscribe to a vaccine or immunity passport or tracking system, or provide proof of vaccination for, immunity to, or testing of a specific contagious or infectious disease or diseases;
- (b) Provide any disposition, service, financial aid, or benefit to an individual that is different from, or is provided in a different manner than, that provided to other individuals based on the individual's refusal to receive a specific vaccination or series of vaccinations, subscribe to a vaccine or immunity passport or tracking system, or provide proof of vaccination for, immunity to, or testing of a specific contagious or infectious disease or diseases;
- (c) Restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any disposition, service, financial aid, or benefit provided to other individuals based on the individual's refusal to receive a specific vaccination or series of vaccinations, subscribe to a vaccine or immunity passport or tracking system, or provide proof of vaccination for, immunity to, or testing of a specific contagious or infectious disease or diseases;
- (d) Treat an individual differently from others in determining whether that individual satisfies any admission, enrollment, quota, eligibility, membership, or other requirement or condition that individuals are required to meet in order to be provided any disposition, service, financial aid, or benefit available to other members of the general public;
- (e) Deny an individual an opportunity to participate in a program through the provision of service or otherwise afford that individual an opportunity to do so that is different from that afforded to other members of the general public;
- (f) Create, impose, or allow to be imposed any device or method of identification that acts as, or might be considered to be, a vaccine passport that would be required of any citizen seeking to travel, to enter any public space or private property, or to do any business within the Village of Georgetown.

(E) It is the policy of the Village of Georgetown that the health choice and privacy of individuals are paramount and shall remain so under all circumstances, even in the presence of emergencies.