



August 11, 2020

Arlington County Board  
2100 Clarendon Boulevard, Suite 300  
Arlington, VA 22201

Dear Chair Garvey,

The Arlington Chamber of Commerce has concerns about the Ordinance Requiring Physical Distancing on Public Sidewalks adopted by the County Board on July 31. Arlington County could have been proactively constructive in developing this ordinance, but was not. We appreciate the goal of reducing coronavirus transmission underlying this action, but believe that the ordinance adopted last month is not an optimal solution.

This ordinance appears to have been constructed hastily, leading to confusion and missed opportunities to develop a better policy. The ordinance was passed on a Friday evening, giving the impression that it was timed to allow weekend enforcement, even though enforcement has yet to begin. As far as we can tell, there was little, if any, community outreach prior to the ordinance's adoption. Enforcement zones still have not been announced – even with delayed enforcement to allow for public education.

The ordinance also has inherent challenges in equity and enforceability. The choices of enforcement locations, when to enforce, and whether to give warnings or write tickets raise concerns about equitable enforcement. The ordinance allows ticketing of four or more members of the same household, or groups of three or fewer who were standing legally but then other, unaffiliated people came and stood too close to them. County staff assert that they do not expect businesses or residences to monitor the sidewalks outside their doors, but enforcement is likely to impact properties along posted streets.

Notwithstanding cordial communications with County staff and participation in last week's webinar, it is still unclear how and where Arlington County plans to enforce the ordinance. As such, we cannot assess the ordinance's likely impacts on businesses, their staff and patrons, and the community generally, nor can we provide constructive feedback on how it can be improved. We encourage Arlington County to develop alternative, more constructive approaches to promoting social distancing on sidewalks.

We thank you for your consideration of these comments.

Sincerely,

A handwritten signature in black ink that reads "Kate Bates". The signature is written in a cursive, flowing style.

Kate Bates  
President & CEO

CC: Arlington County Board members Katie Cristol, Matt de Ferranti, Christian Dorsey, and Takis Karantonis; County Manager Mark Schwartz; Arlington Economic Director Telly Tucker; Arlington County Police Chief Jay Farr