



# District of Rendsburg-Eckernförde

The Administrator  
Health Specialist Service

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Your references, your letter dated

My references, my letter dated

Rendsburg

12.05.2021

## **General Decree of the district of Rendsburg-Eckernförde**

**on measures to combat the spread of the coronavirus SARS-CoV-2 and to determine the areas in which, according to Section 2a Paragraph 2 Clause 1 of the State Ordinance to Combat the Coronavirus SARS-CoV-2, mouth and nose cover is granted wear is**

According to §§ 28 Paragraph 1 Clause 1, 28a Paragraph 1 No. 2 Infection Protection Act (IfSG) in conjunction with § 106 Paragraph 2 General Administrative Law for the State of Schleswig-Holstein (State Administration Act - LVwG), in execution of § 2a Paragraph 2 of the state ordinance to combat the coronavirus SARS-CoV-2 of May 11th, 2021 issued the following general decree:

1. In the publicly accessible areas specified in the attachment, in accordance with Section 2a Paragraph 2 Clause 1 of the State Ordinance to Combat the Coronavirus SARS-CoV-2 of May 11, 2021, on the days of the week specified in the attachment and at the times of the day for pedestrians specified there wearing a mouth and nose cover is compulsory. Exceptions and other requirements result from § 2a paragraph 1 and 2 of the state ordinance. People who do not wear a mouth and nose cover and for whom an exception does not apply are not permitted to enter, stay or use the publicly accessible areas.
2. At all train and bus stations, train stops and bus and train stops for local and long-distance public transport in the area of the Rendsburg-Eckernförde district, the platforms, the stops, the access routes to the platforms and stops, in the station buildings and on the station forecourt according to § 2a paragraph 2 sentence 1 of the state or-



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dinance to combat the coronavirus SARS-CoV-2, from 6 a.m. to 10 p.m. for pedestrians to wear a mouth and nose cover. Exceptions and other requirements result from § 2a paragraph 1 and 2 of the state ordinance. People who do not wear a mouth and nose cover and for whom an exception does not apply are not permitted to enter, stay or use the publicly accessible areas.

3. This order comes into force on May 17, 2021. It is limited up to and including 06/06/2021.
4. The general ruling is based on Section 28 (1) sentence 1, Section 28a IfSG in conjunction with Section 106 (2) LVwG. Infringements are therefore administrative offenses according to § 73 Paragraph 1a No. 6 IfSG.
5. The orders are immediately enforceable in accordance with Section 28 (3) in conjunction with Section 16 (8) IfSG. Objections and actions for rescission against these measures have no suspensive effect.
6. The general decree and its reasons can be viewed during office hours in the Rendsburg-Eckernförde district, Kaiserstraße 8, 24768 Rendsburg.

### **Justification**

The legal basis for the measure taken is Sections 28 Paragraph 1 Clause 1, 28a Paragraph 1 No. 2 IfSG in conjunction with Section 106 Paragraph 2 LVwG in implementation of Section 2a Paragraph 2 State Ordinance to Combat the Coronavirus SARS-CoV-2 of 05/11/2021.

According to Section 28 (1) IfSG, the competent authority shall take the necessary protective measures, in particular the necessary protective measures, in the event that sick people, suspects of illness, suspects of contagion or who have been eliminated or it emerges that a deceased person was sick, suspected of being sick or who had left the disease in § 28a Paragraph 1 IfSG and in §§ 29 to 31 IfSG, insofar as and as long as it is necessary to prevent the spread of communicable diseases. Necessary protective measures within the meaning of § 28 Paragraph 1 Sentence 1 IfSG to prevent the spread of the Coronavirus Disease-2019 (COVID-19) can be carried out for the duration of an epidemic situation of national scope according to § 5 Paragraph 1 Sentence 1 IfSG the German Bundestag in particular the obligation to wear a mouth and nose cover (mask requirement), § 28a paragraph 1 no. 2 IfSG. In particular, the competent authority can oblige people not to enter public places or only under certain conditions.

The currently circulating SARS-CoV-2 virus is a pathogen that can lead to a communicable disease within the meaning of Section 2 No. 3 IfSG. The spread of the SARS-CoV-2 virus must be prevented in order to combat the pandemic. The area of application of the 5th section of the Infection Protection Act is therefore opened.

The authorization according to Section 28 (1) IfSG is a general clause that obliges the competent authority to act. Necessary protective measure within the meaning of Section 28 (1) IfSG to prevent the spread of the coronavirus and to prevent further diseases from COVID-19 according to Section 28a (1) No. ) be.

To assess the likelihood of damage, the principle applicable in general police and regulatory law must be used, namely that the greater and more severe the damage that may occur, the lower the requirements for the likelihood of damage occurring. For this reason, measures can also be taken against persons other than the persons named in Section 28 Paragraph 1 Sentence 1 IfSG.

According to Section 2a Paragraph 2 Clause 1 of the State Ordinance to Combat the Coronavirus SARS-CoV-2 of May 11, 2021, pedestrians must cover their mouth and nose in pedestrian zones, main shopping areas and other inner-city areas, streets and squares with comparable public traffic , in which typically the distance requirement cannot be adhered to. The areas according to sentence 1 as well as time restrictions are determined by the competent authorities, in the area of the districts after consultation with the affected district-belonging communities, by general decree and made known locally. The validity according to sentence 1 should be indicated in a suitable manner by means of signs. The obligation according to sentence 1 does not apply to eating and smoking, provided that this is done while sitting or standing.

The Robert Koch Institute (RKI) recommends the general wearing of a mouth and nose cover (MNB) or mouth and nose protection (MNS, "surgical mask") in certain situations in public space as a further component in order to to reduce the infection pressure and thus the speed of spread of COVID-19 in the population and thus to protect risk groups. This recommendation is based on studies that show that a relevant proportion of the transmission of SARS-CoV-2 occurs unnoticed, i.e. at a point in time before the first signs of illness appear or even when no signs of illness are noticed.

A reduction in the unnoticed transmission of infectious droplets by carrying MNB / MNS could contribute to a further slowing down of the spread at the population level. **This applies to the transmission in public spaces, where several people meet and stay longer (e.g. workplace) or the physical distance of at least 1.5 m cannot always be maintained (e.g. shopping situation, public transport).** This also applies to people gathering outdoors if the minimum distance of 1.5 m cannot be safely maintained. Wearing MNB / MNS in public space can be particularly effective in terms of reducing transmissions if as many people as possible wear an MNB / MNS. Wearing an MNB / MNS helps to protect other people from fine droplets and particles that are expelled e.g. when speaking, coughing or sneezing (external protection).

The named areas as well as the time restriction have been determined by the health department of the Rendsburg-Eckernförde district after prior consultation with the affected districts. According to the assessment of the local authorities, the order to wear a mouth and nose cover at the locations mentioned in the annex is absolutely necessary in order to minimize the risk of infection. In the areas named in the annex, an increased number of people can be expected at certain times of the day. A minimum distance of 1.5 m cannot

be safely maintained there. In accordance with the recommendations of the RKI, it is therefore necessary to wear a mouth and nose cover for safe protection against infection. In the city of Eckernförde, for example, there is a greatly increased number of guests staying in the city of Eckernförde due to the opening of the accommodation and catering establishments on weekdays (currently twice as high as in previous years) and day guests staying in the designated areas. In view of the spatial conditions there (e.g. a width of 2.5 m on the spa promenade, narrow streets in the city center), given the high number of visitors, maintaining the distance of 1.5 m is not guaranteed and thus averting possible infections the obligation to wear a mouth and nose covering is required.

The aforementioned considerations also apply to the platforms, on the access roads to the platforms, in the station buildings and on the forecourt of the stations, train stops and public transport stops in the area of the Rendsburg-Eckernförde district.

The measure is also required. No equally suitable, less burdensome measures are evident. This is especially true here because it is not possible to keep the minimum distance to other people at the places indicated in the system for most of the time. In these heavily frequented areas, the distance requirement within the meaning of Section 2 Paragraph 1 Clause 1 of the State Ordinance on Combating the Coronavirus SARS-CoV-2 of May 11, 2021 cannot always be complied with. The areas in which the mouth and nose cover should be worn are clearly delimited by the designation in the appendix. The order is also limited in time to what is necessary in the opinion of the local authorities and the health department of the Rendsburg-Eckernförde district (time of day / day of the week). The timeframe primarily reflects the peak times in the respective spatial areas.

Incidentally, Section 2a Paragraph 1 Clause 3 of the State Ordinance on Combating the Coronavirus SARS-CoV-2 of May 11th, 2021 applies, i.e. the mask requirement does not apply to children up to the age of six and people who have physical, mental or psychological problems. Impairment cannot wear a mouth and nose cover and can make this plausible.

This order comes into force on May 17, 2021. It is limited up to and including 06/06/2021.

The general ruling is based on §§ 28 paragraph 1 sentences 1 and 2, 28a IfSG in conjunction with § 106 paragraph 2 LVwG in implementation of § 2a paragraph 2 sentence 1 State Ordinance to Combat the Coronavirus SARS-CoV-2 of 11.05.2021. Infringements are therefore administrative offenses according to § 73 Paragraph 1a No. 6 IfSG.

The orders are immediately enforceable in accordance with Section 28 (3) in conjunction with Section 16 (8) IfSG. Objections and actions for rescission against these measures have no suspensive effect.

The general decree and its reasons can be viewed during office hours in the Rendsburg-Eckernförde district, Kaiserstraße 8, 24768 Rendsburg.

### **Legal appeal**

You can object to this general ruling within one month of its announcement. The objection must be submitted in writing, electronically or for recording to the district of Rendsburg-Eckernförde, Der Landrat, Fachdienst Gesundheitsdienste, Kaiserstraße 8, 24768 Rendsburg.

If a legal representative is involved or if the objection is submitted electronically by an authority, it can be sent to the special electronic mailbox of the Rendsburg-Eckernförde district via the special electronic lawyer mailbox or authority mailbox.

An objection by email is not permitted. Citizens can only object to the special electronic mailbox of the Rendsburg-Eckernförde district if they have an EGVP account (OSCI account) and also use a qualified electronic signature.

On behalf

Madlin Loof

**Annex to the general order of the Rendsburg-Eckernförde district of May 12, 2021 on measures to combat the spread of the SARS-CoV-2 coronavirus and to determine the areas in which, according to Section 2a (2) sentence 1 of the state ordinance to combat the SARS coronavirus -CoV-2 from May 11th, 2021, a mouth and nose cover is to be worn**

*A mouth and nose cover must always be worn at the following places during the specified times of the day:*

**1. City of Rendsburg**

• **Monday – Sunday from 6 am – 10 pm**

- Röhlingsplatz
- Bahnhofstraße
- Holstenstrasse to the corner of Werkstätten Materialhof

• **Monday – Friday from 10 am – 6 pm**

**Saturday from 10 am – 2 pm**

- Hohe Straße
- Holsteiner Straße
- Schiffbrückenplatz
- Schloßplatz
- Torstraße
- Neue Straße
- Mühlenstraße
- Altstädter Markt
- Stegengraben
- Am Holstentor
- Jungfernstieg from Röhlingsplatz to the corner of Provianthausstraße  
Am Gymnasium
- Holstenstraße
- Pannkokenstraat
- An der Schiffbrücke
- Stegen
- Schleifmühlenstraße

• **Monday - Friday from 6 am – 10 pm**

**Saturday and Sunday from 9 am – 8 pm**

- NOK pedestrian tunnel Rendsburg with elevators and escalators

**2. City of Eckernförde**

**Everyday from 10 am – 6 pm**

- Kieler Straße
- Frau-Clara-Straße
- Ochsenkopf
- St.-Nicolai-Straße
- Kurpromenade
- Langebrückstraße

- Way to school from the confluence with the Reeperbahn to Rathausmarkt
  - Rathausmarkt
- Sauersgang