



LEGISLATIVE SPONSORS

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| ☒ MAYOR LESTER M. MILLER | ☐ MAYOR PRO TEMPORE SETH CLARK |
| ☐ COMMISSIONER VALERIE WYNN | ☐ COMMISSIONER PAUL BRONSON |
| ☐ COMMISSIONER ELAINE LUCAS | ☐ COMMISSIONER MALLORY C. JONES, III |
| ☐ COMMISSIONER RAYMOND WILDER | ☐ COMMISSIONER BILL HOWELL |
| ☐ COMMISSIONER VIRGIL WATKINS, JR. | ☐ COMMISSIONER AL TILLMAN |
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AN ORDINANCE OF THE MACON-BIBB COUNTY COMMISSION TO AMEND SECTION 12-8 OF THE MACON-BIBB COUNTY CODE OF ORDINANCES, NOW RESERVED, FOR THE PURPOSE OF PROVIDING FOR THE FREE DISTRIBUTION OF MENSTRUAL HYGIENE PRODUCTS IN MACON-BIBB COUNTY FACILITIES; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, menstrual pads or tampons are fundamental and necessary components of personal health and hygiene for people who menstruate; and

WHEREAS, “Period poverty is a global community health dilemma that has long been overlooked. This condition is described as having insufficient access to menstrual products, education, and sanitation facilities. Briefly, period poverty means that millions of women are subjected to injustice and inequity due to menstruation.”¹; and

WHEREAS, “A study conducted in the United States reported that the COVID-19 pandemic exacerbated period poverty, through the low accessibility and unaffordability of products. It was found that 30% of the respondents had difficulty accessing menstrual products because of the compulsory home quarantine, 29% struggled to purchase menstrual products, and 18.5% struggled to afford any menstrual products during the pandemic. Among these factors, women with small children were more likely to have difficulty accessing menstrual products during the pandemic. Consequently, those who indicated challenges in accessing period supplies were more likely to report absenteeism. Another study in France found that women experiencing period poverty also had significant mental issues, such as depression and anxiety. Almost half

¹ Hafiz Jaafar, Suraya Yasmin Ismail, and Amirah Azzeri, “Period Poverty: A Neglected Public Health Issue,” Korean Journal of Family Medicine, July 2023 Vol. 44(4), at 183-188 (available from the National Library of Medicine at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC10372806/>) (accessed December 7, 2023).

(49.4%) of the women who had experienced period poverty reported at least one psychological symptom compared with those without any experience of period poverty.”²; and

WHEREAS, according to the 2020 United States Census, 25.1% of people living in Macon-Bibb County are living in poverty, and they and others are vulnerable to the effects of period poverty; and

WHEREAS, the Macon-Bibb County Commission desires update its code to establish a policy of the Macon-Bibb County Government that all restrooms in Macon-Bibb County buildings which are designated for use by women, shall offer, free of charge, menstrual hygiene products, including both menstrual pads and tampons; and

WHEREAS, the Macon-Bibb County Commission finds that this Ordinance is necessary and proper to promote or protect the safety, health, peace, security, and general welfare of Macon-Bibb County and its inhabitants;

NOW, THEREFORE, BE IT ORDAINED by the Macon-Bibb County Commission, and it is hereby so ordained by the authority of the same that:

SECTION 1.

Section 12-8 of Article I of Chapter 12 of the Macon-Bibb County Code of Ordinances, now reserved, is hereby repealed and replaced in its entirety with the following:

Chapter 12 – HEALTH AND SANITATION

ARTICLE I. – GENERAL PROVISIONS.

Section 12-8. Access to Menstrual Hygiene Products.

It shall be the policy of the Macon-Bibb County Government to make available and accessible at no charge menstrual hygiene products (tampons and menstrual pads) in all restrooms which are designated for use by women, in all County-owned buildings. Where machine dispensers are installed in such public buildings, they shall be compliant with the Americans with Disabilities Act. The products made available for public use shall include, to the greatest extent practicable, products of a quality comparable to those generally sold at major retailers, and, for tampons, plastic applicators.

² *Id.*

SECTION 2.

The preamble of this Ordinance shall be considered to be and is hereby incorporated by references as if fully set out herein.

SECTION 3.

This Ordinance, to the extent necessary, shall be codified in a manner consistent with the laws of the State of Georgia and Macon-Bibb County. Upon adoption, the Clerk of Commission is hereby directed to send a certified copy of this Ordinance to the publisher of the Macon-Bibb County Code of Ordinances for inclusion in future publications.

SECTION 4.

- (a) It is hereby declared to the intention of the Macon-Bibb County Commission that all sections, paragraphs, sentences, clauses, and phrases of this Ordinance are and were, upon their enactment, believed by the Macon-Bibb Commission to be fully valid, enforceable, and constitutional.
- (b) It is hereby declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause, or phrase of this Chapter is severable from every other section, paragraph, sentence, clause, or phrase of this Ordinance. It is hereby further declared to be the intention of the Macon-Bibb County Commission that, to the greatest extent allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause, or phase of this Ordinance.
- (c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment o decree of any court of competent jurisdiction, it is the express intent of the Macon-Bibb County Commission that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs, and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION 5.

All ordinances or part of Ordinances in conflict with this Ordinance are, to the extent such conflict, hereby repealed or set aside.

SECTION 6.

In the event scrivener's errors shall be discovered in this Ordinance after the adoption hereof, the Commission hereby authorizes and directs that each such scrivener's error shall be corrected in all multiple counterparts of this Ordinance.

SECTION 7.

This Ordinance shall become effective upon its approval by the Mayor or its adoption into law without such approval, provided that the Facilities Management Department of Macon-Bibb County shall have 90 days from the effective date of this Ordinance to implement the policies hereof.

SO ORDERED AND ORDAINED this 19 day of December, 2023.


LESTER M. MILLER, MAYOR

ATTEST: 
JANICE S. ROSS, CLERK OF COMMISSION

\\tc-storage.maconbibb.us\countyattstorage\ORD MACON-BIBB\2023 Miller Amending Section 12-8 to Provide Menstrual Supplies in County Bathrooms 12-7-23.docx



Routing/File Form

Document Type: ☐ Contract ☐ Deed ☒ Ordinance ☐ Resolution ☐ Grant ☐ Other
 (Check one of the above document types)

PURPOSE: AN ORDINANCE OF THE MACON-BIBB COUNTY COMMISSION TO AMEND SECTION 12-8 OF THE MACON-BIBB COUNTY CODE OF ORDINANCES, NOW RESERVED, FOR THE PURPOSE OF PROVIDING FOR THE FREE DISTRIBUTION OF MENSTRUAL HYGIENE PRODUCTS IN MACON-BIBB COUNTY FACILITIES; AND FOR OTHER LAWFUL PURPOSES.

Annual Cost: _____

Total Contract Amount: _____

Administering Department or Officer: _____

Contractor(s): _____

Contract Start Date: _____ **Contract End Date:** _____

Funding Source(s): _____

Automatic Renewals: _____ yes _____ no
Number of Renewals: _____ **Final Expiration Date:** _____

Ordinance/Resolution**Contracts/Other****Reviewed By:****Initials****Month/Day/Year****Initials****Month/Day/Year**

Assistant County Attorney

Sr. Assistant / Cnty. Attorney MJM

Grant Administrator

Finance Director

County Manager

Mayor

Clerk of Commission

CW
KM
X

12/12/2023

12/12/23
12/12/23
12/12/23

Commission Approval

____/____/____

Additional comments, instructions, etc.: _____

ALL FULLY-EXECUTED CONTRACTS ARE TO BE PLACED ON FILE IN THE CLERK OF COMMISSION'S OFFICE AS SOON AS POSSIBLE AFTER EXECUTION.

K:\Atty\TEMPLATES 2014\Template Routing Sheet, 10-02-18.doc

SPONSORED BY:

☒ MAYOR LESTER M. MILLER

☐ MAYOR PRO TEMPORE SETH CLARK

☐ COMMISSIONER VALERIE WYNN

☐ COMMISSIONER PAUL BRONSON

☐ COMMISSIONER ELAINE LUCAS

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☐ COMMISSIONER BILL HOWELL

☐ COMMISSIONER VIRGIL WATKINS, JR.

☐ COMMISSIONER AL TILLMAN

COMMITTEE ACTION TAKEN AND DATE:

RECOMMEND: _____

(Approved/Disapproved/Approved as Amended)

Date _____

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Referred to the Committee
on _____
Date: _____

APPROVED AS TO FORM BY COUNTY ATTORNEY


Michael J. McNeill
Sr. Assistant County Attorney

REPORT

Rendered December 19, 2023
and approved



VOTE

	Yes	No	Abstain	Absent
Wynn	☒			
Bronson	☒			
Lucas	☒			
Jones	☒			
Clark	☒			
Wilder	☒			
Howell	☒			
Watkins	☒			
Tillman	☒			
Mayor Miller				
Total:				