

CITY OF JEFFERSON, MISSOURI

EMERGENCY PROCLAMATION

WHEREAS, the novel coronavirus disease (COVID-19) is a highly infectious and dangerous disease that on March 11, 2020 was declared by the World Health Organization to be a pandemic; and

WHEREAS, the key transmission method for the COVID-19 virus is through respiratory droplets that people expel when they breathe, speak, cough, or sneeze; and

WHEREAS, people can be infected with the COVID-19 virus and be asymptomatic or pre-symptomatic but still be contagious to others; and

WHEREAS, numerous epidemiologists have found that widespread use of a face mask is necessary to prevent the more rapid spread of the COVID-19 virus, and thereby necessary for the safety and health of Jefferson City citizens, residents, and visitors; and

WHEREAS, the United States Centers for Disease Control and Prevention has recommended that members of the public, when they need to interact with others outside the home, and especially in indoor settings should cover the mouth and nose to prevent inadvertently spreading COVID-19; and

WHEREAS, the Cole County Health Department issued a press release on July 16, 2020 which recommended that face coverings be worn when in contact with someone outside of your household within six (6) feet for more than 15 minutes; and

WHEREAS, while the City has endeavored to and will continue to conduct public meetings that allow for and encourage social distancing whenever possible, the indoor physical spaces typically available for public meetings and the typical duration of public meetings makes social distancing challenging to be maintained for the duration of such public meetings; and

WHEREAS, a Declaration of Emergency has been executed pursuant to Chapter 11 of the City Code; and

WHEREAS, Chapter 11 of the City Code authorizes the Mayor to exercise certain exceptional powers due to an emergency, including the authority to govern the City by proclamation; and

NOW, THEREFORE, IN ACCORDANCE WITH Chapter 11 of the City Code I, Carrie Tergin, Mayor, hereby proclaim the following:

1. Definitions.

- A. “Face Mask” means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose and mouth and surrounding areas of the lower face. A Face Mask may be factory-made, or may be handmade

and improvised from ordinary household materials.

Any mask that incorporates a one-way valve (typically a raised plastic cylinder about the size of a quarter on the front or side of the mask) that is designed to facilitate direct exhaling allows droplets to be released from the mask, putting others nearby at risk. As a result, these masks are not a face mask under this proclamation and do not comply with the requirements herein.

- B. “Board, Commission, or Committee of the City of Jefferson” means any governmental board, commission, or committee of which at least a majority of the members of such board, commission, or committee are appointed by the Mayor or City Council of the City of Jefferson, provided this definition does not include any board, commission, or committee that governs a separate political subdivision of the State apart from the City of Jefferson.
- C. “In-person Public Meeting” shall mean any meeting of any Board, Commission, or Committee of the City of Jefferson that are open to the public under Chapter 610 of the Revised Statutes of Missouri and are being held in manner in which members of the public are allowed to be present in the same indoor space as the members of the Board, Commission, or Committee of the City of Jefferson.

2. Except as otherwise provided herein, all persons age ten years old and above who are in attendance at any indoor in-person public meeting of the City Council or any Board, Commission, Committee of the City of Jefferson any are required to wear a face mask.

3. While person are encouraged to provide their own face mask, City staff is hereby instructed to make face masks available in sufficient quantity to carry out the intent of this proclamation.

4. A person will not be required to wear a face mask where otherwise required under the following circumstances:

- A. When an individual has a medical condition, mental health condition or disability that prevents wearing a face mask, provided that such persons may be required such person to utilize an alternative reasonable accommodation if offered;
- B. When any party to a communication is deaf or hard of hearing and not wearing a face mask is essential to communication;
- C. When requested by a law enforcement officer; and
- D. When requested by a medical provider, including emergency response personnel.

5. The Presiding Officer or Chair of a Board, Commission, or Committee of the City of Jefferson or any city staff member may require any person who fails to comply with the requirements of this proclamation to leave or such public meeting until compliance is achieved.

6. If any provisions, sections or portion of this proclamation is found or determined by a court for any reason to be invalid or unenforceable, those provisions shall be severed from the remaining portions of this proclamation, which shall remain effective in the absence of any invalid or unenforceable provisions.

7. The provisions of this proclamation shall be in effect immediately and remain in effect until removed by myself, the City Council, or by operation of ordinance.

WITNESS MY HAND this _____ day of July, 2020.

Mayor Carrie Tergin

ATTEST:

City Clerk