BILL 2020-15

FULL Reading

Agenda Item

TO:	Mayor and City Council
FROM:	Padraic W. Corcoran, City Counselor
DATE:	April 6, 2020
RE:	COVID-19 State of Emergency Ordinance

Issue: Approval of Bill 2020-15, declaring a State of Emergency within the City of Cameron, Missouri and promulgating certain regulations necessary to protect the public health and safety due to the spread of COVID-19.

Background: In December 2019, medical professionals detected a novel coronavirus, now designated as "SARS-CoV-2," which causes a disease known as "coronavirus disease 2019" abbreviated and commonly known as "COVID-19." On January 30, 2020, the World Health Organization Director General declared an outbreak of COVID-19 as a Public Health Emergency of International Concern, advising countries to prepare for containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease. On March 11, 2020, the World Health Organization Director General characterized COVID-19 as a pandemic. On March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency. On March 13, 2020, the Governor of the State of Missouri declared the COVID-19 outbreak a state emergency. On March 26, 2020, the Clinton County Public Health Administrator issued Order 20-01 declaring a public health emergency due to the spread of COVID-19.

Bill 2020-15, tracks with order 20-01 of the Clinton County Public Health Administrator and ensures that certain health and safety regulations necessary to mitigate the spread of COVID-19 are applicable throughout the City of Cameron.

Attachments: Bill 2020-15 An Ordinance for the City of Cameron, Missouri Declaring a State of Emergency as a Result of the COVID-19 Pandemic.

Bill 2020-15

AN ORDINANCE FOR THE CITY OF CAMERON MISSOURI DECLARING A STATE OF EMERGENCY AS A RESULT OF THE COVID-19 PANDEMIC

WHEREAS, the City of Cameron, Missouri (the "City") is a body corporate, a third class city and political subdivision of the State of Missouri, duly created, organized and validly existing under and by virtue of the Constitution and laws of the State of Missouri; and

WHEREAS, on March 13, 2020, the President of the United States of America issued a Proclamation finding and proclaiming that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020; and

WHEREAS, on March 13, 2020, the Governor of Missouri issued Executive Order No. 20-02 declaring that a State of Emergency exists in the State of Missouri arising out of a highly contagious disease known as COVID-19 and directing the activation of the Missouri State Emergency Operation Plan; and

WHEREAS, On March 26, 2020, the Clinton County Public Health Administrator issued Order 20-01 declaring a public health emergency.

WHEREAS, the power to protect the health of the inhabitants of a municipality is wider in range than other police powers granted to a municipality by the State of Missouri; and

WHEREAS, pursuant to the provisions of §77.260 of the Missouri Revised Statutes the Mayor and City Council "shall have the care, management and control of the city and its finances, and shall have power to enact and ordain any and all ordinances not repugnant to the constitution and laws of this state, and such as they shall deem expedient for the good government of the city, the preservation of peace and good order, and the health of the inhabitants thereof, and such other ordinances, rules and regulations as may be deemed necessary to carry such powers into effect, and to alter, modify or repeal the same"; and

WHEREAS, pursuant to the provisions of §77.530 of the Missouri Revised Statutes the City Council may make regulations and pass ordinances for the prevention of the introduction of contagious diseases into the City, and for the abatement of the same, and may make quarantine laws and enforce the same, and may make regulations to secure the general health of the City; and

WHEREAS, for any purpose or purposes set forth in Chapter 77 of the Missouri Revised Statutes, §77.590 of the Missouri Revised Statues provides that the City Council may enact and make all necessary ordinances, rules and regulations; and they may enact and make all such ordinances and rules, not inconsistent with the laws of the state, as may be expedient for maintaining the peace and good government and welfare of the City; and

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WHEREAS, the Center for Disease Control (the "CDC"), in addressing COVID-19 has stated that spread of the virus from person-to-person happens most frequently among close contacts; and

WHEREAS, there does exist a state of emergency in the City of Cameron which has been created by COVID-19; and

WHEREAS, the City desires to more fully protect the health of the public by establishing certain rules and policies to be followed and applied during a health emergency such as the one the City is presently experiencing involving the prevention of the introduction of COVID-19, a highly contagious disease, into the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, MISSOURI, AS FOLLOWS:

Section 1. The City Council of the City of Cameron, Missouri, does hereby find and determine that the City should be prepared to address the emergency created by COVID-19 in order to (a) insure that preparations are being made and will continue to be made which will address this declared emergency, (b) generally protect the public health, safety, and welfare, (c) preserve the lives and property of the citizens of the City, (d) maintain essential government operations, and (e) support the overall health care system.

Section 2. To accomplish the goals and objectives set forth in Section 1, the City Council finds and declares the following necessary:

All Persons Shall:

A. To the maximum extent possible, shelter in place by remaining in their respective residences or regular places of abode, avoiding contact with people with whom they do not reside and avoiding public places except as necessary to obtain food, supplies and medical treatment.
B. Remain home if sick or ill, except to seek medical treatment from a licensed medical provider.
C. Avoid all social gatherings in groups of 10 or more people.
D. Implement personal protective measures, such as staying home when sick, frequent handwashing and routine cleaning of surfaces.
E. Avoid individual travel except for attending work, obtaining food supplies, medicine, medical treatment and participating in outdoor recreational activities.
F. Engage in social distancing by taking responsible efforts to be separated from other individuals by at least six (6) feet.

All Businesses Shall:

A. Close any community seating areas. Food establishments may continue to provide services via carry-out, drive-thru, curbside or delivery to customers.
B. Permit all employees, who are capable, to work from their residences or regular places of abode.

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C. Provide for the implementation of appropriate personal protective and social distancing measures as defined by current guidance issued by the Center for Disease Control (CDC) for businesses and workplaces. (Such guidance can be found here: https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html)

D. Require ill employees to exclude themselves from work while sick or ill until such time as employee's symptoms have resolved or they have been cleared to return to work from a licensed healthcare provider.

Section 3. Violation of this Ordinance shall be considered a violation of the Code of the City of Cameron, Missouri.

Section 4. Nothing in this Ordinance shall be interpreted or applied so as to create any power, duty or obligation in conflict with, or preempted by, any Federal or State law.

Section 5. The Mayor, City Manager, and other appropriate officials of the City are hereby authorized and directed to take such further action, issue necessary administrative orders and directives to protect the public health and safety of the citizens of Cameron, and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance and to protect the health and safety of the citizens of the City of Cameron.

Section 6. This Ordinance shall be in full force and effect immediately after its passage by the City Council. This Ordinance will automatically expire when the stated health emergency has ended.

Section 7. The Mayor is authorized to sign this Ordinance approving it on behalf of the City of Cameron, Missouri.

Section 8. The City Clerk is directed to attest to the Mayor's signature.

READ TWO TIMES, PASSED AND APPROVED by the City Council of the City of Cameron, Missouri this 6th day of April 2020.

_____
Mayor Darlene Breckenridge

ATTEST:

_____
City Clerk

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