



## **AGENDA**

Clinton City Council Meeting  
Benson Center • 1008 E. Sedalia Avenue, Clinton, MO  
Monday, November 23, 2020 • 1:00 p.m.

1. **Call to Order**
2. **Roll Call**
3. **Second Reading of Previously Read Bills:**
  - a. Bill No. 2020-31 - An Ordinance of the City of Clinton establishing a requirement for face coverings to control and reduce the spread of COVID-19.
4. **Adjournment**

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Individuals desiring to speak at the meeting are asked to fill out a speaker card and submit it to the Clerk prior to the call to order. Speakers are respectfully asked to limit their comments to three (3) minutes or less. Speakers will be called on to speak during the appropriate portion of the meeting. Please address your comments to the Mayor/Chairman. If you require accommodation (i.e. qualified interpreter, large print, and/or hearing assistance) please notify this office at (660-885-6121) no later than forty-eight hours prior to the scheduled commencement of the meeting.

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF CLINTON ESTABLISHING A REQUIREMENT FOR FACE COVERINGS TO CONTROL AND REDUCE THE SPREAD OF COVID-19.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLINTON, MISSOURI AS FOLLOWS:**

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, due to the COVID-19 pandemic there have been declarations of emergency enacted by the President of the United States, the Governor of the State of Missouri and the City of Clinton; and

WHEREAS, a face covering order allows robust economic activity to continue and avoid the harms of closure orders; and

WHEREAS, the spread of COVID-19 will continue to grow at an exponential rate for the foreseeable future unless additional measures are implemented to reduce the spread of the disease in Clinton; and

WHEREAS, exponential spread of the disease adversely affects the ability of the local health resources to provide contact tracing and care not only to COVID-19 patients, but to all requiring critical care, and has the potential to overwhelm the community's medical resources; and

WHEREAS, in addition to overwhelming the medical system and threatening the health and lives of residents, the spread of the disease will cause economic damage, disruption and hardship in the event stay at home orders return; and

WHEREAS, due to the escalating spread of the COVID-19 pandemic it is necessary for the immediate preservation of public health, safety and welfare of the residents of Clinton to take steps to mitigate the spread of the disease; 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 Clinton 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 wearing of a face covering to the greatest extent possible may allow businesses to remain open while protecting the health and safety of the public and employees and keeping the local economy strong during the period in which the disease is being brought under control in the community; and

WHEREAS, the City Council finds that wearing a Face Mask is an appropriate and necessary method of reducing the spread of COVID-19 and will be the least restrictive means imposed with the greatest benefit to reduce community spread; and

WHEREAS, strict use of Face Masks may limit the spread of COVID-19 to such an extent the further Stay at Home Orders may not be needed; and

WHEREAS, the City Council finds it is necessary for the immediate preservation of public health and safety to enact such rules and regulations regarding the use of face masks as an emergency ordinance on the day of introduction so that such rules may go into effect immediately; and

WHEREAS, pursuant to Section 77.530 RSMo the City is empowered to pass ordinances for abatement of contagious diseases; and

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

Section 1. **Incorporation of Findings.** The City Council makes and reaffirms the findings set forth above and incorporates the same by reference as if fully set forth herein.

Section 2. **Effective Date and Duration.** Due to the community spread of the COVID-19 pandemic within the City of Clinton and for the immediate preservation of public health, safety and welfare; this ordinance is enacted. This ordinance shall take effect on \_\_\_\_\_, 2020 and remain in effect until \_\_\_\_\_ unless sooner repealed or extended.

Section 3. **Definition.** As used in this ordinance, 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 covering that hides or obscures the wearer's eyes or forehead is not a Face Mask. 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 easy 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 Ordinance and must not be used to comply with this Ordinance's requirements.

Section 4. **Wearing Face Masks Required.** Except as otherwise provided in this ordinance all persons age ten years old and above who are present within the jurisdiction of the City of Clinton are required to wear a clean Face Mask any time they are, or will be, in contact with other people who are not household members and when outside of private residences.

Section 5. **Employers to Provide Face Masks to Employees.** Any time an employee or staff person is required to wear a Face Mask pursuant to this ordinance, the employer shall make Face Masks available in sufficient quantity to assure each employee can wear a clean Face Mask at all times.

Section 6. **Exempted Activities.** A person may remove their Face Mask where otherwise required under the following circumstances:

1. While outdoors when able to maintain a distance of at least six feet from others;
2. While exercising outdoors or while exercising indoors when able to maintain a distance of at least six feet from others;
3. When engaged in a sporting activity;
4. While in a private residence;
5. When in a personal vehicle;

6. While eating or drinking only when inside or in the outside dining area of a restaurant or other establishment that offers food or beverage service, provided that person is able to maintain a distance of at least six feet from persons seated at other tables, and provided this distance restriction is enforced by the restaurant or other establishment;
7. When an individual has a medical condition, mental health condition or disability that prevents wearing a Face Mask;
8. When any party to a communication is deaf or hard of hearing and not wearing a Face Mask is essential to communication;
9. While obtaining a service that requires temporary removal of the Face Mask, such as dental examinations;
10. When necessary to confirm the individual's identity;
11. When federal or state law prohibits wearing a Face Mask or requires the removal of a Face Mask;
12. When requested by a law enforcement officer;
13. When requested by a medical provider, including emergency response personnel;
14. When in a business/commercial/office setting and not within six feet of any other person; provided however, when moving from place to place in a business location where the person cannot maintain at all times a distance of six feet from all other persons a Face Mask shall be worn;

Section 7. **Business Requirements.** Any licensed business in the City shall not permit or allow persons working at the licensed premises to engage in work without use of a Face Mask, unless otherwise exempt as provided in Section Six.

Section 8. **Adoption of Orders.** This ordinance is in addition to and supplements any subsequent orders of county of state jurisdiction.

Section 9. **Enforcement.** A person who has been convicted of a violation of this ordinance or an order implementing this ordinance may be sentenced to pay a fine which does not exceed one hundred dollars (\$100.00).

Section 10. **Severability clause.** If any provisions, sections or portion of this ordinance 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 ordinance, which shall remain effective in the absence of any invalid or unenforceable provisions.

Read two times and passed this \_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

\_\_\_\_\_  
Greg Lowe, Presiding Officer

Ayes -  
Nays -  
Absent/Not Voting -

\_\_\_\_\_  
Wendee Seaton, City Clerk

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Greg Lowe, Mayor