

291
292 b. The maximum number of customers allowed in any outdoor space
293 or area shall be limited to 35 or the result of the total square feet of
294 the space or area divided by 30 times 50 percent, or 50 percent of
295 the total occupancy of fixed seating in a spectator area, whichever
296 is greater.

297
298 (3) No counter seating shall be used during any Enhanced Risk Activity.

299
300 (4) All providers of an Enhanced Risk Activity shall require Face Coverings
301 as set out in Section 58-1102. Staff must wear a Face Covering at all
302 times when they are working in any space where food or drinks are
303 prepared for sale to others and when they are serving others.
304 Notwithstanding any other provision in this Article, participants in a
305 baptism ceremony shall not be required to wear a Face Covering during
306 a baptism ceremony or while photographs of the baptism are taken.

307
308 (f) Swimming pools.

309
310 (1) The maximum number of customers and/or patrons allowed at any one
311 time at a particular swimming pool shall be limited to the bather load of
312 the pool times 50 percent.

313
314 (g) Weddings.

315
316 (1) The maximum number of customers and/or patrons allowed in a facility
317 shall be limited to 35 or the result of the total square feet of the facility
318 divided by 30 times 50 percent, whichever is greater

319
320 (2) The maximum number of customers allowed in any outdoor space or area
321 shall be limited to 35 or the result of the total square feet of the space or
322 area divided by 30 times 50 percent, whichever is greater.

323
324 (3) All providers of weddings shall require Face Coverings as set out in
325 Section 58-1102. Notwithstanding any other provision in this Article, the
326 wedding party shall not be required to wear a Face Covering during a
327 wedding ceremony or while photographs of the wedding and reception are
328 taken.

329
330 (h) Funerals.

331
332 (1) The maximum number of persons allowed into a funeral, visitation, or
333 wake at any one time for a facility shall be limited to 35 or the result of

376 require compliance with the provisions of this Article shall be guilty of a violation
377 of a municipal ordinance, punishable by a fine not exceeding \$100.00.

378
379 No person shall be in violation of this subsection if such person or the place the
380 person owns, manages, operates or otherwise controls requires compliance with
381 the provisions of this Article to wear a Face Covering and a patron or customer
382 refuses to wear a Face Covering.

383
384 (c) A person who owns, manages, operates or otherwise controls a place which
385 violates provisions of this Article aside from Face Covering requirements shall be
386 guilty of a violation of a municipal ordinance and shall be punished as provided in
387 Springfield City Code Section 1-7.

388
389 (d) In addition to the fines established by this section, violation of this Article by a
390 person who owns, manages, operates, or otherwise controls a place at which
391 wearing Face Coverings is required by this Article may result in the suspension
392 or revocation of any permit or license issued to the person for the premises on
393 which the violation occurred.

394
395 (e) Violation of this Article is hereby declared to be a public nuisance, which may be
396 abated by the city manager by restraining order, preliminary and permanent
397 injunction, or other means provided for by law, and the city may take action to
398 recover the costs of the nuisance abatement.

399
400 (f) Each day on which a violation of this Article occurs shall be considered a
401 separate and distinct violation.

402
403 Section 2 – Savings Clause. Nothing in this Ordinance shall be construed to
404 affect any suit or proceeding now pending in any court or any rights acquired or liability
405 incurred nor any cause or causes of action occurred or existing, under any act or
406 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,
407 impaired, or affected by this Ordinance.

408
409 Section 3 – Severability Clause. If any section, subsection, sentence, clause, or
410 phrase of this Ordinance is for any reason held to be invalid, such decision shall not
411 affect the validity of the remaining portions of this Ordinance. City Council hereby
412 declares that it would have adopted the Ordinance and each section, subsection,
413 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
414 sections, subsections, sentences, clauses, or phrases be declared invalid.

415
416 Section 4 – City Council hereby finds and declares that an emergency exists in
417 that this adoption of this Ordinance is required to fight against the COVID-19 pandemic,
418 and therefore this Ordinance relates to the preservation of public health and safety

419 pursuant to section 2.12 of the City Charter and may be passed in one reading. This
420 Ordinance shall be in full force and effect immediately upon adoption and shall expire
421 and cease to be in effect at 11:59 p.m. on April 9, 2021, unless a new ordinance
422 amends the sunset date of this Ordinance or readopts its provisions.

423
424 Passed at meeting: _____

425
426 _____
427 Mayor

428
429 Attest: _____, City Clerk

430
431 Filed as Ordinance: _____

432
433
434 Approved as to form: Rhonda Lewsade , City Attorney

435
436
437 Approved for Council action: _____, City Manager

EXPLANATION TO COUNCIL BILL 2020-301

FILED 12-08-20

ORIGINATING DEPARTMENT: Springfield Greene County Health Department

PURPOSE: To continue Springfield's Road to Recovery plan including the extension of the face covering/masking requirement for areas of public accommodation.

BACKGROUND INFORMATION:

Springfield's Road to Recovery Plan Phase 3A has been in place since July 16, 2020. The Phase 3A orders relaxed some COVID-19 restrictions while implementing a face covering/masking requirement for areas of public accommodation. Based on evidence cited by the Centers for Disease Control and Prevention, the White House Coronavirus Task Force and the World Health Organization, as well our own local experiences with the effectiveness of these measures, it is the firm recommendation of the Springfield-Greene County Health Department that the current phase continue.

As of December 3, 2020, there have been 15,643 cases of COVID-19 and 216 deaths in Greene County. At the present time, the county's hospital capability score is 5.5 out of 10 and our Public Health Capability Score is 1.0 out of 10, representing our community's decreasing capability to respond to additional cases. While not one public health prevention measure is enough to improve these capability scores alone, it is imperative we continue all mitigation efforts, including masking and occupancy restrictions, so that we may have some capacity to continue to respond to this pandemic.

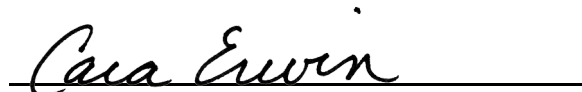
While Springfield continues to be one of the few southwest Missouri communities that requires masking, others have adopted mandates recently, following the growing evidence of the measure's effectiveness. In Christian County, for example, Nixa and Ozark implemented masking ordinances on October 21, 2020 with positive outcomes. In the 28 days leading up the masking ordinances, there was a 62% increase in positive COVID-19 cases in Christian County. In the 28 days following the implementation of the masking mandates, the increase was 49%. It is critical that the city of Springfield continues to contribute to a regional masking approach, as city and countywide mandates are currently the only way for our entire community to experience the benefits of a blanket approach in lieu of a statewide mandate.

The use of face coverings is non-intrusive way to reduce the spread of COVID-19. Masking, combined with physical distancing and frequent hand washing are crucial to reducing illnesses, hospitalizations and deaths associated with the coronavirus pandemic and removing this requirement will have a detrimental effect within the community.

REMARKS:

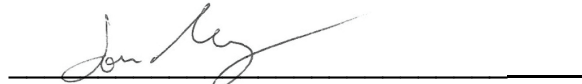
Currently, there are two COVID-19 vaccine candidates under Emergency Use Authorization review by the Federal Drug Administration. A determination on these requests will be made later this month. If approved, vaccine to prevent and reduce the severity of COVID-19 are anticipated to be available in our community before the end of 2020. Vaccinations will begin with both health care personnel and individuals within long term care facilities. Moving into this phase of the community response to COVID-19 is extremely encouraging and is expected to be the most effective tool we have. Our department will be working closely with local and regional partners to implement the state's plan to vaccinate Missourians. In the coming weeks and months, this effort will help to shed light on the need for ongoing community mitigation efforts such as occupancy restrictions and mask use.

Submitted by:



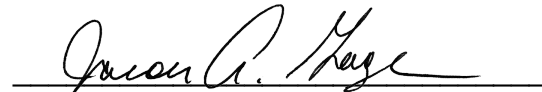
Cara Erwin, Information and Outreach Manager
Springfield-Greene County Health

Recommended by:



Jon Mooney, Assistant Director
Public Health and Welfare

Approved by:



Jason Gage,
City Manager