Subject: Citywide Face Covering Requirement

Meeting Date: Monday, January 24th, 2022

Submitted/Presented by/Department: Nate Burkett, City Manager

Action Type
☐ Consent Item  ☒ Discussion/Direction
☐ Public Hearing  ☐ Informational Only
☐ Action/Motion  ☐ Report
☐ Resolution  ☐ Other: Closed Session

Action
If the Council decides to take action on this, amend the regular meeting agenda to include this item.

Adopt the temporary, emergency ordinance requiring face coverings in places of public accommodation.

OR

Adopt the resolution strongly encouraging all people to follow health safety guidelines, and businesses to require face coverings in places of public accommodation.

OR

Discuss and take no formal action

Background
There are several cities in the metro area that have adopted temporary, emergency face covering requirements. Some council members have indicated an interest in discussing whether or not to adopt such a requirement.

A couple of items to consider when discussing:
- There are numerous studies and news reports suggesting that the current wave of COVID cases will be subsiding in the next week. Is this requirement timely, and necessary in the near term to stem the spread of COVID?
- Undoubtedly there will be reports of non-compliance. There are not significant staff resources available to enforce this ordinance. Code enforcement staff will be instructed to send letters but not to do on-site inspections unless there is an egregious offense. Police resources are already stretched to the limit and are not available for significant enforcement activity. Police will be directed to have complainants forward concerns to code enforcement, preferably through the city's webpage.
- Adopting this ordinance is different than previous face covering requirements, which were issued by the State. In the past - if there were violations of the face covering requirement it was enforced by the State. If this ordinance is adopted, staff will be responsible for any enforcement activity.
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If this ordinance is adopted, Council may wish to consider:
- Providing signs that meet the requirement of the ordinance for businesses that request it
- Providing face coverings to businesses (subject to the city's ability to acquire face coverings)

Attachments
- DRAFT Ordinance - Emergency Ordinance Requiring Face Coverings (still under legal review as of publication, will be available at the meeting)
- DRAFT Resolution - Encouraging Adherence to Health Safety Guidelines and Face Coverings in Places of Public Accommodation

Previous Relevant Actions
- Emergency Declaration

Alternatives
- N/A

Financial
- Budgeted: ☐ Yes ☐ No Financial Impact
- Fund: N/A
- Department: N/A
- Account: N/A
- Amount: N/A