



Department Source: Law
To: City Council
From: City Manager & Staff
Council Meeting Date: August 9, 2021
Re: Ordinance enacting a Face Mask requirement

Executive Summary

At the request of Council member Fowler and the City Council an emergency ordinance to enact a face mask requirement due to the spread of COVID-19 within the city has been prepared for Council consideration at a Special Meeting of the City Council called for August 9, 2021.

Discussion

The City Council requested staff to draft an ordinance that would impose a face mask requirement for all individuals who are five (5) years or older when in public indoor or outdoor spaces and a distance of six (6) feet cannot be maintained from individuals who are not a member of the person's household. There are exceptions for certain activities and locations contained within the ordinance. In addition, premises under the control of the State of Missouri (including the University of Missouri), the County of Boone, and the federal government (including the Truman Veterans' Hospital) are exempt from application of the ordinance.

At Council's request, a Special Council Meeting has been called and the ordinance has been drafted as an emergency ordinance so that it may be enacted as an emergency measure on the day of the introduction of the bill. Regular enactment procedures for an ordinance require at least one week pass between introduction and first reading of a bill by the Council. Article II, Section 15 of the City Charter as well as Section 2-82 of the City Code set forth the requirements for enactment of an emergency ordinance. In this instance, the emergency procedure for the face mask ordinance is justified under Section 2-82(1) which is a bill concerning the immediate preservation of the public health.

Pursuant to the Charter and the City Code, the affirmative vote of six-sevenths of the members of the Council are required to pass an ordinance as an emergency measure. This means the Council must have six affirmative votes to pass the ordinance at the special meeting called for August 9th.

Fiscal Impact

Short-Term Impact:
Long-Term Impact:



Strategic & Comprehensive Plan Impacts

[Strategic Plan Impacts:](#)

Primary Impact: Public Safety, Secondary Impact: Public Safety, Tertiary Impact: Public Safety

[Comprehensive Plan Impacts:](#)

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Not applicable, Tertiary Impact: Not Applicable

Legislative History

| Date | Action |
|------------|--|
| 07/06/2020 | Council enacted B168-20A establishing the requirement to wear a face mask in certain locations in order to prevent or limit the spread of the COVID-19 disease |

Suggested Council Action

City staff does not recommend passage of the ordinance.