



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 36-20

City Council

6/30/2020

LEGISLATIVE ACTION ITEM

SPONSOR: City Council Member Sherri Myers
City Council President Jewel Cannada-Wynn
City Council Member Ann Hill

SUBJECT:

PROPOSED EMERGENCY ORDINANCE NO. 36-20, REQUIRING MANDATORY WEARING OF FACE COVERINGS CITY WIDE IN PUBLIC SETTINGS

RECOMMENDATION:

That City Council adopt Proposed Emergency Ordinance No. 36-20 on first and final reading:

AN EMERGENCY ORDINANCE OF THE CITY OF PENSACOLA, FLORIDA, REQUIRING THE WEARING OF FACE COVERINGS; PROVIDING DEFINITIONS; PROVIDING MANDATORY REQUIREMENTS; PROVIDING EXCEPTIONS; PROVIDING A PENALTY THEREFOR; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

HEARING REQUIRED: No Hearing Required

SUMMARY:

Currently the Nation, State, County and City are under a State of Emergency related to Covid-19.

Covid-19 poses a health risk to the residents of the City of Pensacola, particularly elderly residents and those who are immunosuppressed or otherwise have high-medical conditions.

Since April of 2020, the City has proactively directed the implementation of numerous efforts, including an aggressive communications campaign, to encourage persons in the City to practice social distancing, wash and sanitize their hands, clean high touch surfaces, and wear face coverings as community mitigation strategies to decrease the spread of Covid-19.

Despite mitigation efforts, as reported by Florida Department of Health Officer ("Department of Health") Dr. John Lanza, the number of positive cases of Covid-19 in Escambia County has spiked with 81 positive cases reported on June 24, 2020, an average of 42 new cases each day for the past seven days, and a seven-day positivity rate of 4.58% for the week beginning June 14, 2020, versus 2.23% for the previous seven days, which indicates greater local community spread and transmission of the disease.

Federal and state health officials have indicated that they expect additional cases of Covid-19 to be identified in the coming days and, based on the highly contagious nature of Covid-19, additional person-to-person transmission is likely.

Conditions presented by the threat of Covid-19 continue to pose a threat to the public health that requires dynamic emergency response, including the imposition of additional mitigation strategies as conditions require. The use of face coverings has been identified as a measure to assist in preventing individuals who may be shedding the Covid-19 virus from spreading it to other individuals. To reduce the spread of the disease, the Centers for Disease Control and Prevention ("CDC") recommends the use of cloth face coverings in public settings where other social distancing measures are difficult to maintain, such as inside businesses.

On June 22, 2020, after Florida reported more than 4,000 new cases of Covid-19 in a single day, State Surgeon General Scott Rivkees issued an additional public health advisory recommending people wear face coverings in any setting where social distancing is not possible, stating that in gatherings of fewer than 50 people, individuals should maintain at least six feet distance from each other and wear a face covering.

It is believed that Covid-19 presents a danger to the health, safety, and welfare of the public; therefore the goal of this emergency ordinance is to help protect the citizens of Pensacola and assist in the prevention of the spread of this disease.

PRIOR ACTION:

March 13, 2020 - President Donald J. Trump declared a state of emergency for the United States of America beginning March 1, 2020

March 9, 2020 - Governor Ron DeSantis issued Executive Order Number 20-52 declaring a state of emergency for the State of Florida

March 16, 2020 - The Escambia County Board of County Commissioners issued Resolution R2020-24 declaring a state of emergency for Escambia County

April 29, 2020 - Governor Ron DeSantis issued Executive Order Number 20-112 initiating Phase 1 of the Safe. Smart. Step-by-Step. Plan for Florida's Recovery

May 8, 2020 - Governor Ron DeSantis issued Executive Order Number 20-114, which expires July 7, 2020, extending the Emergency Declaration of Executive Order 20-52 for 60 days for the entire State of Florida

FUNDING:

N/A

FINANCIAL IMPACT:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) Proposed Emergency Ordinance No. 36-20

PRESENTATION: No