



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 21-00199

City Council

2/25/2021

LEGISLATIVE ACTION ITEM

SPONSOR: City Council President Jared Moore

SUBJECT:

EXTENSION OF ORDINANCE NO. 15-20 REQUIRING THE MANDATORY WEARING OF FACE COVERINGS IN BUSINESSES WITHIN THE CITY LIMITS.

RECOMMENDATION:

That City Council extend Ordinance No. 15-20 requiring the mandatory wearing of face coverings in businesses within the City Limits until March 25, 2021.

HEARING REQUIRED: No Hearing Required

SUMMARY:

Conditions presented by the threat of Covid-19 posed a threat to the public health that required a dynamic emergency response. The use of face coverings was 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") recommended 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.

While the numbers for daily hospitalizations have fallen slightly recently a required continued vigilance in protecting the citizenry during potential subsequent waves and spikes of infection are still needed. While practicing CDC guidelines in order to help prevent the spread of COVID-19, the CDC recommends the wearing of masks in public settings around people who don't live in your household and when you are unable to stay 6 feet away from others. Masks help stop the spread of COVID-19 to others. That is the intent of this ordinance.

Within Ordinance No.15-20, Section 6. Sunset Date., states, "Unless rescinded or extended by subsequent act of the City Council, this Emergency Ordinance shall sunset upon the expiration of the

City's state of emergency as it may be extended." In the event the State of Emergency expires, a Council extension of Ordinance No. 15-20 serves to separate the Ordinance from the State of Emergency.

PRIOR ACTION:

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

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

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

June 3, 2020 - Governor Ron DeSantis issued Executive Order Number 20-139, initiating Phase 2 of the Safe. Smart. Step-by-Step. Plan for Florida's Recovery.

June 30, 2020 - City Council adopted Emergency Ordinance No. 15-20, requiring the wearing of face coverings in businesses within the city limits. The ordinance expires with the City's state of emergency unless terminated earlier or extended by the City Council.

August 13, 2020 - City Council most recently extended the City's declaration of a state of emergency until September 24, 2020.

September 24, 2020 - Attempt to repeal Ordinance No. 15-20 failed 0-7.

October 22, 2020- City Council extended Ord. 15-20 until December 10, 2020

December 10, 2020 - City Council extended Ord. 15-20 until February 25, 2021

FUNDING:

N/A

FINANCIAL IMPACT:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

1) Ordinance No. 15-20

PRESENTATION: No