

RESOLUTION NO. 20-024

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF PLATTSMOUTH, NEBRASKA TO ADDRESS THE NOVEL CORONAVIRUS PUBLIC HEALTH CRISIS BY IMPLEMENTING CERTAIN MEASURES TO SLOW THE COMMUNITY SPREAD OF THE VIRUS.

WHEREAS, on March 13, 2020, the President of the United States declared the novel coronavirus disease (COVID-19) outbreak a national emergency, and this state of emergency remains in effect;

WHEREAS, on March 13, 2020, the Governor of the State of Nebraska declared a state of emergency related to COVID-19 within the entire State of Nebraska, and this state of emergency remains in effect;

WHEREAS, the Director of the Nebraska Department of Health and Human Services (“DHHS”) has issued directed health measures for every County in the State of Nebraska effective through December 31, 2020, and such directed health measures are likely to be extended in some form for most or all Counties after December 31, 2020;

WHEREAS, DHHS issued Directed Health Measure Order 2020—SCHD-013 (“**Sarpy/Cass DHM**”) for Sarpy and Cass Counties, and such order requires, among other things, the use of face coverings by individuals in certain circumstances while upon premises open to the public;

WHEREAS, in July, 2020, the Mayor joined other mayors from Cass County and Sarpy County to create and distribute a public service announcement to encourage citizens to wear face coverings and take other precautionary measures to help slow the spread of COVID-19;

WHEREAS, the Health Director of the Sarpy/Cass Health Department has advised the City that it supports universal masking for the reasons more particularly described in her letter dated November 24, 2020 and attached to this Resolution;

WHEREAS, the Health Director of the Sarpy/Cass Health Department has advised the City that there has been a recent surge of COVID-19 cases in Plattsmouth and surrounding areas, that this surge has left hospital systems at or near capacity, and that the current situation is the most severe experienced thus far during the pandemic;

WHEREAS, the Mayor and City Council have determined that a unified community response is critical to addressing the current public health crisis;

WHEREAS, the Mayor and City Council have determined that the use of face coverings is a significant, and relatively non-intrusive, component of this unified community response, and, when used in conjunction with social distancing, occupancy limitations, and the other measures described in the Sarpy/Cass DHM, will serve to slow the spread of COVID-19 and reduce the strain on the region’s public health systems; and

WHEREAS, the Mayor and City Council have determined that it is in the best interests of the health and safety of the citizens of Plattsmouth to strongly encourage the use of face coverings to the greatest extent practicable.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council that the following measures are established for the wearing of face coverings within the Plattsmouth City limits:

1. **Face Coverings.** Every person within the City of Plattsmouth should wear a face covering, which completely covers such person's nose and mouth, while:

- (a) in any *indoor* premises where such person is exposed to non-household members; and
- (b) on any *outdoor* premises where such person is exposed to non-household members and social distancing of at least six feet or more cannot be assured.

2. **Exemptions.** The following persons are exempt from wearing face coverings:

- (a) persons younger than five years of age;
- (b) persons seeking federal, state, county, or city governmental services;
- (c) persons seated to eat or drink or otherwise while immediately consuming food or beverages;
- (d) persons engaged in an occupation preventing the wearing of face coverings;
- (e) persons obtaining a service or purchasing goods or services that requires the temporary removal of face coverings;
- (f) persons temporarily removing face coverings to verify their identity for lawful purposes;
- (g) persons providing a speech, lecture, or broadcast to an audience so long as such persons are at least six feet from other persons;
- (h) persons who cannot otherwise wear a face covering because of a medical condition, a mental health condition, or a disability that makes it unreasonable for such persons to wear a face covering; and
- (i) persons exempted from wearing face coverings pursuant to applicable federal or state law or regulation.

3. **Assistance to Businesses.** All businesses open to the public in Plattsmouth are encouraged to adopt and post face covering and related COVID-19 policies consistent with this Resolution. The Plattsmouth Police Department is directed to continue to assist businesses in the enforcement of trespassing and similar laws applicable to the removal of persons who refuse to comply with a business's face covering and related COVID-19 related policies.

4. **No Penalty.** Although the Mayor and City Council have established these measures with the strongest recommendation for community-wide compliance, there is no penalty imposed by the City for noncompliance with these measures.

5. **No Waiver or Modification.** Nothing in this Resolution shall be deemed to waive, modify, or supersede all or any portion of the Sarpy/Cass DHM, as the same may be amended or extended, or any other lawful health directives promulgated by federal or state authorities.

6. **Immediate Effect.** This Resolution shall take effect immediately and it shall remain in effect until modified or terminated by the City Council.

RESOLVED this 7th day of December, 2020.



R. Paul Lambert, Mayor

ATTEST:



Sandra J. Meyer, City Clerk

