



OFFICIAL NOTICE AND AGENDA - REVISED

of a meeting of a City Board, Commission, Department, Committee, Agency, Corporation, Quasi-Municipal Corporation, or sub-unit thereof.

Special Meeting:	PUBLIC HEALTH & SAFETY COMMITTEE
Date/Time:	Monday, November 2, 2020 @ 5:15 PM
Location:	City Hall (407 Grant Street) - Council Chambers
Members:	Lisa Rasmussen {c}, Dawn Herbst, Becky McElhaney, Pat Peckham, Jim Wadinski

AGENDA ITEMS FOR CONSIDERATION (All items listed may be acted upon)

- 1) Discussion and possible action regarding COVID-19 related mask requirement city wide.
Adjourn

Lisa Rasmussen, Chairperson

*Due to the COVID-19 pandemic, this meeting is being held in person and via teleconference. Members of the media and the public may attend in person, subject to the social distancing rules of maintaining at least 6 feet apart from other individuals, or by **calling 1-408-418-9388**. **The Access Code is: 146 966 0058**. **Password is: YbHucPFM582**

Individuals appearing in person will either be seated in the Council Chambers or an overfill room, subject to the social distancing rules. Space available will be on a first come, first served basis. All public participants' phones will be muted during the meeting. Members of the public who do not wish to appear in person may view the meeting live over the internet by <https://waam.viebit.com/?folder=ALL>, on the City of Wausau's YouTube Channel <http://www.tinyurl.com/WAAMedia>, live by cable TV, Channel 981, and a video is available in its entirety and can be accessed at <https://tinyurl.com/WausauCityCouncil>. Any person wishing to offer public comment who does not appear in person to do so, may e-mail leslie.kremer@ci.wausau.wi.us with "PH&S public comment" in the subject line prior to the meeting start. All public comment, either by email or in person, will be limited to items on the agenda at this time. The messages related to agenda items received prior to the start of the meeting will be provided to the Chair.

IMPORTANT: THREE (3) MEMBERS NEEDED FOR A QUORUM: If you are unable to attend the meeting, please notify Leslie by calling (715)261-6620 or via email leslie.kremer@ci.wausau.wi.us

This Notice was posted at City Hall and faxed to the Daily Herald newsroom on 10/30/20 @ 4:30 pm.

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Wausau will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities. If you need assistance or reasonable accommodations in participating in this meeting or event due to a disability as defined under the ADA, please call the City's ADA Coordinator at (715) 261-6620 or email clerk@ci.wausau.wi.us at least 48 hours prior to the scheduled meeting or event to request an

ORDINANCE OF PUBLIC HEALTH & SAFETY COMMITTEE

Creating Section 6.57 Face coverings required

DRAFT

Committee Action: Pending

Ordinance Number:

Fiscal Impact: None

File Number: 20-0317

Date Introduced: November 10, 2020

The Common Council of the City of Wausau do ordain as follows:

Section 1. That Section 6.57 Face coverings required is hereby created to read as follows:

6.57 Face coverings required. (a) Definitions. For purposes of this section, the following definitions shall apply:

(1) "Face covering" means a manufactured or homemade cloth covering that fully covers an individual's nose and mouth and that is secured with ear straps or otherwise tied so as to prevent slipping, and/or a face shield which covers the mouth and nose, covers the side of the face, and is secured on the head.

(2) "Indoor area accessible to the public" means any interior area of any structure or premises licensed by the City of Wausau or used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or other use by the public, to which the public customarily has access, but does not include any private residence.

(3) "Qualifying vehicle" a paratransit vehicle, a taxi, a private car service vehicle, a ride-sharing vehicle, or any other for-hire vehicle.

(b) Face Coverings Required. Every individual age five (5) and older who is present in the City of Wausau shall have possession of a face covering when the person leaves home or other place of residence and shall wear a face covering that covers the nose and mouth of that individual in indoor areas accessible to the public and while driving or riding public transportation or a qualifying vehicle, unless exempted under this section.

(c) Exemptions. This section does not apply to:

(1) Persons who have chronic upper respiratory conditions or are unconscious, incapacitated, or otherwise unable to remove their own face covering without assistance;

(2) Persons with medical conditions, intellectual or developmental disabilities, mental health conditions, or sensory sensitivities that prevent or impair the person's ability to wear a face covering;

- (3) Persons who fall within the guidelines of the Center for Disease Control and Prevention for those who should not wear face coverings due to a medical condition, mental health condition, or disability that prevents them from wearing a face covering;
- (4) Persons who are communicating with an individual who is deaf or hard of hearing and communication cannot be achieved through other means;
- (5) Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by government safety guidelines;
- (6) Persons in a setting where it is not practical or feasible to wear a face covering when obtaining or rendering goods or services to the extent necessary to obtain or render such goods and services including but not limited to the receipt of dental services or medical treatments or while consuming food or beverages;
- (7) Persons actually engaged in exercising in a gym or other similar indoor facility, so long as physical separation of not less than six (6) feet is maintained and the individual wears a face covering at all times when not actually engaged in exercising;
- (8) Whenever federal, state or local law otherwise prohibits wearing a face covering or where it is necessary to evaluate or verify an individual's identity;
- (9) Persons whose religious beliefs prevent them from wearing a face covering.

(d) The Police Department shall enforce this chapter by issuing a warning for first offenses and shall only issue a citation for first offenses if an individual refuses to comply with the ordinance after receiving a warning or for second and subsequent offenses.

(e) Penalty. (a) Any person violating this ordinance, shall, upon conviction, forfeit not less than \$10.00 and not more than \$40.00 for the first offense [or \$25.00] and not less than \$50.00 and not more than \$150.00 for second [or \$50] and subsequent offenses. [Subsequent offenses \$100] Each violation shall be considered a separate offense.

Section 2. Sunset Provision. This ordinance shall take effect upon passage and publication as required by law and is hereby repealed immediately upon termination of the City of Wausau's Public Health Emergency Declaration, or by passage of superseding regulation, in which case this ordinance shall automatically repeal upon the superseding authority becoming effective with no further action required. [remain in effect until 11:59 p.m., (date), unless extended, earlier terminated or amended by the Common Council] Note: others have used 12/31, 1/20/21, 1/31/21

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall be in full force and effect on the day after its publication.

Adopted:
Approved:
Published:
Attest:

Approved:

Katie Rosenberg, Mayor

Attest:

Leslie M. Kremer, Clerk

CITY OF WAUSAU, 407 Grant Street, Wausau, WI 54403

RESOLUTION OF THE PUBLIC HEALTH & SAFETY COMMITTEE	
Approving COVID-19 Related Mask Requirement City Wide	
DRAFT	
Committee Action:	Pending
Fiscal Impact:	None
File Number:	20-0317
Date Introduced:	November 10, 2020

FISCAL IMPACT SUMMARY			
COSTS	<i>Budget Neutral</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
	<i>Included in Budget:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Budget Source:</i>
	<i>One-time Costs:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Recurring Costs:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
SOURCE	<i>Fee Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Grant Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>Debt Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount</i> <i>Annual Retirement</i>
	<i>TID Financed:</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>	<i>Amount:</i>
	<i>TID Source: Increment Revenue</i> <input type="checkbox"/> <i>Debt</i> <input type="checkbox"/> <i>Funds on Hand</i> <input type="checkbox"/> <i>Interfund Loan</i> <input type="checkbox"/>		

RESOLUTION

WHEREAS, the COVID-19 pandemic continues throughout the United States, including throughout the State of Wisconsin and the City of Wausau; and

WHEREAS, the City has an obligation under Wis. Stat. §62.11(5) to act “for the health, safety, and welfare of the public” to protect residents and employees; and

WHEREAS, evidence suggests that COVID-19 spreads mainly from person to person through respiratory droplets when a person infected with the disease, symptomatic or not, coughs, sneezes, or talks; and further, that wearing a cloth face covering reduces the risk of a person with a COVID-19 infection from spreading the infection to others and can also protect people without an infection from exposure to droplets that may contain the virus; and

WHEREAS, the Centers for Disease Control and the Wisconsin Department of Health Services advise that wearing a cloth face covering reduces the spread of COVID-19; and

WHEREAS, on September 22, 2020, the Governor of the State of Wisconsin through Executive Order #90, declared a Public Health Emergency, in effect for 60 days until November 21, 2020, and corresponding Emergency Order #1, requiring face coverings for people over the age of 5 whenever one is indoors or in an enclosed space, other than a private residence, and other people are present in the same room or space; and

WHEREAS, Marathon County COVID-19 Order #1 provides that pursuant to Wis. Stat. §252.03(1)(2), the Health Officer recommends the use of a mask or cloth face covering when physical distancing of six (6) feet between people not residing in a single living unit or household is impractical.

NOW THEREFORE BE IT RESOLVED, by Mayor Katie Rosenberg and the Common Council of the City of Wausau, that every individual age five (5) and older who is present in the City of Wausau shall have possession of a face covering when the person leaves home or other place of residence and shall wear a face covering that covers the nose and mouth of that individual in indoor areas accessible to the public and while driving or riding public transportation or a qualifying vehicle, unless exempted below

Exemptions.

- (1) Persons who have chronic upper respiratory conditions or are unconscious, incapacitated, or otherwise unable to remove their own face covering without assistance;
- (2) Persons with medical conditions, intellectual or developmental disabilities, mental health conditions, or sensory sensitivities that prevent or impair the person's ability to wear a face covering;
- (3) Persons who fall within the guidelines of the Center for Disease Control and Prevention for those who should not wear face coverings due to a medical condition, mental health condition, or disability that prevents them from wearing a face covering;
- (4) Persons who are communicating with an individual who is deaf or hard of hearing and communication cannot be achieved through other means;
- (5) Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by government safety guidelines;
- (6) Persons in a setting where it is not practical or feasible to wear a face covering when obtaining or rendering goods or services to the extent necessary to obtain or render such goods and services including but not limited to the receipt of dental services or medical treatments or while consuming food or beverages;
- (7) Persons actually engaged in exercising in a gym or other similar indoor facility, so long as physical separation of not less than six (6) feet is maintained and the individual wears a face covering at all times when not actually engaged in exercising;
- (8) Whenever federal, state or local law otherwise prohibits wearing a face covering or where it is necessary to evaluate or verify an individual's identity;
- (9) Persons whose religious beliefs prevent them from wearing a face covering

Definitions.

- (1) “Face covering” means a manufactured or homemade cloth covering that fully covers an individual’s nose and mouth and that is secured with ear straps or otherwise tied so as to prevent slipping, and/or a face shield which covers the mouth and nose, covers the side of the face, and is secured on the head.
- (2) “Indoor area accessible to the public” means any interior area of any structure or premises licensed by the City of Wausau or used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or other use by the public, to which the public customarily has access, but does not include any private residence.
- (3) “Qualifying vehicle” a paratransit vehicle, a taxi, a private car service vehicle, a ride-sharing vehicle, or any other for-hire vehicle.

BE IT FURTHER RESOLVED that all businesses, organizations, and non-profit entities within the City of Wausau are encouraged to post notice requiring employees, customers, visitors, members, or members of the public to wear a face covering whenever those persons are in a building open to the public.

BE IT FURTHER RESOLVED that this Resolution shall take effect upon passage and continue through _____.

BE IT FURTHER RESOLVED that any ordinance, resolution or City policy in conflict with the above Resolution shall be superseded by this Resolution.

Approved:

Katie Rosenberg, Mayor