



PROCLAMATION OF EMERGENCY 2020-03

A PROCLAMATION OF EMERGENCY IMPLEMENTING MITIGATION MEASURES INCLUDING USE OF FACE MASKS IN RESPONSE TO CONTINUING COVID-19 PUBLIC HEALTH EMERGENCY

WHEREAS, COVID-19, is a respiratory disease that is caused by a virus that has been determined by the Center for Disease Control (“CDC”) to be highly contagious and that can result in serious illness or death; and

WHEREAS, on March 14, 2020, the Iowa Department of Public Health confirmed community spread of COVID-19 in Iowa, significantly increasing the risk of exposure and infection to Iowa citizens and creating an extreme public health risk to the residents of Johnston; and

WHEREAS, on March 17, 2020, Governor Kim Reynolds proclaimed Iowa to be in a State of Public Health Disaster Emergency and directed state agencies and departments to use all available resources, supplies, equipment and materials and to take any actions reasonably necessary to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 outbreak; and

WHEREAS, Section 15.02(2) of the *Johnston City Code of Ordinances* and Section 372.14(2) of the *Code of Iowa (2019)* grant the Mayor powers to declare an emergency or public danger exists in Johnston and to govern through Proclamation to protect the health and safety of Johnston residents; and

WHEREAS, Proclamations of Emergency were issued on March 18, 2020 (2020-01) and October 5, 2020 (2020-02) declaring that a state of emergency or public danger exists within the City of Johnston due to the spread of COVID-19 and directing that certain necessary steps be taken in response to the emergency; and

WHEREAS, the most recent White House Coronavirus Task Force Report, dated November 15, 2020, placed Iowa third highest in the number of new COVID-19 cases per capita, with Polk County reporting the most new cases over the past three weeks;

WHEREAS, the CDC and the Iowa Department of Public Health (IDPH) have determined that masks or other face coverings are effective in reducing the spread of COVID-19, both by close contact and by airborne transmission;

WHEREAS, a Proclamation of Public Health Disaster Emergency issued by Governor Kim Reynolds on November 16, 2020, mandates the use of masks or face coverings in public places on a statewide basis.

NOW THEREFORE I, Paula S. Dierenfeld, Mayor of the City of Johnston, do hereby proclaim:

Section 1. A state of emergency or public danger continues to exist within the City of Johnston due to the spread of COVID-19.

Section 2. The emergency powers granted to the Mayor of Johnston pursuant to Section 15.02(2) of the *Johnston City Code of Ordinances* and Section 372.14(2) of the *Code of Iowa (2019)* to take action to protect the health and safety of Johnston citizens and to provide emergency assistance to those affected by the emergency continue to be invoked.

Section 3. Face Mask Use in City-Owned Buildings. In response to the current COVID-19 crisis, all persons entering a public building, office or facility of the City of Johnston shall wear a mask or other face covering. This requirement does not apply to the following:

- A. A child under the age of two.
- B. A person with a medical condition or disability that prevents the person from wearing a mask or other face covering.
- C. A person working alone or in a space where six feet of physical space can be maintained.
- D. A person consuming food or drink when physically distanced from others by six feet or more.
- E. A person obtaining or providing a service that requires the temporary removal of a mask or face covering as long as physically distancing is maintained.
- F. A public safety worker actively engaged in a public safety role and the mask or face covering would seriously interfere in the performance of their public safety responsibilities.
- G. Any person asked by a police officer to remove a mask or face covering to verify the person's identity or for any other lawful purpose.

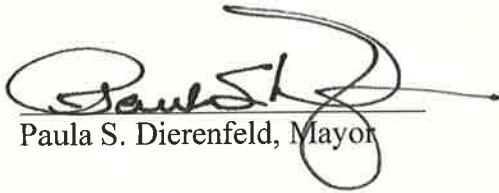
Section 4. Face Mask Use in Indoor Public Spaces (Not Covered by Section 3) and Outdoors. To reduce the spread of COVID-19, every Johnston citizen, employee and visitor is strongly and urgently encouraged to wear a mask or other face covering at all times, regardless of the time spent or ability to social distance, in all indoor spaces open to the public, including offices, retail stores and other business establishments, and outdoors when physical distancing of six feet or more cannot be maintained. Masks or other face coverings should be worn over the nose and mouth, as recommended by the CDC and IDPH. Also the CDC and IDPH guidelines recommending frequent hand washing or use of hand sanitizer, and social distancing should be followed. Strict adherence to these protocols is the only defense currently available to fight the unyielding spread of COVID-19 in our state at the present time. Businesses and other organizations that are open to the public are encouraged to post signs at the entrances of their buildings informing the public and their employees of their legal obligation to wear a mask or face covering, consistent with the Governor's November 16, 2020 proclamation. Immediate and full cooperation of every person in Johnston is necessary in order to decrease the burden of COVID-19 cases on our local hospitals and health care workers and to allow our schools to re-open, local businesses to remain open and our families to once again gather for holidays and special events.

Section 5. Provision of Face Masks. In further effort to combat COVID-19, the City Manager shall use federal Cares Act funding to procure face masks for distribution by city officials and employees to members of the public not using a face mask and to businesses and other organization to encourage their patrons' use.

Section 6. Enforcement. Any violation of this Proclamation shall be punishable pursuant to Section 15.02(2) of the *Johnston City Code of Ordinances* and all Proclamations of Disaster Emergency issued concerning the COVID-19 crisis by Governor Kim Reynolds.

Section 7. This Proclamation shall take effect immediately and remain in effect until rescinded, modified or superseded by a subsequent proclamation, as future events warrant. This proclamation shall not be construed to otherwise modify the proclamations issued on March 18, 2020 and October 5, 2020.

Approved this 23rd day of November, 2020:



Paula S. Dierenfeld, Mayor

Cyndee Rhames, City Clerk