

RESOLUTION

RESOLUTION NO. **17A**

INTRODUCED BY COUNCILLORS

SERIES OF 2020

A RESOLUTION OF THE WESTMINSTER CITY COUNCIL REQUIRING THE WEARING OF
FACE COVERINGS

WHEREAS, on March 10, 2020 the Governor of the State of Colorado declared a statewide state of emergency in response to coronavirus (“COVID-19”) virus and disease; and

WHEREAS, on March 12, 2020 Westminster’s Mayor issued an Emergency Declaration that was subsequently ratified by Westminster’s City Council on March 16, 2020; and

WHEREAS, the Governor has issued a series of executive orders imposing stay-at-home requirements to slow the spread of the disease, and which orders currently extend until several dates in May, under revised protocols; and

WHEREAS, the Governor’s executive orders have been implemented by public health orders of the Colorado Department of Public Health and Environment (“CDPHE”); and

WHEREAS, on April 9, 2020 the CDPHE issued its Fourth Updated Public Health Order 20-24 implementing stay-at-home requirements; and

WHEREAS, on April 17, 2020 the Governor issued Executive Order D 2020 0139, and on April 22, 2020 CDPHE Public Health Order 20-26 was signed, ordering workers in Critical Businesses and Critical Government functions to wear face coverings while working, except where doing so would inhibit the individual’s health, and to also wear gloves, to the extent possible when in contact with customers or goods if gloves are provided to workers by the employer; and

WHEREAS, On April 26, 2020 the Governor issued Executive Order D 2020 044, introducing the “Safer at Home” phase of slightly relaxed state regulation. That Order, while permitting certain non-critical businesses to be opening in May, directs the CDPHE to issue restrictions for such businesses similar to the requirements for Critical Retail, and which will include requiring customers to wear face coverings in personal service establishments; and

WHEREAS, on April 24, 2020 the Jefferson County Department of Public Health and the Tri-County Health Department have both issued orders extending CDPHE stay at home requirements from Order 20-24 within their respective counties (which are permitted to be more restrictive than the state requirements) up to and including May 8, 2020; and

WHEREAS, the United States Centers for Disease Control and Prevention (“CDC”) and CDPHE have recommended that members of the public, when they need to interact with others outside the home, and especially in settings where many people are present, should cover the mouth and nose to prevent inadvertently spreading COVID-19; and

WHEREAS, one key transmission method for the COVID-19 virus is through respiratory droplets that people expel when they breathe, cough, or sneeze; and

WHEREAS, people can be infected with the COVID-19 virus and be asymptomatic but still be contagious; and

WHEREAS, people can also be infected and contagious 48 hours before developing symptoms when they are pre-symptomatic; and

WHEREAS, many people with COVID-19 have mild symptoms and do not recognize they are infected and contagious, and they can unintentionally infect others; and

WHEREAS, the City Council confirms that protecting the public health is the Council's top priority; and

WHEREAS, the City Council is empowered to do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease; and

WHEREAS, the City Council finds and determines that the adoption of this Resolution is necessary for the promotion of health and the suppression of disease; and

WHEREAS, the City Council further finds and determines that the adoption of this Resolution is proper under Sections 31-15-401(1)(b), 24-33.5-703(3), and 24-33.5-709, C.R.S., the City of Westminster's authority under Article XX of the Colorado State Constitution. and other applicable law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WESTMINSTER:

HEREBY FINDING that wearing a face covering, in combination with physical distancing of at least 6 feet and frequent hand-washing may reduce the risk of transmitting the COVID-19 virus when in public and engaged in necessary activities by reducing the spread of respiratory droplets, this "Face Covering Order" ("Order") requires that people wear face coverings in certain public settings as further described below.

Section 1. Face Covering Order. The City Council hereby enters the following order:

A. All persons, ages 3 and above, who are medically able, when entering, and conducting any interactions within, businesses and government facilities within the City of Westminster are hereby ordered to wear non-medical cloth face coverings, such as to cover their nose and mouth.

B. All persons, ages 3 and above, who are medically able, who are unable to maintain social distancing from people outside of their household while outdoors are hereby ordered to wear non-medical cloth face coverings, such as to cover their nose and mouth.

C. This Order is necessary to reduce community transmission of COVID-19 and protect the health of workers and the residents and visitors of the City from potentially infected members of the public.

D. This Order is permitted to be more restrictive than any state-issued stay at home order or other public health order, as permitted by the Governor's stay at home orders and associated orders of the CDPHE.

E. The Council strongly urges all citizens, ages 3 and above and who are medically able, for your own health and safety, and for that of the brave citizens who are staffing the grocery stores, pharmacies and other businesses that are so important to our daily needs, to comply with this Order. It is only through our collective efforts that we can protect those persons, ourselves and our families. The Council genuinely appreciates your voluntary cooperation.

F. Nothing in this regulation shall be deemed to permit any activity otherwise prohibited by any current state, county or other public health order.

Section 2. Effective date. This Resolution shall go into effect when signed and shall remain in effect until terminated or extended.

PASSED AND ADOPTED this 11th day of May, 2020.

Mayor

ATTEST:

APPROVED AS TO LEGAL FORM:

City Clerk

City Attorney