
AMENDMENT NO. 1 TO ORDINANCE NO. 90 OF 2020

ORDINANCE NO. 90 OF 2020

AN EMERGENCY ORDINANCE TO REQUIRE INDIVIDUALS TO WEAR PERSONAL PROTECTIVE MASKS OR FACE COVERINGS DURING THE COVID-19 PUBLIC HEALTH EMERGENCY WHILE IN PUBLIC, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

AMENDMENT PROPOSED BY:

Councilmember _____

INSTRUCTIONS:

Delete and remove from the files the original proposed Ordinance No. 90 of 2020 and substitute the attached **Amendment No. 1 to Ordinance No. 90 of 2020**.

EXPLANATION OF THE AMENDMENT:

This Amendment mirrors the Governor of Louisiana's Proclamation 89 JBE 2020 and sets the penalty for violation at \$50.00.

ORDINANCE NO. _____ OF 2020

AN EMERGENCY ORDINANCE TO REQUIRE INDIVIDUALS TO WEAR PERSONAL PROTECTIVE MASKS OR FACE COVERINGS DURING THE COVID-19 PUBLIC HEALTH EMERGENCY WHILE IN PUBLIC, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

BY COUNCILMAN: JERRY BOWMAN

WHEREAS, the City of Shreveport has the authority to preserve public peace, safety, morals, health and welfare; and

WHEREAS, pursuant to the Shreveport City Charter, Section 2.04(a) and (c) the City of Shreveport has the authority to “enact and enforce all necessary ordinances and regulations pertaining to public peace, safety, morals, health and welfare” and “take all actions necessary, requisite and proper to protect life and property in the event of an emergency”; and

WHEREAS, Governor John Bel Edwards declared a Public Health Emergency in response to COVID-19 on March 11, 2020, which was last extended on June 25, 2020; and

WHEREAS, Governor John Bel Edwards issued Proclamation 89 JBE 2020 on July 11, 2020 requiring masks to be worn in public; and

WHEREAS, Vice President Mike Pence and Surgeon General Jerome Adams have urged all Americans to wear masks to prevent the spread of COVID-19;

WHEREAS, COVID-19 has caused the deaths of more than 3,380 people in the State of Louisiana; and

WHEREAS, it is the desire of the City of Shreveport to preserve the public peace, safety, morals, health and welfare and take all actions necessary, requisite and proper to protect life during this COVID-19 Public Health Emergency; and

WHEREAS, the City of Shreveport has experienced alarming spikes in cases, hospitalizations, and deaths due to COVID-19; and

WHEREAS, information and data from medical professionals indicates that COVID-19 is more likely to be spread from individual to individual through close contact indoors and

particularly through mass gatherings where people do not practice social distancing or wear personal protective masks or face coverings over the nose and mouth; and

WHEREAS, infected persons can transmit COVID-19 to others before showing any symptoms, and widespread and consistent use of personal protective masks or face coverings over the nose and mouth when in public is a critical and necessary measure to help slow the virus while allowing local businesses to continue to reopen and help the City of Shreveport economy reopen; and

WHEREAS, the spread of COVID-19 between individuals is greatly reduced through the wearing of personal protective masks or face coverings while indoors; and

WHEREAS, in accordance with Shreveport City Charter, Section 4.19, due to the COVID-19 Public Health Emergency, the City Council has determined it is necessary to enact this Emergency Ordinance requiring the use of personal protective masks or face coverings in order to preserve public peace, safety, morals, health and welfare and to protect life during this COVID-19 Public Health Emergency.

NOW, THEREFORE, BE IT ORDAINED that the City Council of the City of Shreveport, in accordance with Shreveport City Charter, Section 2.04(a) and (c), does hereby, in order to preserve public peace, safety, morals, health and welfare and to protect life during this COVID-19 Public Health Emergency, adopt the following provisions:

Section 1: In response to Proclamation 89 JBE 2020 issued by the Governor of Louisiana, John Bel Edwards, on July 11, 2020, within the City of Shreveport, personal protective masks or facial coverings must be worn and cover your nose and mouth in accordance with Proclamation 89 JBE 2020.

Section 2: In accordance with Proclamation 89 JBE 2020, certain individuals are exempt from wearing a mask or facial covering as outlined in the Proclamation.

Section 3: Proclamation 89 JBE 2020, Section 4 (A-C, E, and F) is hereby incorporated into this Emergency Ordinance in full.

Section 4: Businesses must require all customers, clients, and visitors to wear personal protective masks or face coverings in accordance with 89 JBE 2020.

Section 5: A violation of this Emergency Ordinance shall be a misdemeanor offense subject to a penalty of \$50.00 for a first offense and all subsequent offenses.
No person shall be arrested or taken into custody for a violation of this Emergency Ordinance.

Section 6: The provisions established herein shall become effective immediately and shall remain in place for the duration of Proclamation 89 JBE 2020.

BE IT FURTHER ORDAINED that this is an emergency ordinance in accordance with Shreveport City Charter, Section 4.19 in response to the COVID-19 Public Health Emergency for the immediate preservation of the public peace, health and safety.

BE IT FURTHER ORDAINED that if any provision or item of this Emergency Ordinance or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this Emergency Ordinance which can be given affect without the invalid provisions, items or applications and to this end the provisions of this Emergency Ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all Ordinances or parts thereof in conflict herewith are hereby repealed.

BE IT FURTHER ORDAINED that this Emergency Ordinance shall become effective *immediately* in accordance with the provisions of Shreveport City Charter Section 4.19.

THUS DONE AND ORDAINED by the City Council of the City of Shreveport, Louisiana.

APPROVED AS TO LEGAL FORM: