

TB5 Lisa Barb, Micaela,
Bill public

Micaela Montagne

From: Lisa Potswald
Sent: Monday, July 13, 2020 2:45 PM
To: jmpjip@yahoo.com; 'John Carlson'; 'Glenn Carlson (glenncarlson453@gmail.com)'; Sue Brenna (susanbrenna01@gmail.com); 'Michael Anderson'
Cc: Micaela Montagne; Dorgene Goetsch; William Defoe
Subject: DRAFT Mask/Face Covering Requirement Ordinance
Attachments: Town of La Pointe Face Covering Requirements 2020-01 DRAFT.pdf

Hi, All.

I have drafted the attached ordinance to assist with discussion about this topic at tomorrow night's meeting.

Considerations include:

- Minimum age face covering is required
- Face coverings only inside buildings, or outside as well?
- What will the Town do with businesses that don't cooperate?
- In Section 1. D, do we want to just educate offenders, OR do we want to ticket people? Enforcement is truly an issue/concern/additional expense.
- How will the Town get the word out about this requirement? Do we rent a large electric sign to place at the pergola?

I have sent this same draft to Max for his consideration – he just responded and said he will provide comments by noon tomorrow, so I will forward his comments to you.

I am hoping to get comments from Bill as requested.

Please let me know if you have any questions.

Regards,

Lisa Potswald
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**TOWN OF LA POINTE, ASHLAND COUNTY, WISCONSIN
ORDINANCE NO. 2020-01 – DRAFT 7-13-20**

AN ORDINANCE CREATING "FACE COVERING REQUIREMENTS DURING THE COVID-19 PANDEMIC"

Whereas, as of July 7, 2020, COVID-19 cases have been on the rise in Wisconsin, Ashland County, and the South Shore in recent weeks; and

Whereas, public spaces and businesses are open for in-person operations in La Pointe, increasing the potential for community spread of COVID-19; and

Whereas, COVID-19 is primarily spread via respiratory droplets when people are in close proximity with each other and people that are infected speak, sneeze, or cough. People can be infected and have no symptoms (asymptomatic) and they are still able to transmit the virus; and

Whereas, according to the Centers for Disease Control (CDC), there is emerging evidence from clinical and laboratory studies that demonstrates cloth face masks reducing the spray of respiratory droplets; and

Whereas, wearing a face mask is one of the most effective ways to reduce person to person transmission of COVID-19. Face masks serve as a protection to prevent droplets from entering the air, which is known as source control. When combined with other preventive measures, including physical distancing and proper hygiene practices, wearing face masks is a simple and effective way to reduce the risk of COVID-19 transmission; and

Whereas, the risk of COVID-19 transmission remains high, particularly in indoor settings with an increased likelihood of close contact and the sharing of air that may contain coronavirus contaminated respiratory droplets and/or aerosols; and

Whereas, evidence cited by the Centers for Disease Control and Prevention (CDC) indicates that a significant portion of individuals with the coronavirus are asymptomatic, and that pre-symptomatic persons can transmit the virus to others before showing symptoms; and

Whereas, the Town of La Pointe is a destination for travelers and visitors from all over Wisconsin and the United States, including from states with higher per capita rates of COVID-19 infection than the State of Wisconsin or Ashland County; and

Whereas, in open meeting on July 14, 2020, the La Pointe Town Board found and declared that the restrictions and prohibitions imposed pursuant to this Ordinance are appropriate and necessary in order to slow and prevent the transmission of COVID-19 and more effectively protect the lives and property of people within the Town of La Pointe; and

NOW THEREFORE, at a regular meeting of the Town Board of La Pointe, Ashland County, Wisconsin, held on July 14, 2020, by a favorable vote of the members being present and therefore, said Board does ordain as follows:

SECTION 1

"Face covering requirements during the Covid-19 pandemic," 2020-01 of the Municipal Code of the Town of La Pointe is hereby created as follows:

Face covering requirements during the Covid-19 pandemic.

A. As used in this Ordinance, the following terms shall have the meaning indicated:

"Commercial business" means any for-profit business open to the general public for the purchase of goods, entertainment or services, including by way of example but not limited to retail stores (such as grocery stores, convenience stores), restaurants, and service businesses.

"Town and public buildings" means any buildings owned by local government or not for profit organizations, including public restrooms.

"Face covering" means a material covering the nose and mouth for the purpose of ensuring the physical health or safety of the wearer or others. See Session Law 2020-3 s. 4.3.(a) (amending G.S. § 14-12.11). A face covering can be secured to the head with ties or straps or simply wrapped around the lower face. It can be made of a variety of materials, such as cotton, silk, or linen. A cloth face covering may be factory-made or sewn by hand or can be improvised from household items such as scarfs, T-shirts, sweatshirts, or towels. Acceptable, reusable face covering options for the general public include bandanas, neck gaiters, homemade face coverings, scarves, or tightly woven fabric such as cotton t-shirts and some types of towels.

"Outdoor spaces" means any outdoor location where people are unable to distance themselves a minimum of six feet.

B. MASK REQUIRED.

While indoors in any commercial business or Town office, in an area that is open to the general public, all customers, employees, and any other occupants or users of such area shall wear a face covering. While wearing a face covering, social distancing (6') shall still be maintained so far as possible as described by the Center for Disease Control and Prevention.

C. EXCEPTIONS.

Exceptions for face coverings will be made under the following circumstances:

- i. A person who cannot wear a face covering due to a medical or behavioral health condition, including but not limited to anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance;
- ii. Children who are under (5) years of age;
- iii. A customer dining in a restaurant, while that customer is sitting at his or her table;
- iv. A law enforcement officer or any emergency responder who reasonably deems it necessary to remove a face covering in the course of his or her duties;
- v. A person who reasonably deems it necessary to remove his or her face covering for safety reasons or

in order to carry out his or her job duties. Persons in settings where it is not practical or feasible to wear face coverings, including when obtaining or rendering goods or services, such as the receipt of dental services or medical treatments.

D. PENALTY.

The Town will provide appropriate social distancing education if feasible. (OR)

A violation of this Section shall constitute a ~~class 2 misdemeanor~~ as provided in Town of La Pointe Ordinance, Chapter 18; provided, however, that law enforcement officers shall first educate the offender as to the requirements set forth herein; upon a subsequent violation may issue a warning; and only in the event of repeat violations manifesting willful flouting or circumvention of this Declaration issue a criminal citation for violation of this Section.

SECTION 2

This ordinance is effective on publication or posting.

The Office of the Town Clerk shall properly post or publish this ordinance, as required under s. 60.80, Wis. Stats.

Adopted this _____ day of _____, 20__.

James Patterson, Chairman

Attest,
Micaela Montagne, Town Clerk

Mike Anderson, Supervisor

Sue Brenna, Supervisor

John Carlson, Supervisor

Posted on _____

Glenn Carlson, Supervisor