

ORDINANCE NO. 7498

AN ORDINANCE AMENDING SECTION 22-73 OF THE CITY CODE, EXTENDING THROUGH DECEMBER 31, 2020, THE REQUIREMENTS FOR INDIVIDUALS TO WEAR MASKS OR OTHER FACE COVERINGS IN CERTAIN CIRCUMSTANCES AND FOR BUSINESSES AND ORGANIZATIONS TO REQUIRE ALL EMPLOYEES, CUSTOMERS, VISITORS, MEMBERS, OR MEMBERS OF THE PUBLIC TO WEAR A MASK OR OTHER FACE COVERING IN CERTAIN CIRCUMSTANCES.

WHEREAS, the governing body of the City of Manhattan prioritizes the protection of the health, safety, welfare and economic well-being of residents and visitors of the City of Manhattan; and,

WHEREAS, the City of Manhattan is facing a crisis with the pandemic and public health emergency of COVID- 19, resulting in illness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship; and,

WHEREAS, the United States Department of Health and Human Services declared a public health emergency for COVID-19 beginning January 27, 2020, with now more than 2,580,000 cases of the illness and more than 126,000 deaths as a result of the illness across the United States; and,

WHEREAS, the World Health Organization declared a pandemic on March 11, 2020; and,

WHEREAS, a State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020; and,

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID-19 pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the "Stafford Act"); and,

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020; and,

WHEREAS, as of August 26, 2020, in Kansas, there have been more than 39,937 reported positive cases of COVID- 19 spread throughout the State, including 437 deaths; and,

WHEREAS, after a steady trend of decreasing metrics, recent weeks have seen the numbers of COVID-19 cases, hospitalizations, and deaths spike in Kansas and across the nation; and,

WHEREAS, this worrying trend of increased COVID-19 spread is a danger to the health and safety of residents and visitors to the City of Manhattan, and also presents a serious threat to reopening and reviving the City's economy; and,

WHEREAS, wearing a mask in public is the easiest and most effective way to protect each other to prevent COVID-19 spread and to help support the mission-readiness of Fort Riley; to provide a safe reopening of Kansas State University and other higher education institutions; and to keep the City's K-12 schools and businesses open, and the economy running; and,

WHEREAS, wearing a mask in public is not only safe and easy, it is necessary to avoid more restrictive local measures that could involve closing higher education institutions, K-12 schools, businesses, organized youth sports, and other important activities; and,

WHEREAS, the City of Manhattan must remain flexible to account for the evolving nature and scope of the unprecedented public health emergency posed by COVID-19, while also simultaneously safely, strategically, and incrementally reopening business and facilitating economic recovery and revitalization; and,

WHEREAS, for the aforementioned and other reasons, the governing body of the City of Manhattan is acting pursuant to its constitutional home rule authority to provide for the health, safety, welfare and economic well-being of residents and visitors of the City of Manhattan, by requiring that masks or other face coverings be worn as described in this ordinance.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS:

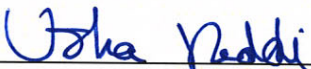
Section 1. That Section 22-73 of the Code of Ordinances of the City of Manhattan, Kansas, is hereby created to read as follows:

Sec. 22-73. Mask or other face coverings; effective term.

The provisions of Sections 22-70 through Section 22-73 of the City Code shall be in effect until 11:59 p.m. on December 31, 2020.

Section 2. Effective Date. This ordinance shall take effect upon publication in the official city newspaper.

PASSED BY THE GOVERNING BODY OF THE CITY OF MANHATTAN, KANSAS, THIS 1ST DAY OF SEPTEMBER, 2020.



Usha Reddi, Mayor

ATTEST:



Brenda K. Wolf, CMC, City Clerk

