



City of Jonesboro

Municipal Center
300 S. Church Street
Jonesboro, AR 72401

Meeting Agenda Public Safety Council Committee

Monday, July 13, 2020

3:30 PM

Municipal Center

SPECIAL CALLED MEETING

1. Call To Order

2. Roll Call by City Clerk Donna Jackson

3. New Business

ORDINANCES TO BE INTRODUCED

[ORD-20:026](#)

AN ORDINANCE BY THE CITY OF JONESBORO ARKANSAS REGARDING THE USE OF MASKS IN RELATION TO THE COVID-19 PANDEMIC.

Sponsors: Ann Williams and LJ Bryant

Attachments: [Jonesboro Mask Ordinance Final Draft](#)

RESOLUTIONS TO BE INTRODUCED

[RES-20:100](#)

A RESOLUTION BY THE CITY OF JONESBORO ARKANSAS REGARDING THE USE OF MASKS IN RELATION TO THE COVID-19 PANDEMIC.

Sponsors: Mayor's Office

Attachments: [Jonesboro Mask Resolution Final Draft](#)

4. Adjournment



Legislation Details (With Text)

File #:	ORD-20:026	Version:	1	Name:	AN ORDINANCE BY THE CITY OF JONESBORO ARKANSAS REGARDING THE USE OF MASKS IN RELATION TO THE COVID-19 PANDEMIC
Type:	Ordinance	Status:			To Be Introduced
File created:	7/10/2020	In control:			Public Safety Council Committee
On agenda:		Final action:			
Title:	AN ORDINANCE BY THE CITY OF JONESBORO ARKANSAS REGARDING THE USE OF MASKS IN RELATION TO THE COVID-19 PANDEMIC.				
Sponsors:	Ann Williams, LJ Bryant				
Indexes:	Code of Ordinances amendment, Other				
Code sections:					
Attachments:	Jonesboro Mask Ordinance Final Draft				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

AN ORDINANCE BY THE CITY OF JONESBORO ARKANSAS REGARDING THE USE OF MASKS IN RELATION TO THE COVID-19 PANDEMIC.

WHEREAS, an outbreak of COVID-19 (coronavirus) has resulted in an ongoing global pandemic; and

WHEREAS, On June 18, 2020, Executive Order 20-37 declared that the emergency declared pursuant to Executive Order 20-03 and its amendments was terminated and that the public health and disaster emergency and declaration of the State of Arkansas as a disaster area resulting from the state-wide impact of Covid-19 was declared anew and would be effective for sixty (60) days unless renewed; and

WHEREAS, On June 19, 2020, the Arkansas Department of Health (ADH), released guidance regarding the use of face masks/coverings by the general public which asserts that ample evidence exists to support the efficacy of wearing face masks to prevent the transmission of Covid-19 including a World Health Organization (WHO) funded study; and

WHEREAS, the afore-mentioned ADH guidance on masks recommends that the general public should wear face coverings in ALL indoor environments where they are exposed to non-household members and distancing of 6 feet or more cannot be assured. This includes, but is not limited to, workplaces, retail stores, businesses, places of worship, courtrooms, jails/prisons, schools, and healthcare facilities; and

WHEREAS, the afore-mentioned ADH guidance recommends that the general public should also wear face coverings in ALL outdoor settings where there is exposure to non-household members, unless there exists

ample space of 6 feet or more to practice physical distancing; and

WHEREAS, Arkansas Governor Asa Hutchinson supports and encourages the usage of facial coverings in an effort to curb the spread of Covid-19; and

WHEREAS, the United States Supreme Court has long recognized state and local control over the spread of infection diseases and gave broad leeway in responding to these threats in *Jacobson v. Massachusetts*, 197 U.S. 11 (1905); and

WHEREAS, the Centers for Disease Control and Prevention (CDC) encourages the use of cloth face coverings to curb the spread of Covid-19; and

WHEREAS, individuals infected with Covid-19 are often asymptomatic and may transmit the virus; and

WHEREAS, the health of employees and patrons of reopened businesses is directly threatened by individuals who enter such establishments without a facial covering.

NOW, THEREFORE BE IT ORDAINED BY THE CITY OF JONESBORO, ARKANSAS:

Section 1: Upon consultation with the ADH and the Governor's Office, the City of Jonesboro, Arkansas **requires the usage of facial coverings according to ADH guidance** in an effort to help curb the spread of Covid-19 except when it is likely that physical distancing of at least six (6) feet from other individuals is practicable, in particular to protect the most vulnerable members of our community, as well as to ensure that the hard won progress made by the citizens of Arkansas in reopening our shared economy is preserved.

Section 2: The City of Jonesboro will act in a support capacity to local businesses that wish to enforce the use of masks upon their premises. The City, acting in such a support capacity, shall educate and encourage members of the public who decline to wear facial coverings regarding the efficacy of wearing such coverings according to the ADH guidance on facial coverings released on June 19, 2020. The City may additionally act in a support capacity to local businesses by educating individuals who decline to comply with the facial covering requirement of any local business that the individual must abide by that requirement or leave the premises.

Section 3: The City of Jonesboro will make this ordinance available electronically on the City's website. All businesses within the City are required to print the ordinance and display it in a prominent area of the business or on the primary entrance way. Posting shall be as soon as is practical, but not more than 14 days from the date of passage.

Section 4: An emergency is declared to exist, and because of the need for immediate response to the COVID-19 pandemic, this ordinance shall go into effect immediately upon passage. The emergency factors considered in declaring an emergency is the infectious rate of COVID-19, the rapid use of protective equipment across all sectors, the fatality rate, and the fatality rate if the virus is left unchecked. Therefore, an emergency is declared.



Legislation Details (With Text)

File #:	RES-20:100	Version:	1	Name:	A RESOLUTION BY THE CITY OF JONESBORO ARKANSAS REGARDING THE USE OF MASKS IN RELATION TO THE COVID-19 PANDEMIC
Type:	Resolution	Status:			To Be Introduced
File created:	7/10/2020	In control:			Public Safety Council Committee
On agenda:		Final action:			
Title:	A RESOLUTION BY THE CITY OF JONESBORO ARKANSAS REGARDING THE USE OF MASKS IN RELATION TO THE COVID-19 PANDEMIC.				
Sponsors:	Mayor's Office				
Indexes:	Other				
Code sections:					
Attachments:	Jonesboro Mask Resolution Final Draft				

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

A RESOLUTION BY THE CITY OF JONESBORO ARKANSAS REGARDING THE USE OF MASKS IN RELATION TO THE COVID-19 PANDEMIC.

WHEREAS, an outbreak of COVID-19 (coronavirus) has resulted in an ongoing global pandemic; and

WHEREAS, On June 18, 2020, Executive Order 20-37 declared that the emergency declared pursuant to Executive Order 20-03 and its amendments was terminated and that **the public health and disaster emergency and declaration of the State of Arkansas as a disaster area resulting from the state-wide impact of Covid-19 was declared anew** and would be effective for sixty (60) days unless renewed; and

WHEREAS, On June 19, 2020, the Arkansas Department of Health (ADH), released guidance regarding the use of face masks/coverings by the general public which asserts that ample evidence exists to support the efficacy of wearing face masks to prevent the transmission of Covid-19 including a World Health Organization (WHO) funded study; and

WHEREAS, the afore-mentioned ADH guidance on masks recommends that the general public should wear face coverings in ALL indoor environments where they are exposed to non-household members and distancing of 6 feet or more cannot be assured. This includes, but is not limited to, workplaces, retail stores, businesses, places of worship, courtrooms, jails/prisons, schools, healthcare facilities, and other people's homes; and

WHEREAS, the afore-mentioned ADH guidance recommends that the general public should also wear face coverings in ALL outdoor settings where there is exposure to non-household members, unless there exists ample space of 6 feet or more to practice physical distancing; and

WHEREAS, the United States Supreme Court has long recognized state and local control over the spread of infection diseases and gave broad leeway in responding to these threats in *Jacobson v. Massachusetts*, 197 U.S. 11 (1905); and

WHEREAS, the Centers for Disease Control and Prevention (CDC) encourages the use of cloth face coverings

to curb the spread of Covid-19; and

WHEREAS, individuals infected with Covid-19 are often asymptomatic and may transmit the virus; and

WHEREAS, the health of employees and patrons of reopened businesses is directly threatened by individuals who enter such establishments without a facial covering.

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF JONESBORO, ARKANSAS:

Section 1: The City of Jonesboro **strongly encourages all of the citizens of Jonesboro or any person visiting our City to wear a facial covering** in an effort to help curb the spread of Covid-19, in particular to protect the most vulnerable members of our city, as well as to ensure that the hard won progress made by the citizens of Arkansas in reopening our shared economy is preserved.

Section 2: The City of Jonesboro **strongly encourages all businesses to require patrons to wear a mask when inside their buildings and further encourages businesses who have the ability to do so to have early morning limited access hours for patrons who are in a high risk category for contracting Covid-19** in the effort to help curb the spread of the virus.

Section 3: The City of Jonesboro will act in a support capacity to local businesses that are enforcing the use of masks upon their premises. The City of Jonesboro, acting in such a support capacity, shall educate and encourage members of the public who decline to wear facial coverings regarding the efficacy of wearing such coverings according to the ADH guidance on facial coverings released on June 19, 2020. The City may additionally act in a support capacity to local businesses by educating individuals who decline to comply with the facial covering requirement of any local business that the individual must abide by that requirement or leave the premises. Any patron who refuses to leave a private business after being requested to leave is subject to being charged with trespass under current Arkansas law.