

RESOLUTION NO. 20-__

A Resolution of the City Council of the City of Whitefish, Montana, strongly encouraging the use of masks or cloth face coverings in public settings to help prevent the spread of COVID-19.

WHEREAS, coronaviruses are a large family of virus that cause illness ranging from the common cold to more serious issues, including death; and

WHEREAS, in late 2019, an outbreak of a new strain of coronavirus began in Wuhan, China; and

WHEREAS, on February 11, 2020, the World Health Organization named the new strain of coronavirus causing illness in China "COVID-19;" and

WHEREAS, according to the Center for Disease Control: "COVID-19 is thought to spread mainly through close contact from person-to-person in respiratory droplets from someone who is infected. People who are infected often have symptoms of illness. Some people without symptoms may be able to spread the virus."; and

WHEREAS, the Center for Disease Control has warned: "The virus that causes COVID-19 is spreading very easily and sustainably between people."; and

WHEREAS, on March 11, 2020, the World Health Organization declared a global pandemic due to the spread of COVID-19; and

WHEREAS, President Donald Trump, Governor Steve Bullock, the Flathead County Board of Commissioners, and Mayor John Muhlfeld have all declared states of emergency related to COVID-19; and

WHEREAS, on March 16 and April 5, 2020, the City adopted emergency Ordinance Nos. 20-04 and 20-05, enacting measures to reduce the spread of COVID-19; and

WHEREAS, on March 27, 2020, Governor Bullock issued a "stay at home" Directive; and

WHEREAS, on March 30, 2020, Governor Bullock issued a Directive requiring that individuals traveling to Montana from another state or country self-quarantine for 14 days; and

WHEREAS, on or about April 3, 2020, the Center for Disease Control recommended that individuals wear masks or cloth face coverings in public settings especially when other social distancing measures are difficult to maintain to prevent the spread of COVID-19; and

WHEREAS, the City has been strongly committed to following all recommendations from the federal, state, and county levels and instituted measures such as requiring sheltering-in-place, supporting the closure of schools, closing City Hall to the public, closing some City parks and recreational facilities, allowing or requiring City employees to work from home, closing lodging facilities, developing methods for extensive public outreach, and discouraging travel to the region; and

WHEREAS, the efforts of the State and City were successful in helping limit the spread of COVID-19 within our community; and

WHEREAS, on April 22, 2020, Governor Bullock issued a Directive for "Reopening the Big Sky" that provided for a phased re-opening of Montana and addressed the guidelines for Phase One; and

WHEREAS, Governor Bullock's April 22, 2020, Directive set forth the following guidelines for every Phase of the re-opening:

- Individuals should continue to practice good hygiene by adhering to the following guidelines:
 - Wash your hands with soap and water or use hand sanitizer, especially after touching frequently used items or surfaces.
 - Avoid touching your face.
 - Sneeze or cough into a tissue, or the inside of your elbow.
 - Disinfect frequently used items and surfaces as much as possible.
 - Strongly consider using non-medical face coverings while in public, especially in circumstances that do not readily allow for appropriate physical distancing (e.g., grocery/retail stores, pharmacies, public transportation).
- People who feel sick should stay at home.
 - Do not go to work or school.
 - Contact and follow the advice of your medical provider.
 - Follow local health department guidance on isolation and quarantine.
- Employers should:
 - Develop and implement appropriate policies, in accordance with federal, state, and local regulations and guidance, and informed by industry best practices, regarding:
 - Social distancing and protective equipment.
 - Temperature checks and/or symptom screening.
 - Testing, isolating, and contact tracing, in collaboration with public health authorities.
 - Sanitation.
 - Use and disinfection of common and high-traffic areas.
 - Monitor workforce for indicative symptoms. Do not allow people with symptoms of COVID-19 to work.
 - Collaborate with public health officials when implementing policies and procedures for workforce contact tracing following an employee's COVID-19 positive test result.

WHEREAS, on May 19, 2020, Governor Bullock issued a Directive moving the State into Phase Two of the re-opening which:

- Increased permissible group size to 50 individuals, provided social distancing can be accomplished.

- Allowed all businesses to operate, provided they adhere to physical distancing, the Phase Two Guidelines, all other Directives and guidance remaining in effect, and CDC sanitation protocols.
- Allowed restaurants, bars, breweries, distilleries and casinos to remain in the same operational status as Phase One, but with an increase to 75 percent capacity.
- Allowed gyms, indoor group fitness classes, pools, and hot tubs to operate at 75 percent capacity if they adhere to strict physical distancing and exercise frequent sanitation protocols.
- Allowed concert halls, bowling alleys, and other places of assembly to operate with reduced capacity provided they adhere to physical distancing guidelines and follow CDC sanitation protocols.
- Allowed childcare facilities to increase capacity consistent with the guidelines contained in the Governor's previous Directive on childcare if physical distancing guidelines can be implemented and removed the 24-person cap per facility effective June 1.
- Directed employers to continue to permit telework as much as possible and where feasible.
- Directed senior living or assisted living facilities and outdoor recreation to continue to follow the guidelines of Phase One.

WHEREAS, Governor Bullock's May 19, 2020 Directive also lifted the 14-day quarantine requirement for travelers from other states and countries effective June 1, 2020; and

WHEREAS, it is estimated that in 2018 alone, the City welcomed between 500,000 and 1,250,000 visitors; and

WHEREAS, since Governor Bullock lifted the 14-day quarantine requirement for visitors from other states and countries, the City has experienced a significant influx of visitors, many of whom have traveled from areas with a high rate of COVID-19 infection; and

WHEREAS, since Phase Two of the re-opening, the State has experienced a marked increase in COVID-19 cases, with the highest number ever being reported on June 28, 2020; and

WHEREAS, since Phase Two of the re-opening, Flathead County has experienced a marked increase in COVID-19 cases, with 20 new cases reported after four weeks of no new cases; and

WHEREAS, on or about June 5, 2020, the World Health Organization advised governments to encourage the general public to wear masks or cloth face coverings to help prevent the spread of COVID-19; and

WHEREAS, strongly encouraging the use of masks or face coverings in public settings in accordance with federal and state guidance will help ensure the health and safety of the City's residents and visitors, will reduce the likelihood that the State will reinstate Directives closing businesses, and will limit the cascading impacts on critical services by limiting spread of COVID-19; and

WHEREAS, it is in the best interests of the City of Whitefish and its inhabitants to strongly encourage residents and visitors to use masks or cloth face coverings in public to help reduce the spread of COVID-19.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Whitefish, Montana, and its inhabitants, as follows:

Section 1: All of the recitals set forth above are hereby adopted as Findings of Fact.

Section 2: The following guidelines must be followed within the City of Whitefish:

- All individuals should wear masks or cloth face coverings over their noses and mouths when indoors in public settings or communal spaces outside the home.
- All individuals present in a City park or on a City sidewalk, shared-use path, or right-of-way should wear masks or cloth face coverings.
- Employers should provide access to masks or cloth face coverings to employees present in the workplace and require employees to utilize them while at work.
- Businesses should recommend that patrons wear masks or cloth face coverings and clearly post signs stating such recommendation.
- These guidelines do not apply to the following:
 - Children under the age of six
 - Individuals for whom a mask or cloth face covering would cause impairment due to an existing physical or mental condition.
 - Individuals working in a profession in which the use of a mask or face covering will not be compatible with the duties of the profession.
 - Individuals who do not have contact with the public and can maintain social distancing with other employees at all times.
 - Individuals exercising if a mask for face covering would interfere with their breathing.
 - Individuals who are seated at a restaurant or bar while eating or drinking.

Section 3: If the City of Whitefish determines the above guidelines are not being adhered to, the City will consider passing an ordinance which will require that such guidelines be adhered to and provide penalties for non-compliance.

Section 4: This Resolution shall take effect immediately upon its adoption by the City Council and signing by the Mayor thereof.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF WHITEFISH, MONTANA, THIS _____ DAY OF _____ 2020.

John M. Muhlfeld, Mayor

ATTEST:

Michelle Howke, City Clerk