

**AN ORDINANCE OF THE CITY OF NEOSHO, MISSOURI repealing Ordinance No. 75-2020; establishing occupancy restrictions for businesses and organizations open to the public in the corporate limits of the City of Neosho at 50% of the entity’s authorized fire or building code occupancy except for educational institutions and daycare facilities and limiting mass gatherings to 15 or fewer persons except as otherwise provided herein; establishing a penalty for violating the prohibition; and containing an emergency clause.**

WHEREAS, in December 2019, medical professionals detected a novel coronavirus, now designated as “SARS-CoV-2,” which causes a disease known as “coronavirus disease 2019,” abbreviated and popularly known as “COVID-19”; and

WHEREAS, on January 30, 2020, the World Health Organization Director General declared an outbreak of COVID-19 as a Public Health Emergency of International Concern, advising countries to prepare for containment, detection, isolation and case management, contact tracing and prevention of onward spread of the disease; and

WHEREAS, on March 11, 2020, the World Health Organization Director General characterized COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency; and

WHEREAS, on March 13, 2020, the Governor of the State of Missouri declared the COVID-19 outbreak a state emergency; and

WHEREAS, as of July 7, 2020, the Newton County Health Department confirmed 601 cases, 4 hospitalizations, and 3 deaths, including community spread, of the COVID-19 illness in Newton County, Missouri, with the majority of cases being located within Neosho, Missouri; and

WHEREAS, COVID-19 is spread person to person through direct or close proximate contact and presents an imminent threat of widespread illness.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NEOSHO, MISSOURI, as follows:

Section 1. That Ordinance No. 75-2020 is repealed.

Section 2. A “mass gathering” for purposes of this Ordinance shall be defined as a planned or spontaneous event with a number of people in attendance that could facilitate the spread of a communicable disease.

Section 3. City Council hereby establishes occupancy restrictions for businesses and organizations open to the public in the corporate limits of the City of Neosho at 50% of the entity’s authorized fire or building code occupancy except for educational institutions and daycare facilities.

Section 4. City Council hereby prohibits any mass gathering of 15 or more persons, unless the mass gathering has first obtained a letter of approval from the Newton County Health Department confirming that the mass gathering has sufficient mitigation strategies to prevent or reduce COVID-19 transmission.

Section 5. No person shall fail, neglect, or refuse to comply with, or in any manner aid, assist, encourage, or countenance the commission or perpetration of a violation of the prohibitions in this Ordinance. Any person who shall violate this provision shall, upon conviction, be punished as provided by Neosho City Code Section 100.130.

Section 6. This Ordinance shall go into effect at 12:01 a.m. on July 13, 2020 and shall expire at 11:59 p.m. on August 18, 2020 unless extended by vote of the City Council.

Section 7. The City hereby declares that this Ordinance, being an Ordinance relating to the immediate preservation of the public peace, property, health, safety or morals, is considered an emergency within the meaning of Section 2.18(1) of the Home Rule Charter of the City of Neosho, Missouri, and, as such, this Ordinance shall become effective immediately upon its passage. Specifically, large public gatherings will facilitate the spread of a communicable disease, COVID-19.

PASSED BY THE COUNCIL OF THE CITY OF NEOSHO, MISSOURI, this 9<sup>th</sup> day of July 2020, by a \_\_\_\_\_ -- \_\_\_\_\_ vote.

**ATTEST:**

**CITY OF NEOSHO, CITY COUNCIL**

\_\_\_\_\_  
**Clerk**

\_\_\_\_\_  
**Mayor**

**APPROVED:**

\_\_\_\_\_  
**City Attorney**