

**CITY OF PORT WASHINGTON, WISCONSIN
RESOLUTION NO. 2021-6**

**RESOLUTION AND ORDER RELATING TO COVID-19
PREVENTION AND CONTROL IN THE CITY OF PORT WASHINGTON**

WHEREAS, on April 7, 2021, the Common Council of the City of Port Washington, Wisconsin, pursuant to Wis. Stat. §§ 323.11 and 323.14, declared that a public health emergency existed within the City of Port Washington and adopted and issued Resolution and Order No. 2021-4, ordering certain measures for City buildings, facilities, property and/or services, and strongly advising persons, businesses, and organizations present within the City to implement and adhere to various health and safety practices and guidelines to control and prevent the spread of COVID-19 or its variants; and

WHEREAS, said Resolution and Order was to remain in effect until terminated by resolution of the Common Council; and

WHEREAS, on May 13, 2021, the U.S. Centers for Disease Control and Prevention issued revised recommendations applicable to persons in non-healthcare settings, advising that fully vaccinated people can resume activities without wearing masks or physically distancing, except where required by federal, state, local, tribal, or territorial laws, rules and regulations, including business and work-place guidance; and

WHEREAS, the CDC's guidance concerning precautions to be taken by people who are unvaccinated or not fully vaccinated to protect themselves and others against COVID-19 and new variants of SARS-Co-V-2, the virus that causes COVID-19, may be found at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>; and

WHEREAS, the Wisconsin Department of Health Services has issued guidance for people attending or participating in various activities, events, or gatherings within a community, which guidance may be found at <https://www.dhs.wisconsin.gov/covid-19/community.htm>,

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Port Washington, Wisconsin, pursuant to Wis. Stat. §§ 323.11 and 323.14, hereby declares that based on new COVID-19 data, including but not limited to vaccination data for Ozaukee County, and on the above factors and new and emerging research, a public health emergency continues to exist within the City of Port Washington due to the presence of COVID-19 disease. However, the following Orders shall supersede those Orders contained in Resolution and Order No. 2021-4:

1. **Face Coverings.** No person present in a City government facility shall be required to wear a face covering. For purposes of this section, "*City government facility*" means any building, portion of a building, or vehicle owned, leased, controlled, or occupied by an agent, employee, member, officer, official, or representative of a council, commission, committee, board, department, or other subunit of local municipal government of the City of Port Washington, including public restrooms.
2. **CDC Recommendations.** The following persons are strongly advised to implement and adhere to the recommendations and guidance of the U.S. Centers for Disease Control and Prevention (CDC) relating to COVID-19 and its variants, including, but not limited to vaccination, physical distancing, and protective measure protocols:

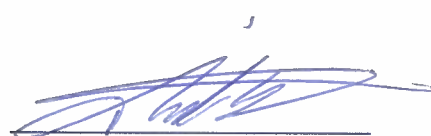
- a. The owner, operator, lessee, tenant, occupant, or person in control of, and all customers, employees, guests and visitors at all public spaces, public buildings, and private buildings open to the public in the City, including but not limited to retail stores, bars, restaurants.
 - b. All persons present in the City using shared spaces, outdoor spaces, or any place other than their home or residence.
 - c. Persons attending, working at, or participating in mass gatherings, including, but not limited to, concerts, festivals, conferences, sporting events, and recreational activities, programs, or gatherings in City parks or the Pirates Hollow Community Waterpark.
 - d. Persons who vulnerable, at increased risk of severe illness from COVID-19, and persons who are sick, including but not limited to, persons 65 years of age and older; persons who live in a nursing home or long-term care facility; and persons of all ages with underlying medical conditions, particularly if not well-controlled.
3. **Authority of City Administrator.** The City Administrator is authorized to impose or reimpose such restrictions for City buildings, facilities, property and/or services as he deems appropriate or necessary for the protection of public health and safety, taking into consideration health data and trends, emerging research, and guidance issued by the Wisconsin Department of Health Services, the Washington Ozaukee County Public Health Department or the U.S. Centers for Disease Control and Prevention. Such restrictions shall be communicated to others and posted prominently at the building, facility, property, or location of service to advise the public of the restrictions. The City Administrator shall report such restrictions to the Common Council as soon as practicable following the effective date of the restrictions.
 4. **Local Orders.** This Order does not preclude a local or county health officer from addressing localized outbreaks with a localized order. Such order may include instituting tailored restrictions based on the needs of the community or a particular location. If there is a conflict between this Order and an order from a local or county health officer, the more restrictive order shall control.
 5. **Severability.** If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.
 6. **Effective Date; Duration.** This Resolution and Order shall take effect upon adoption and shall remain in effect until terminated by resolution of the Common Council.

Adopted and dated this 1st day of June, 2021.

ATTEST:



Susan L. Westerbeke, City Clerk



Theodore Neitzke IV, Mayor