

Emergency Bill No. 4829

Ordinance No. _____

Requested by: Steve Ehlmann, Demetrius Cianci-Chapman

Sponsored by: Terry Hollander

AN EMERGENCY HEALTH ORDINANCE WITH A PENALTY PROVISION ENACTING A NEW SECTION 210.005 OF THE ORDINANCES OF ST. CHARLES COUNTY, MISSOURI RELATING TO FAILURE TO COMPLY WITH PUBLIC HEALTH EMERGENCY ORDERS

WHEREAS, on March 13, 2020, the St. Charles County Executive Steve Ehlmann declared that a State of Emergency exists in St. Charles County, Missouri, to assist with the St. Charles County’s response to the health threat posed by SARS-CoV-2 virus, which causes Novel Coronavirus 2019 (“COVID-19”); and

WHEREAS, COVID-19 can result in mild of severe symptoms, is highly contagious and is spread through close contact between persons and respiratory transmission; and

WHEREAS, COVID-19 poses a serious health risk, particularly for residents and visitors who are elderly or have compromised immune systems; and

WHEREAS, on March 11, 2020, the World Health Organization officially declared a pandemic due to COVID-19, and on March 13, 2020, Missouri Governor Michael L. Parson declared a State of Emergency in Missouri to assist with the State’s response to this health threat; and

WHEREAS, Article II, Section 2.529 of the Charter of St. Charles County provides that the County Council shall have the power to exercise legislative power pertaining to public

health and welfare, police and traffic, building construction, and planning and zoning, in the part of the County outside incorporated Cities, Towns, and Villages, and on such other subjects as may be authorized by the Constitution or by applicable law; and

WHEREAS, pursuant to Missouri Revised Statute Section 192.300, St. Charles County may enact ordinances to enhance the public health in all areas of the County, whether unincorporated or incorporated; and

WHEREAS, pursuant to Code of State Regulations Section 19 CSR 20-20.040 and 19 CSR 20-20.050, the County's Director of Public Health, as the local public health authority, has the power to issue orders regarding Measures to Determine the Prevalence and Prevent the Spread of Diseases which are Infectious, Contagious, Communicable, or Dangerous in their Nature and to Quarantine or Isolation Practices and Closing of Schools and Places of Public and Private Assembly.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. A new Section 210.005, OSCCMo., is hereby enacted as follows:

Section 210.005 Public Health Emergency Orders

A. A Public Health Emergency Order is any order issued by the County Executive or Director of the County's Public Health Department pursuant to a declared public health State of Emergency, including any and all amendments thereto.

- B. In order to enhance the public health and prevent the entrance and spread of disease in St. Charles County, the provisions of this chapter shall apply in all unincorporated and incorporated parts of St. Charles County.
- C. No person shall knowingly violate a Public Health Emergency Order.
- D. Any person who, having been given a warning, is guilty of a misdemeanor. A separate offense shall be deemed committed on each day a violation occurs or continues.
- E. Enforcement of these Sections shall be the responsibility of the County Counselor's Office.
- F. The County Counselor's Office shall seek judicial enforcement of Public Health Emergency Orders as required to ensure they are carried out to protect the public health and safety.

Section 2. Declaration of Emergency. An emergency exists because there is a confirmed St. Charles County case, as well as cases in St. Louis County and St. Louis City which jurisdictions are a part of the metropolitan area.

Section 3. This ordinance shall be in full force and effect from and after the date of its passage and approval pursuant to the St. Charles County Charter Article II, Section 2.605.

DATE PASSED

DATE APPROVED BY COUNTY EXECUTIVE

CHAIR OF THE COUNCIL

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR

