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

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared COVID-19 a global pandemic; and,

WHEREAS, the Centers for Disease Control (CDC) is closely monitoring the growing number of COVID-19 cases that have spread into the United States and have issued guidance with extraordinary policies and procedures to protect public health and welfare; and,

WHEREAS, on March 13, 2020, the President of the United States issued a Proclamation declaring a national emergency concerning the novel coronavirus disease (COVID-19) outbreak; and,

WHEREAS, also on March 13, 2020, Missouri Governor Michael L. Parson signed Executive Order 20-02 declaring a state of emergency in Missouri in response to the novel coronavirus (COVID-19); and,

WHEREAS, on April 3, 2020, Missouri Governor Michael L. Parson issued a statewide “Stay Home Missouri” order, effective 12:01 a.m. on Monday, April 6, 2020, until 11:59 p.m. on Friday, April 24, 2020; and,

WHEREAS, on April 16, 2020, Missouri Governor Michael L. Parson extended the statewide “Stay Home Missouri” order until 11:59 p.m. on Sunday, May 3, 2020; and,

WHEREAS, on April 16, 2020, the White House released “Opening Up America Again” guidelines proposing a phased approach to reopening the country based on up-to-date data and readiness, mitigating risk of resurgence, protecting the most vulnerable, and implementing on statewide or county-by-county basis at Governors’ discretion; and,

WHEREAS, on April 27, 2020, Missouri Governor Michael L. Parson released the first phase of the “Show Me Strong Recovery” Plan outlining how Missouri will gradually begin to reopen economic and social activity; and,

WHEREAS, after consultation with City, County, and State officials, it is my judgement that there continues to reasonably appear to exist a state of civil emergency which requires a response by the City to protect public health.
NOW, THEREFORE, I, RACHAEL MARTIN, MAYOR OF THE CITY OF MARYVILLE, DO HEREBY PROCLAIM AND ORDER, that:

SECTION 1. The Proclamation of Fourth Emergency Order dated April 17, 2020, is hereby repealed effective 11:59 p.m. on Sunday, May 3, 2020 and this Fifth Proclamation of Civil Emergency and Order is hereby enacted as described herein. A local state of civil emergency continues to be declared pursuant to Section 100.180. Civil Emergency – Powers of Mayor to Issue Proclamation of Emergency of the Municipal Code of Maryville.

SECTION 2. The exercise of certain powers granted to me in Section 100.180. Civil Emergency – Powers of Mayor to Issue Proclamation of Emergency appears reasonably necessary due to the local state of civil emergency, and I hereby impose the orders described in “Exhibit A”, which is attached and incorporated herein by this reference.

SECTION 3. During the time of this Proclamation of Civil Emergency and Order is in effect and any renewals, modifications thereof, I hereby delegate to the City Manager and his delegees the authority to determine whether any personal or business activity is permitted or prohibited under this proclamation.

SECTION 4. Pursuant to Section 100.180. Civil Emergency – Powers of Mayor to Issue Proclamation of Emergency, this Fifth Emergency Order is effective at 12:01 a.m. on Monday, May 4, 2020 and shall continue until 11:59 p.m. on Sunday, May 31, 2020, unless otherwise amended, renewed, or withdrawn.

Attest:  
Stacy Wood, City Clerk

Rachael Martin, Mayor

Filed: 4/30/2020
1. When individuals leave their homes or places of residence to work, to access food, health care, necessities, or to engage in other activities, they should at all times practice social distancing. Individuals may go to and from an individual’s place of worship, provided that limitations on social distancing are properly adhered to.

2. In accordance with the guidelines from the President and the Centers for Disease Control and Prevention (CDC), every person and business in the State of Missouri shall abide by social distancing requirements, including maintaining six feet (6’) of space between individuals. This provision shall not apply to family members or individuals performing job duties that require contact with other people closer than six feet (6’). Individuals performing job duties that require contact with other people closer than six feet (6’) should take enhanced precautionary measures to mitigate the risks of contracting or spreading COVID-19. This provision shall apply in all situations, including, but not limited to, when customers are standing in line or individuals are using shared indoor and outdoor spaces.

3. In accordance with guidelines for “Opening Up America Again”, every person in the City of Maryville shall avoid participating in social gatherings of more than ten (10) people in circumstances that do not readily allow for appropriate physical distancing (e.g. receptions, trade shows) through 11:59 p.m. Friday, May 15, 2020. Beginning at 12:01 a.m. Saturday, May 16, 2020, every person in the City of Maryville shall avoid participating in social gatherings of more than fifty (50) people in circumstances that do not readily allow for appropriate physical distancing. The Mayor of the City of Maryville is hereby authorized to adjust the number of participants or duration of restrictions as necessary based on local conditions.

4. In accordance with guidelines from the President, the CDC, and the Centers for Medicaid and Medicare Services, people shall not visit nursing homes, long-term care facilities, retirement homes, or assisted living homes unless to provide critical assistance or in end-of-life circumstances. Elderly or otherwise vulnerable populations should take enhanced precautionary measures to mitigate the risks of contracting COVID-19, including continuing to “shelter in place”. Precautions should be taken to isolate from vulnerable residents.

5. Any entity that employs individuals that is engaged in retail sales to the public, shall limit the number of individuals in any particular retail location as follows:

   (1) Twenty-five (25) percent or less of the entity’s authorized fire or building code occupancy, as set by local authorities, for a retail location with square footage of less than ten thousand square feet (10,000 ft²);

   (2) Ten (10) percent or less of the entity’s authorized fire or building code occupancy, as set by local authorities, for a retail location with square footage of ten thousand square feet (10,000 ft²) or more.

6. In accordance with the guidelines from the President and the CDC, schools shall remain closed from the remainder of the 2019-2020 academic school year. At the discretion of the school
district, nothing in this Order shall prohibit school teachers, school staff, students, and parents from reentering school buildings in order to work, retrieve personal belongings, or return school property as long as limitations on social distancing are properly adhered to. Summer school may proceed under guidelines set forth by the Department of Elementary and Secondary Education. Notwithstanding section 2 of this Order, nothing in this Order shall prohibit daycares, childcare providers, or schools from providing child care in accordance with CDC guidelines. Further, this Order does not prohibit schools from providing Food and Nutritional Services for those children that qualify.

7. Restaurants may offer dining-in services, provided that the limitations on social distancing and other precautionary public health measures, including proper spacing of at least six feet (6’) between tables, lack of communal seating areas to parties that are not connected, and having no more than ten (10) people at a single table, are properly adhered to. The continued use of drive-thru, pickup, or delivery options is encouraged throughout the duration of this Order.

8. Pursuant to section 44.101, RSMo, this Order shall not be construed to prohibit or restrict the lawful possession, transfer, sale, transportation, storage, display, or use of firearms or ammunition during the declared state of emergency, subject to the provisions set forth herein.

9. All city facilities are closed to the public; however, essential city functions shall continue.

10. In accordance with guidelines for “Opening Up America Again”, gyms can open if they adhere to strict physical distancing and sanitation protocols.

11. In accordance with guidelines for “Opening Up America Again”, every person in the City of Maryville shall continue to practice good hygiene, more specifically washing 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, and strongly consider using face coverings while in public, do not go to work or school if you feel ill, and contact and follow the advice of your medical provider.

12. In accordance with guidelines for “Opening Up America Again”, every employer in the City of Maryville shall 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, testing, isolating, and contact tracing, sanitation, use and disinfection of common and high-traffic areas, and minimize business travel. Employers shall monitor workforce for indicative symptoms and not allow symptomatic people to physically return to work until cleared by a medical provider. Employers shall develop and implement policies and procedures for workforce contact tracing following employee COVID positive test, specifically individuals performing job duties that require contact with other people closer than six feet (6’).