



City of Milwaukee
Common Council Minutes
COMMON COUNCIL

City Hall
200 East Wells Street
Milwaukee, WI 53202

Monday, July 13, 2020

1:30 PM

VIRTUAL MEETING

This is a virtual meeting. Those wishing to view it should go to <http://city.milwaukee.gov/citychannel> or Channel 25 on Spectrum Cable.

1. Call to Order
2. Roll Call

Present: 15 - Hamilton
Johnson
Kovac
Bauman
Dodd
Coggs
Rainey
Zamarripa
Lewis
Murphy
Borkowski
Perez
Spiker
Dimitrijevic
Stamper

3. Pledge of Allegiance

The Pledge of Allegiance was said.

THE PUBLIC SAFETY AND HEALTH COMMITTEE RECOMMENDS:

PASSAGE OF THE FOLLOWING:

4. [200426](#) An ordinance relating to a requirement for face coverings in public spaces during the COVID-19 pandemic.

Sponsors: Ald. Dimitrijevic, Ald. Zamarripa, Ald. Johnson, Ald. Kovac, Ald. Hamilton and Ald. Dodd

A motion was made by ALD. DIMITRIJEVIC that this Ordinance be SUBSTITUTED. This motion PREVAILED by the following vote:

Aye, 15 - Ald.Hamilton, Ald.Johnson, Ald.Kovac, Ald.Bauman, Ald.Dodd, Ald.Coggs, Ald.Rainey, Ald.Zamarripa, Ald.Lewis, Ald.Murphy, Ald.Borkowski, Ald.Perez, Ald.Spiker, Ald.Dimitrijevic
Ald.Stamper

No, 0

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 62-1-11 and Section 62-1-12 of the code is created to read:

62-1. Definitions.

11. FACE COVERING means a protective mask covering the nose and mouth, including cloth face coverings or surgical masks as described by the centers for disease control and prevention.

12. BUILDING OPEN TO PUBLIC means any structure or premises licensed by the city of Milwaukee or used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or other use by the public.

Part 2. Section 62-8 of the code is created to read:

62-8. Face Covering Requirements During the COVID-19 Pandemic.

1. MASK REQUIRED INDOORS. For the duration of the ‘Moving Milwaukee Forward’ health and safety orders, any person 3 years old or older who is present in the city of Milwaukee shall have possession of a face covering when the person leaves home or other place of residence and shall wear the face covering whenever the person is in a building open to the public.

2. MASK REQUIRED OUTDOORS. For the duration of the ‘Moving Milwaukee Forward’ health and safety orders, any person 3 years old or older who is present in the city of Milwaukee shall have possession of a face covering when the person leaves home or other place of residence and shall wear the face covering whenever the person is in an outdoor public space and within 6 feet of any other person who is not a member of the person’s family or household.

3. MASK REQUIRED FOR CITY FACILITIES AND EMPLOYEES. The commissioner of public works and director of employee relations shall establish a face covering requirement policy for all city employees and other persons on the premises of any city facility.

4. EXCEPTIONS. Exceptions for face coverings will be made under the following circumstances:

- a. Persons who fall into the centers for disease control and prevention's guidance for those who should not wear face coverings due to a medical condition, mental health condition, developmental disability, or are otherwise covered under the Americans with disabilities act.
- b. Persons who have upper-respiratory chronic conditions, silent or invisible disabilities, or are communicating with an individual who is deaf or hard of hearing and communication cannot be achieved through other means.
- c. Persons in settings where it is not practical or feasible to wear face coverings when obtaining or rendering goods or services to the extent necessary to obtain or render such goods or services including but not limited to the receipt of dental services or medical treatments or consuming food or beverages.
- d. Whenever federal, state, or local law otherwise prohibit wearing a face mask or where it is necessary to evaluate or verify an individual's identity.
- e. Persons whose religious beliefs prevent them from wearing a face covering.
- f. Persons present in government facilities closed to the public, institutions of higher education, public and private K through 12 schools, and childcare or youth facilities that have a mitigation strategy approved by the commissioner of health and the board of health.

5. PENALTY. The health department shall enforce this section. The owner or operator of any building open to the public shall ensure all persons present in his or her building open to the public comply with sub. 1. The owner or operator of any building open to the public has the right to refuse entry or service to any person for failure to comply with sub. 1. Any owner or operator of a building open to the public that permits a person to violate sub. 1 in their building open to the public shall upon conviction forfeit not less than \$50 and not more than \$500. The commissioner of health and city attorney are authorized to pursue license revocation or a court order closing a building open to the public in accordance with state and local law for failing to require persons present to abide by sub. 1.

Sponsors: Ald. Dimitrijevic, Ald. Zamarripa, Ald. Johnson, Ald. Kovac, Ald. Hamilton and Ald. Dodd

A motion was made by ALD. DIMITRIJEVIC that this Ordinance be PASSED. This motion PREVAILED by the following vote:

Aye, 15 - Ald. Hamilton, Ald. Johnson, Ald. Kovac, Ald. Bauman, Ald. Dodd, Ald. Coggs, Ald. Rainey, Ald. Zamarripa, Ald. Lewis, Ald. Murphy, Ald. Borkowski, Ald. Perez, Ald. Spiker, Ald. Dimitrijevic
Ald. Stamper

No, 0

ADOPTION OF THE FOLLOWING:

5. [200409](#) Resolution directing the Commissioner of the Milwaukee Health Department to establish a program under which all City residents may receive a face mask without charge upon request.
- Whereas, The COVID-19 pandemic continues to affect the entire City of Milwaukee; and
- Whereas, From the beginning, the effects of this pandemic have disproportionately fallen on the City's poorest residents; and
- Whereas, A broad range of agencies including the World Health Organization and the Centers for Disease Control and Prevention, have recommended the wearing of fabric masks as an effective tool to slow the spread of this virus; now, therefore, be it
- Resolved, By the Common Council of the City of Milwaukee that the Commissioner of the Milwaukee Health Department is directed to establish a program under which any City residents may receive a face mask without charge upon request; and, be it
- Further Resolved, That a goal of this program shall be the provision of a mask to no fewer than half of the City's 600,000 residents; and, be it
- Further Resolved, That the Milwaukee Health Department is authorized, under s. 304-24 of the Milwaukee Code of Ordinances, to accept cash donations of up to \$100,000, in-kind donations, and to expend any funds received to fulfill the intent of this resolution; and be it
- Further Resolved, That the City Comptroller is directed to establish the necessary accounts and accounting procedures to carry out the intent of this resolution; and be it
- Further Resolved, That the Commissioner of the Milwaukee Health Department shall report to the Common Council as to the status of this program within 60 days of the effective date of this resolution.

Sponsors: Ald. Dimitrijevic and Ald. Coggs

A motion was made by ALD. DIMITRIJEVIC that this Resolution be ADOPTED. This motion PREVAILED by the following vote:

Aye, 15 - Ald.Hamilton, Ald.Johnson, Ald.Kovac, Ald.Bauman, Ald.Dodd, Ald.Coggs, Ald.Rainey, Ald.Zamarripa, Ald.Lewis, Ald.Murphy, Ald.Borkowski, Ald.Perez, Ald.Spiker, Ald.Dimitrijevic
Ald.Stamper

No, 0

6. Adjournment

The meeting adjourned 2:31 p.m.

*James R. Owczarski
City Clerk*