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MAYOR OF THE CITY OF WEST LAFAYETTE, INDIANA
EXECUTIVE ORDER 2020-01

WHEREAS, the COVID-19 pandemic has taken-and continues to take a severe toll on our country, our state, and the West Lafayette community;

WHEREAS, the Centers for Disease Control reports that COVID-19 may cause severe illness, including illness resulting in death, particularly among the elderly and those with underlying health conditions;

WHEREAS, the Secretary of Health and Human Services (HHS) declared a public health emergency on January 31, 2020, under section 319 of the Public Health Service Act (42 U.S.C. 247d), in response to COVID-19;

WHEREAS, on March 6, 2020 Governor Eric Holcomb declared a public health disaster emergency in the State of Indiana, and such declaration has been extended four times and currently runs through August 3, 2020;

WHEREAS, on March 11, 2020 the World Health Organization declared the COVID-19 outbreak a pandemic;

WHEREAS, on March 13, 2020 the President of the United States announced a national emergency in response to the COVID-19 pandemic,

WHEREAS, Governor Holcomb's announcement of a roadmap for reopening Indiana and his most recent Executive Order 20-35 provides that local orders may be more restrictive, which allows West Lafayette to respond to the unique challenges that this pandemic presents in a densely populated college town which will soon welcome back students to Purdue University;

WHEREAS, the nature of West Lafayette's dense population and incoming college students presents unique risks and challenges for this community in combatting the spread and dangers of COVID-19;

WHEREAS, the Centers for Disease Control and Prevention (CDC) has stated that COVID-19 spreads mainly from person to person through respiratory droplets produced when an infected person coughs, sneezes, talks, or raises their voice (e.g., while shouting, chanting, or singing). These droplets can land in the mouths or noses of people who are nearby or possibly be inhaled into the lungs. Recent studies show that a significant portion of individuals with COVID-19 lack symptoms (are "asymptomatic") and that even those who eventually develop symptoms (are "pre-symptomatic") can transmit the virus to others before showing symptoms;

WHEREAS, to reduce the spread of COVID-19, the CDC recommends that people wear cloth face coverings in group settings when around people outside of their household, especially when other social distancing measures are difficult to maintain;

WHEREAS, cloth face coverings help prevent people who have COVID-19 from spreading the virus to others. Wearing a cloth face covering will help protect nearby people, including those at higher risk of severe illness from COVID-19 and workers who frequently come into close contact with other people (e.g., in stores and restaurants). Cloth face coverings are most likely to reduce the community-wide spread of COVID-19 when they are widely used by people in group settings;

WHEREAS, some people have medical or health issues, disabilities, or other physical reasons that necessitate they be exempted from wearing a face covering;

WHEREAS, the spread of COVID-19 continues to threaten the lives of the citizens of West Lafayette, and impairs the efficient functioning of city government and its ability to protect the health and welfare of West Lafayette citizens;

WHEREAS, the City of West Lafayette may impose restrictions upon persons that might cause other persons to contract diseases under Ind. Code § 36-8-2-5 and the City may regulate conduct and the use of property that might endanger the public health, safety, or welfare under Ind. Code § 36-8-2-5;

WHEREAS, the spread of COVID-19 is injurious to the health of the citizens of West Lafayette, and interferes with their comfortable enjoyment of life, and is a nuisance;

WHEREAS, any building or part thereof, which may create a source of sickness among the citizens or which otherwise endangers the public health is a public nuisance in violation of West Lafayette Municipal Code 26-1, and a person convicted of such violation may be punished by a fine up to \$100 for the first violation and a fine up to \$250 for a subsequent violation;

WHEREAS, the ability of businesses to reopen and conduct business safely and remain open may be enhanced by wearing cloth face coverings in such businesses when practicable;

WHEREAS, it is the duty of the Mayor to hear any complaint regarding a license issued by the City and following such hearing, determine whether such license should be revoked or suspended; the City issues numerous and varying licenses to persons and businesses within West Lafayette;

WHEREAS, the unchecked spread of COVID-19 in the community and public businesses of West Lafayette creates a danger to the health, safety, and well-being of the citizens, and may be grounds for the revocation or suspension of City-issued licenses;

WHEREAS, pursuant to Ind. Code § 36-4-5-3 and West Lafayette Municipal Code 2-131, it is the duty of the Mayor to insure efficient government of the City and enforce the ordinances of the City and statutes of the State; and

WHEREAS, to prevent the spread of COVID-19, and thereby to save lives, face coverings must be worn to reduce the increasing spread of COVID-19.

NOW, THEREFORE, I, John R. Dennis, Mayor of the City of West Lafayette, do hereby order and direct, that:

SECTION 1. For the purposes of this ordinance, "face covering" means a piece of cloth, fabric, or other material that fully covers the mouth and nose and that is secured with ear straps or otherwise attached so as to prevent slipping. A face covering shall be worn so as to cover the mouth and nose in compliance with the CDC's current and any future guidance on wearing face coverings. A face covering may be factory-made, sewn by hand, or improvised from household materials and can be made of a variety of synthetic and