

**AN ORDINANCE ENACTING EMERGENCY MEASURES TO PROTECT THE PUBLIC HEALTH DURING THE CORONAVIRUS PANDEMIC CRISIS AND DECLARING AN EMERGENCY EXISTS WITH RESPECT TO THE PASSAGE OF THIS ORDINANCE**

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**WHEREAS**, a state of emergency exists in the City of Hazelwood by reason of the public health crisis caused by the Coronavirus (“COVID-19”) pandemic; and

**WHEREAS**, this health crisis puts the lives and well-being of every Hazelwood resident at risk, and that risk is markedly increased by social proximity and interaction with members of the public; and

**WHEREAS**, the Hazelwood Charter provides that the City has all powers possible for any City to have one of the Constitution and laws of the State of Missouri and exercise all municipal powers of every name and nature (Charter, Art. I, Sec 3) and authorizes the City: to adopt safety, health, sanitary and similar regulations and provide for their enforcement (Charter, Art. II, Sec. 11(4)); to inspect all buildings, lands and places as to the condition for health and safety, and to prevent or limit the use thereof and to require any alterations to make some helpful, clean and safe (Charter, Art. II, Sec. 11(15)); prohibit and suppress all practices, conduct uses of property and other things whatsoever apt to be detrimental to the health, safety, security, convenience and welfare of the inhabitants of the city and to abate all nuisances (Charter, Art. II, Sec 11(20)), and do all things necessary or expedient for promoting the safety, security, health and welfare of the city and its inhabitants (Charter, Art. II, Sec 11(18)); and

**WHEREAS**, the Hazelwood City Manager is the chief executive and administrative officer of the City has general supervision over all the officers and affairs of the City and is charged to comply with the ordinances of the City, including this ordinance, and the laws of the State of Missouri (Charter, Art. III, Sec 4); and

**WHEREAS**, the professional guidance of the Centers for Disease Control and emergency health restrictions promulgated by St. Louis County require that the City revise many of its practices and procedures during the present crisis; and

**WHEREAS**, it is prudent and in the best interest of the health and safety of the residents of Hazelwood that there be a streamlined and efficient process for implementation of further adjustments in regulations, procedures and practices in a timely manner so as to respond to the rapidly evolving health crisis; and

**WHEREAS**, the City Council hereby finds, determines and declares that an emergency exists with respect to the passage of this legislation within the meaning of Article II, Section 8 of the Hazelwood City Charter, for the reasons stated above and, therefore, this legislation concerns the immediate preservation of public peace, health and safety as

those terms are used in the cited Charter provision and this legislation may be considered and acted upon at one Council meeting as an emergency measure.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAZELWOOD, MISSOURI, AS FOLLOWS:**

**SECTION 1.** The Mayor of the City of Hazelwood, as presiding officer for meetings of the City Council (Charter, Art. II. Sec. 2), is hereby authorized to establish temporary procedures for calling and conducting meetings of the City Council including determining the timing, location, physical presence of members and the public, alternative public access to meetings, the manner by which public testimony and input shall be received, and other aspects of conducting such meetings which the Mayor may find to be safe and appropriate in light of the current health crisis. All charter provisions, ordinances or other municipal regulations in conflict with the procedures and practices thus established are hereby suspended until further action by the City Council.

**SECTION 2.** The City Manager is authorized to temporarily suspend enforcement of any ordinances, resolutions, policies, procedures or practices of the City and to adopt interim temporary alternative measures, regulations, standards, practices, policies and procedures which the City Manager determines to be reasonably necessary to protect the public health against the current pandemic while still preserving the general health, safety and welfare of the City as a whole and its residents and businesses; provided, however, that the City Manager shall, to the best of his ability, submit a report to the Mayor and City Council detailing actions taken pursuant to this grant of authority or reallocation of appropriated funds as hereinafter provided within seventy-two (72) hours of doing so or as soon thereafter as practical. This authority shall include, but not be limited to, matters relating to:

- (a) duties of city employees and personnel and workplace regulations, rules, standards, procedures and practices;
- (b) public and employee access to City buildings, facilities and property;
- (c) the time, location and manner by which meetings of all boards, commissions, advisory bodies and public governmental bodies of the city shall be conducted, taking care to comply with all requirements of the Missouri Open Meetings and Records Act;
- (d) zoning, traffic and other regulations relating to deliveries to and by businesses located in the City;
- (e) zoning and other regulations relating to signage (so that information of importance to the public and economic health of the community can be made known);
- (f) purchasing procedures and the expeditious acquisition of critical supplies and services;
- (g) reallocation of appropriated funds and suspension of purchases, service contracts or improvement projects as determined by the City Manager to be prudent, reasonable or necessary in order to protect the City finances and the City's ability to sustain critical public services during a potentially protracted and widespread public crisis, and

- (h) any similar matters which the City Manager deems to be critical to success of the City's critical public health and safety responsibilities.

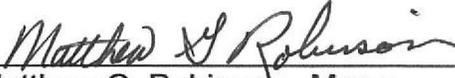
**SECTION 3.** In addition, the City Manager is hereby authorized and directed to take such actions as may be reasonably necessary or appropriate to carry out the temporary procedures, suspensions, waivers and other adjustments and changes specified in this Ordinance or determined by the City Manager to prudent or beneficial to carry out the purposes of this Ordinance.

**SECTION 4.** All ordinances of the City of Hazelwood which are contrary to or in conflict with any of the temporary alternative measures, regulations, standards, practices, policies and procedures which the City Manager determines to be reasonably necessary to protect the public health are hereby suspended for so long as such alternative measures, etc. are in effect.

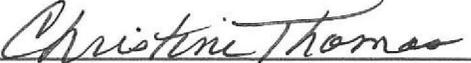
**SECTION 5.** It is hereby declared to be the intention of the City Council that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the City Council intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. In the event that any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

**SECTION 6.** This Ordinance shall be in full force and effect from and after the date of its passage and may be amended or repealed, and the authority delegated hereby may be revised or terminated, by legislative action by the City Council at any time.

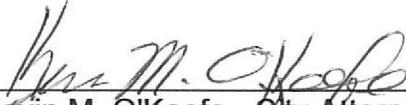
**PASSED this 1st day of April, 2020, by the Council of the City of Hazelwood, Missouri.**

  
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Matthew G. Robinson - Mayor  
City of Hazelwood, Missouri

ATTEST:

  
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Christine Thomas, CMC - City Clerk  
City of Hazelwood, Missouri

APPROVED AS TO FORM:

  
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Kevin M. O'Keefe - City Attorney  
City of Hazelwood, Missouri