SUMMARY
BOARD BILL NUMBER 11
SPONSOR: Alderman Bret Narayan
DATE: May 1, 2020

The proposed Board Bill would prohibit individuals from intentionally coughing, sneezing, or spitting on essential workers, as defined in the Bill, and impose penalties on those found to be in violation. The Board Bill would become effective upon its signature by the Mayor and remain in effect until July 1st, 2021.

The proposed bill’s impact on the community is unknown.

Prepared by: Bret Narayan
An ordinance prohibiting individuals from intentionally coughing, sneezing, or spitting on essential workers for the duration of the COVID-19 crisis and imposing criminal liability for those who do so.

WHEREAS, The United States is in the middle of the global pandemic known as the COVID-19 Virus; and

WHEREAS, society is reliant on essential employees to carry out essential activities, including but not limited to, police protection, fire protection, emergency medical services, medical services, essential retail services, mechanics services, and other essential services; and

WHEREAS, during this crisis the City of St. Louis is tasked with ensuring the wellbeing of essential employees living and or working in the City.

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Definitions.

1. The term “Essential Worker” as used in this ordinance means “those engaged in work in the following businesses:

(a) Healthcare facilities and businesses that produce or provide medical care, supplies or medicine;

(b) Grocery stores, convenience stores, or other establishments engaged in the retail sale of food or other household consumer products;

(c) Restaurants and bars engaged in pickup/curbside pickup/carry-out/take out/delivery;

(d) Businesses, not for profits, or institutions that ship or deliver groceries, food, or goods;
(e) Businesses, not for profits, or institutions that provide food, shelter, utilities, social services, or other necessities;

(f) Food cultivation, including farming, livestock, and fishing;

(g) Food and beverage wholesaling, storage, and distribution businesses;

(h) Newspapers, television, radio, and other media;

(i) Gas stations, vehicle-supply, vehicle-repair, and related facilities;

(j) Banks and financial institutions;

(k) Hardware stores;

(l) Businesses, not for profits, or institutions providing mailing and shipping services, including post office boxes;

(m) Laundromats and laundry service providers;

(n) Transportation services including rental, taxis and ride shares;

(o) Home based care for senior, adults, or children;

(p) Facilities and shelters for adults and children;

(q) Long term care facilities, including hospice;

(r) Hotels and other commercial lodging;

(s) Professional services (e.g. accountants, lawyers, engineers);

(t) Construction;

(u) Childcare facilities providing services to first responders, and all emergency personnel;

(v) Manufacture, distribution, and supply chain businesses,

(w) Federal, State, and Local government.”

2. The term “Intentionally” as used in this ordinance means “done with intent or purpose”.

3. The term “Cough” as used in this ordinance means “a rapid expulsion of air from the lungs,
typically in order to clear the lung airways of fluids, mucus, or other material”.

4. The term “Sneeze” as used in this ordinance means “to suddenly expel air through the nose and mouth”.

5. The term “Spit” as used in this ordinance means “to eject saliva forcibly from one’s mouth”.

SECTION TWO. It shall be prohibited to Intentionally Cough, Sneeze, or Spit on any Essential Worker within the City of St. Louis.

SECTION THREE. Penalty for Violations. Any person found to be in violation of this ordinance shall be guilty of an ordinance violation and subject to a fine of not less than Two Hundred Fifty Dollars ($250.00) and not more than Five Hundred Dollars ($500) or a term of imprisonment of not more than Ninety Days (90) or both a fine and term of imprisonment.

SECTION FOUR. Emergency Clause. This being an ordinance for the preservation of public peace, health, and safety, it is hereby delayed to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the Charter of the City of St. Louis and therefore shall become effective immediately upon its passage and approval by the Mayor.

SECTION FIVE. Effective Period. This ordnance shall become effective upon its signature by the Mayor and shall remain in effect until July 1, 2021.