

ORDINANCE # 16 - 2021

AN ORDINANCE OF THE CITY OF BEREA, KENTUCKY, REMOVING MEETING PROTOCOLS FOR NOVEL CORONAVIRUS (COVID-19), AND REPEALING ORDINANCE NOS. 08-2020 AND 11-2021.

WHEREAS, on March 6, 2020, the Governor issued Executive Order 2020-215, declaring a state of emergency throughout Kentucky pursuant to his power under the Kentucky Constitution and KRS Chapter 39A regarding the threats to public health presented by the Novel Coronavirus (COVID-19) pandemic; and

WHEREAS, the Secretary of the Kentucky Finance and Administration Cabinet has more fully described the public health threats of COVID-19 in the "Memorandum Re: Meeting Protocol for Novel Coronavirus (COVID-19)" dated March 16, 2020 (hereinafter the: "Meeting Protocol"); and

WHEREAS, pursuant to the provisions of Ordinance No. 08-2020, the City Council established meeting protocols for City meetings and provided for remote-only meetings to be conducted by video conferencing; and

WHEREAS, thereafter, since Kentucky had seen significant progress in its contention with the COVID-19 pandemic, in March, 2021, the City Council enacted Ordinance No. 11-2021, revising and easing the protocols for public meetings; and

WHEREAS, inasmuch as cases of COVID-19 have continued to decline for multiple weeks as of June 4, 2021, with a positivity rate of 2.52%, with no Kentucky counties in the red zone, and more than 2,078,000 Kentuckians have been vaccinated, and more than 46% of Kentuckians are fully vaccinated; and

WHEREAS, Governor Beshear has lifted all capacity restrictions on June 11, 2021; and

WHEREAS, it is possible and practical for Berea's council, boards, and commissions, to meet in person and allow public attendance with appropriate social distancing; and

WHEREAS, the City Council determines that the provisions of Ordinance Nos. 08- 2020 and 11-2021 should be repealed to permit members of the council, boards, and commissions, along with the public, to attend meetings in person;


NOW, THEREFORE: BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEREA, KENTUCKY, AS FOLLOWS:

1. The provisions of Ordinance Nos. 08-2020 and 11-2021 be and the same are hereby REPEALED, and shall no longer be in any force and effect.

2. Protocols for all City of Berea public meetings shall be governed by the provisions of Kentucky law and the Berea City Code; provided that any restrictions and limitations on public gatherings or social distancing recommendations of the Centers for Disease Control may be imposed by specific direction of the Mayor.
3. All ordinances or parts of ordinances in conflict herewith are repealed. This ordinance shall be published according to law.
4. The City Council specifically determines that an emergency exists and upon the vote of two-thirds (2/3) of the total membership of the Council, and pursuant to KRS 83A.060(7), this Ordinance shall be and is effective immediately upon enactment.

FIRST READING AND ENACTMENT: June 15, 2021

APPROVED BY:



Bruce Fraley, Mayor


ATTEST:



Clerk of the City Council

Published this 16th day of June, 2021.

PREPARED BY:



Corporate Counsel