

COVID-19 EMERGENCY PROCLAMATION NO. 4

CURBSIDE SERVICES; SPECIAL EVENT BANNER FEES

I, John M. Wirth, as Mayor and Chief Executive Officer of the City of Mequon, make the following Proclamation in consideration of the following:

A. COVID-19, a novel strain of coronavirus, was detected in December of 2019 and has subsequently spread throughout the world, including every state in the United States.

B. On January 3, 2020, the World Health Organization declared COVID-19 to be a Public Health Emergency of International Concern.

C. On March 12, 2020, Governor Tony Evers declared a public health emergency in connection with COVID-19.

D. On March 13, 2020, President Donald Trump proclaimed a National Emergency in connection with concerning COVID-19.

E. On March 16, 2020, I proclaimed, on behalf of the City of Mequon, a Public Health Emergency as defined in Wisconsin Statutes Section 323.02(16) and a Disaster as defined in Wisconsin Statutes Section 323.02(6); accordingly, the City of Mequon implemented its emergency authority under Wisconsin Statutes Section 323.11. The Common Council affirmed that proclamation at its meeting on March 17, 2020.

F. On March 24, 2020, the Secretary designee of the Wisconsin Department of Health Services, at the direction of Governor Tony Evers, issued a Safer at Home Order (Emergency Order #12) (“Order #12”). Order #12 has been amended numerous times, including by a second Safer at Home Order dated April 16, 2020 (Emergency Order #28) (“Order #28”).

G. Order #28 restricts certain businesses to curbside and/or carryout service, including restaurants, bars and Non-Essential Businesses as defined in Order #28 as much as it can.

H. The restrictions in Order #28 severely harm Mequon’s restaurants, bars and Non-Essential Businesses. The City of Mequon desires to mitigate such harm.

BASED ON THE FOREGOING and pursuant to Wisconsin Statutes Section 323.14(4)(b), I proclaim as follows:

1. Signage. A restaurant, bar or Non-Essential Businesses, if and to the extent it is limited to curbside and/or carryout service, may do any or all of the following:

(a) Place and maintain signs in doors and windows (i) giving hours of operations, (ii) providing telephone numbers and other contact information for placing orders and

(iii) providing instructions and giving other information related to their curbside and carryout services.

(b) Place and maintain signs in parking lots reasonably necessary to assist in curbside service, such as signs indicating parking space numbers and directional signs indicating travel for motorists to ease traffic congestion and maneuverability within the parking lot.

(c) Display and maintain one banner, as such term is defined in Section 62-1 of the Mequon Code of Ordinances (the “Code”) subject to the size limitation set forth in Section 62-13(d)(2) of the Code; however, the requirements for a permit and limitations on duration, number of events and number of banners per site set forth in Section 62-13(d)(2) of the Code shall not apply.

The City of Mequon shall not enforce any ordinance prohibiting any sign described in this Section or otherwise conflicting with this Section however, the Mequon Police Department or Department of Community Development may require the removal of any sign that is unsafe or in disrepair.

2. Tents and Equipment Used to Assist in Curbside Service. A restaurant, bar or Non-Essential Businesses, if and to the extent it is limited to curbside service, may maintain a tent to assist in curbside service and/or equipment outside for keeping food and beverages hot or cold. No tent shall exceed 225 square feet.

The City of Mequon shall not require any prior approval of or permit for a tent or equipment described in this Section, and the City of Mequon shall not enforce any ordinance prohibiting any such tent or equipment or otherwise conflicting with this Section; however, the Mequon Police Department, Department of Community Development or Building Inspector may require the removal of any such tent or equipment if it is unsafe, conflicts with traffic or reduces parking in a manner that creates a problem on or off site, violates the health, electrical, plumbing or other building code or is in disrepair.

3. Fees for Banners. The City of Mequon shall charge no permit fee for any banner displayed pursuant to Section 62-13(d) of the Code. This Section shall apply to any banner legally displayed by any business in the City.

4. Lease Restrictions. Nothing in this Proclamation shall supersede any restriction set forth in any applicable lease.

5. Common Council Ratification. Pursuant to Wisconsin Statutes Section 323.14(4)(b), this Proclamation is subject to ratification, alteration, modification or repeal by the Common Council at its next meeting, which shall occur as soon as the Common Council can meet, but the subsequent action taken by the Common Council shall not affect the prior validity of this Proclamation.

6. Expiration. This Proclamation shall expire upon the later of (a) the cancellation or termination of the emergency proclamation dated March 16, 2020 as affirmed by the Common Council on March 17, 2020; or (b) 21 days after the cancellation or termination of the Safer at Home Order dated as of April 16, 2020 issued by Wisconsin Department of Health Services Secretary-Designee Andrea Palm, as amended.

Dated May 5, 2020, as amended and ratified by the Common Council on May 12, 2020.



John M. Wirth
Mayor