



**CITY OF KENNER  
STATE OF LOUISIANA  
OFFICE OF THE MAYOR  
EMERGENCY PROCLAMATION  
NO.: 006 EBZ 2020**

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**STATE OF EMERGENCY FOR COVID-19  
EXTENSION OF EMERGENCY PROVISIONS  
AND  
PHASE 2 OF THE RE-OPENING OF THE CITY OF KENNER**

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- WHEREAS** on March 11, 2020, the Governor of the State of Louisiana, in Emergency Proclamation Number 25 JBE 2020, declared a Public Health Emergency in response to the threat posed by COVID-19; and,
- WHEREAS** pursuant to the Charter of the City of Kenner, City of Kenner Code of Ordinances Sec. 6-1, the Louisiana Health Emergency Powers Act, La. R.S. 29:760, et seq., and the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R. S. 29:721, et seq. the Mayor declared, on March 13, 2020, a Public Health Emergency in Proclamation Number 001 EBZ 2020 in response to the threat posed by COVID-19; and,
- WHEREAS** the original proclamation issued by the Governor was further supplemented on March 14, 2020, March 16, 2020, March 19, 2020, March 22, 2020, March 26, 2020, March 31, 2020, April 30, 2020 and May 15, 2020 in order to protect the health and safety of the public because the extraordinary threat posed by COVID-19; and,
- WHEREAS** the original proclamation issued by the Mayor was supplemented by Proclamation Numbers 002 EBZ 2020, 002 EBZ 2020 Amended, 003 EBZ 2020, 004 EBZ 2020, and 05 EBZ 2020; and,
- WHEREAS** since the time of the original Stay at Home order, the number of new COVID-19 cases and COVID-19 related hospitalizations in Louisiana have decreased, with the peak of hospitalizations occurring on or near April 13, 2020; and,
- WHEREAS** on April 16, 2020, the White House Coronavirus Task Force issued guidelines entitled "Opening Up America Again" that provided guidance to the states on how various parts of the economy could be re-opened; and,
- WHEREAS** this guidance calls for the re-opening to occur in three phases, with the criteria for movement into the first phase being a 14-day downward trajectory in influenza-like and COVID-19-like symptoms, a 14-day downward trajectory in cases or positive tests as a percent of total tests, and the ability for hospitals to treat all patients without crisis care; and,
- WHEREAS** this gradual re-opening is based upon the advice and expertise of medical experts at the Louisiana Department of Health; and,

- WHEREAS** pursuant to Proclamation Number 58 JBE 2020, the State of Louisiana moved into Phase I of recovery on Friday, May 15, 2020; and,
- WHEREAS** pursuant to Emergency Proclamation 05 EBZ 2020, the City of Kenner moved into Phase I of recovery on Friday, May 15, 2020; and,
- WHEREAS** since entering Phase 1, the requirements set by the White House Coronavirus Task Force to move into Phase 2 have been met; and,
- WHEREAS** this gradual re-opening is based upon the advice and expertise of medical experts at the Louisiana Department of Health; and,
- WHEREAS** should there be an increase in the number of confirmed COVID-19 cases or should the number of COVID-19 related hospitalizations threaten the ability of the health care system to properly respond, it may be necessary to go back to the full restrictions in the Stay at Home order in Proclamation Number 005 EBZ 2020; and,
- WHEREAS** the Governor has renewed and extended Proclamation Number 25 JBE 2020, as well as Proclamation Numbers 27 JBE 2020, 30 JBE 2020, 32 JBE 2020, 33 JBE 2020, 37 JBE 2020, and 52 JBE 2020, among others; and,
- WHEREAS** it is necessary to renew certain provisions of Proclamation Numbers 001 EBZ 2020, 002 EBZ 2020, 002 EBZ 2020 Amended, 003 EBZ 2020, 004 EBZ 2020, and 005 EBZ 2020; and,
- WHEREAS** these measures are necessary to protect the health and safety of the people of the City of Kenner.

**NOW THEREFORE, I, E. “Ben” Zahn III**, Mayor of the City of Kenner, by virtue of the authority vested in me by the Charter of the City of Kenner, City of Kenner Code of Ordinances, the Louisiana Homeland Security and Emergency Assistance and Disaster Act, and any other acts which may prevail, do hereby order and direct as follows:

- SECTION 1** Pursuant to the City of Kenner Code of Ordinances and the Louisiana Health Emergency Powers Act, La. R.S. 29:760, *et seq.*, and the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R. S. 29:721, *et seq.*, a state of emergency is hereby declared to exist within and throughout the City of Kenner as a result of the novel coronavirus named SARS-CoV-2 and the respiratory disease cause by it known as Coronavirus Disease 2019 (COVID-19), which has created emergency conditions that threaten the lives and property of the citizens of the City of Kenner.

## **PHASE 2 ORDER**

- SECTION 2** A) All individuals who are at higher risk of severe illness from COVID-19 should stay at home, unless travelling outside the home for an essential activity, such as:
- 1) Obtaining food, medicine, and other similar goods necessary for the individual or a family member of the individual.
  - 2) Obtaining medical care and treatment and other similar vital services for an individual or a family member of the individual.
  - 3) Going to and from an individual's workplace.
  - 4) Going to and from the home of a family member.
  - 5) Going to and from an individual's place of worship.

- 6) Engaging in outdoor activity, provided individuals maintain a distance of six feet from one another.

Those individuals who are at higher risk of severe illness, as designated by the Centers for Disease Control (CDC), are those individuals with conditions such as asthma, chronic lung disease, compromised immune systems (including from smoking, cancer treatment, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, or use of corticosteroids or other immune weakening medications), diabetes, serious heart disease (including heart failure, coronary artery disease, congenital heart disease, cardiomyopathies, and hypertension), chronic kidney disease undergoing dialysis, liver disease, or severe obesity or those who are 65 or older or living in a nursing home or a long term care facility.

- B) All individuals should avoid groups of any size that do not allow for strict social distancing.
- C) All businesses and organizations shall require that any owner or employee having interaction or contact with the public shall wear a mask or a face covering.
- D) All individuals are strongly encouraged to wear masks or face coverings at all times if interacting with other members of the public outside of household family members, stay home and isolated if experiencing any COVID-19-like symptoms, wash hands frequently, and maintain moderate social distancing.

**E) CLOSURE OF NONESSENTIAL BUSINESSES**

- 1) The following nonessential businesses shall remain closed to the public and members: places of public amusement, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, trampoline parks, arcades, fairs and festivals, children's play centers, indoor playgrounds, theme parks, concerts and music halls.
- 2) Any business remaining closed under Subsection (E)(1) above may submit a reopening plan with specific proposals for occupancy and sanitization to the State Fire Marshal. The State Fire Marshal is authorized to approve a reopening plan and allow for reopening or may provide guidance necessary for a reopening in Phase 3. The State Fire Marshal shall further consult with the Louisiana Department of Health in reviewing any reopening plan. No occupancy limits authorized by the State Fire Marshal under this Subsection may exceed 50% occupancy.

**F) CRITICAL INFRASTRUCTURE AND ESSENTIAL BUSINESSES**

All businesses outlined in the guidance from the Cybersecurity and Infrastructure Security Agency (CISA) as outlined in version 3.1 of that guidance may remain in full operation. All owners and employees at such businesses shall maintain moderate social distancing between themselves and members of the public and shall wear face coverings at all times if interacting with the public.

**G) OTHER BUSINESSES AND ORGANIZATIONS ALLOWED TO CONTINUE OPERATIONS**

- 1) Restaurants, Cafes, and Coffee Shops
- a) All restaurants, cafes, and coffee shops shall be allowed

to continue drive-up or curbside delivery service.

- b) All restaurants, cafes, and coffee shops shall be allowed to begin dine in service under the following conditions:
  - i. No establishment shall exceed 50% of the total occupancy as determined by the State Fire Marshal.
  - ii. All employees and owners at such businesses shall maintain moderate social distancing between themselves and members of the public and shall wear face coverings at all times if interacting with the public.
  - iii. Waiting areas shall be closed. Members of the public should be required to make reservations or to wait outside, while maintaining social distancing, or in vehicles.
  - iv. All buffets or other common food stations shall remain closed.
- c) Any bar with an approved food service permit from the Louisiana Department of Health may reopen under the same requirements in subparagraph G(1)(b) above.
- d) Any bar without an approved food service permit from the Louisiana Department of Health may reopen but shall not exceed 25% of the total occupancy as determined by the State Fire Marshal.
- e) Any business operating pursuant to this subsection shall follow the applicable guidance from the State Fire Marshal published at <https://opensafely.la.gov/> and the Louisiana Department of Health with regard to sanitization and disinfection.

2) Beauty Shops, Salons, and Barbershops

All beauty shops, salons, and barbershops shall be allowed to operate under the following conditions:

- a) No establishment shall exceed 50% of the total occupancy as determined by the State Fire Marshal.
- b) Waiting areas shall be closed. Members of the public should be required to make reservations or to wait outside, while maintaining social distancing, or in vehicles.
- c) All employees and owners at such businesses shall maintain, as much as possible, moderate social distancing between themselves and between members of the public and shall wear face coverings at all times if interacting with the public.
- d) Any business operating pursuant to this subsection shall follow the applicable guidance from the State Fire Marshal published at <https://opensafely.la.gov/> and the Louisiana Department of Health with regard to sanitization and disinfection.

3) Shopping Malls

All shopping malls shall be allowed to operate under the following conditions:



- a) Shopping malls may reopen at no more than 50% of the total occupancy as determined by the State Fire Marshal.
  - b) Any store or business establishment in a shopping mall may reopen at no more than 50% of the total occupancy as determined by the State Fire Marshal, counting both the number of employees and members of the public present in the building at one time.
  - c) All employees or owners at any mall businesses shall maintain moderate social distancing between themselves and between members of the public and shall wear face coverings at all times if interacting with the public.
  - d) Mall food courts may open in line with the restaurant guidance contained in Subsection (G)(1) above and the restaurant guidance published at [opensafely.la.gov](https://opensafely.la.gov).
  - e) Any establishment in operation shall follow guidance from the Louisiana Department of Health with regard to sanitation and disinfection.
- 4) Churches and other faith-based organizations:
- a) No establishment shall exceed 50% of the total occupancy as determined by the State Fire Marshal.
  - b) Outdoor services may continue pursuant to the May 1, 2020 guidance set forth by the State Fire Marshal.
  - c) All employees of churches and faith-based organizations shall maintain moderate social distancing, to the extent possible, between themselves and members of the public and shall wear face coverings at all times if interacting with the public.
  - d) Lobbies or other areas where members of the public may congregate (except for bathrooms) shall be closed to the public.
  - e) Any church or faith-based organization shall follow the applicable guidance from the State Fire Marshal published at [opensafely.la.gov](https://opensafely.la.gov).
- 5) Casinos, Racetracks, and Video Poker Establishments:
- a) No establishment shall exceed 50% of the total occupancy as determined by the State Fire Marshal.
  - b) No more than 75% of gaming positions shall be in use at any one time and all utilized gaming positions shall be at least 6 feet apart from one another, unless separated by physical barriers.
  - c) All establishments shall be required to have approved reopening plans from the Louisiana Gaming Control Board prior to reopening. Further, any plan to use physical barriers needs to be approved by the Louisiana Gaming Control Board.
  - d) All racetracks shall be required to have an approved reopening plan from the Louisiana Racing Commission prior to reopening.
  - e) All employees and owners of such businesses shall maintain moderate social distancing, to the extent

possible, between themselves and members of the public and shall wear face coverings at all times if interacting with the public.

- f) Lobbies or other areas where members of the public may congregate (except for bathrooms) shall be closed to the public. Members of the public should be required to wait outside, while maintaining social distancing, or in vehicles.
- 6) Gyms and fitness centers:
- a) No establishment shall exceed 50% of the total occupancy as determined by the State Fire Marshal.
  - b) All employees and owners of such businesses shall maintain moderate social distancing, to the extent possible, between themselves and members of the public and shall wear face coverings at all times if interacting with the public.
  - c) Waiting rooms, lobbies, or other areas where members of the public may congregate (except for bathrooms) shall be closed to the public. Members of the public should be required to wait outside, while maintaining social distancing, or in vehicles.
  - d) Any business operating pursuant to this subsection shall follow the applicable guidance from the State Fire Marshal published at <https://opensafely.la.gov/> and the Louisiana Department of Health with regard to sanitization and disinfection.
- 7) All other businesses or organizations shall be allowed to continue operations, subject to the following conditions:
- a) No establishment shall exceed 50% of the total occupancy as determined by the State Fire Marshal.
  - b) All employees and owners of such businesses shall maintain social distancing, to the extent possible, between themselves and members of the public and shall wear face coverings at all times if interacting with the public.
  - c) Waiting rooms, lobbies, or other areas where members of the public may congregate (except for bathrooms) shall be closed to the public. Members of the public should be required to wait outside, while maintaining social distancing, or in vehicles.
  - d) Any business operating pursuant to this subsection shall follow the applicable guidance from the State Fire Marshal published at <https://opensafely.la.gov/> and the Louisiana Department of Health with regard to sanitization and disinfection.

**SECTION 3** The Governor has established the Resilient Louisiana Commission and the industry task forces set up under the commission to develop further guidance to assist in the movement into Phase 2. Upon written approval by the Governor and/or the Mayor, this guidance shall be considered incorporated into this proclamation.

## **EXTENSION OF EMERGENCY PROVISIONS**

**SECTION 4** A) Most City buildings remain closed to the public. Certain specifically

identified City Buildings will be open to limited access by the public. However, all City of Kenner departments shall remain open and all governmental functions shall continue.

- B)** The Mayor of the City of Kenner may enact special screening and entry measures at any City of Kenner facility, event or location, to include, but not be limited to: erecting signage and special instructions, markings, barriers, screening measures, including temperature checks, and other reasonable methods or protocols recommended in accordance with CDC and LDH guidance. All visitors to City of Kenner facilities will be required to comply with these measures in order to gain access to and remain within public facilities or events operated by the City of Kenner. Furthermore, employees of the City of Kenner will be required to comply with testing measures outlined by the Human Resources Department enacted to protect public health and safety.

**SECTION 5 A)** In accordance with the Governor's Proclamation 75 JBE 2020, suspension of the Louisiana Procurement Code (La. R.S. 39:1551, et seq.) and the Louisiana Public Bid Law (La. R.S. 38:2211, et seq.) and their corresponding rules and regulations are continued for the purpose of the procurement of any goods and services necessary to respond to this emergency.

- B)** Pursuant to La. R.S. 29:732(A), prices charged or value received for goods and services sold may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

- C)** In accordance with the Governor's Proclamation 75 JBE 2020, for procurement and contracting, strict compliance with the Louisiana Procurement Code (La. R.S. 39:1551, et seq.), Telecommunications Procurement (La. R.S. 39:1751-1755), and Information Technology Procurement (La. R.S. 39:196-200), shall not be required. However, all departments should continue to comply with the following conditions:

- 1) The City Attorney must determine that the failure to strictly comply with the statutory restriction is necessary due to the emergency.
- 2) The Chief Financial Officer must monitor all transactions conducted without strict statutory compliance, maintaining copies of all documentation. Documentation should specify whether the purchase falls into the "emergency" or "permanent" category and whether the purchase relates to the COVID-19 event referenced in Proclamation Number 001 EZB 2020 and all documentation must be maintained and available for audit and FEMA reimbursement purposes.
- 3) Written competitive quotes and/or offers must be obtained whenever possible and agencies must take the necessary steps to assess that fair and equitable pricing is being offered.
- 4) Performance-based contracting should be used where practical.
- 5) Statewide and/or Parish wide contracts should be used where practical.
- 6) To the maximum extent possible, such emergency contracts should be only for the duration of the emergency or to allow the City time to comply with normal competitive bidding requirements if the goods or services will be required for an extended period of time.
- 7) Payments to contractors should be made only after

verification that all goods and services meet contract requirements.

8) All Public Bid Openings shall be suspended. Bid openings will continue, however public openings will not occur in order to limit the potential for exposure. Bid openings will be made available via phone conference or web conference.

D) In accordance with the Governor's Proclamation 75 JBE 2020, the following provision of the Public Bid Law, La. R.S. 38:2211, et seq., is in effect, however, deadlines may be extended during this emergency:

Louisiana Public Bid Law (La. R.S. 38:2211, et seq.) and its corresponding rules and regulations relating to deadlines for advertisement for bids for public works, submission of bids and ancillary documents, award and execution of public works contracts, and any other deadlines related to the advertisement, award, and execution of a public works contract mandated by statute or by said rules and regulations can be extended as necessary.

**SECTION 6** Unless otherwise provided in this order, these provisions are effective from Friday June 5, 2020 to Friday June 26, 2020, or as extended by any subsequent Proclamation, unless terminated sooner.

**IN WITNESS WHEREOF**, I have set my hand officially and caused to be affixed the Great Seal of the City of Kenner, State of Louisiana, at Kenner, Louisiana, on this 5th day of June, 2020.



E. "BEN" ZAHN III  
Mayor of the City of Kenner