

**INSTRUCTION SHEET
ADDITIONS TO
MILWAUKEE CODE OF ORDINANCES
VOLUME 1**

SUMMARY

This supplement incorporates changes to Volume 1 of the Milwaukee Code of Ordinances enacted by the following Common Council files:

210100 A substitute ordinance relating to the requirement for face coverings in outdoor public spaces.

<u>Section Affected</u>	<u>Action</u>	<u>File Number</u>	<u>Effective Date</u>	<u>Remove Pages</u>	<u>Add Pages</u>
Remove <u>old</u> MEMO (Suppl. #411)					
Volume 1					
62-1-12	am	210100	06/12/2021	105-106	105-106
62-8-2	rc	210100	06/12/2021	105-106	105-106
75-15-2-a-6	corr.			193-194	193-194

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Abbreviations: am=amended ra=renumbered and amended rn=renumbered
 cr=created rc=recreated rp=repealed

MEMO

If all supplements have been properly inserted, this book contains all actions of the Common Council through May 25, 2021.

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Suppl. #412

**CHAPTER 62
COMMUNICABLE DISEASES**

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killing of infectious material after the patient has been removed by death or to a hospital or has ceased to be a source of infection.

6. LABORATORY means a biological, chemical, clinical or microbiological laboratory which is authorized or certified by the Wisconsin department of health and social services to perform tests for the detection or confirmation of diseases.

7. PATIENT means a person who has or is suspected of having a reportable or nonreportable communicable disease.

8. PERSON means any individual, firm, partnership, trustee, agent, association, corporation, company, governmental agency, club or organization of any kind.

9. PRINCIPAL means the person who is in charge of a school or day care.

10. QUARANTINE means restriction of the activities of well persons who have been exposed to a disease to prevent transmission of the disease.

11. FACE COVERING means a protective mask covering the nose and mouth, including cloth face coverings or surgical masks as described by the centers for disease control and prevention.

12. BUILDING OPEN TO PUBLIC means any structure or premises licensed by the city of Milwaukee or used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or other use by the public, not including an outdoor space or patio.

62-1. Definitions. 1. COMMISSIONER means the commissioner of health of the city of Milwaukee or his or her representative.

2. COMMUNICABLE DISEASE means an illness due to a specific infectious agent or its toxic products which arises through transmission of that agent or its products from an infected person or animal or a reservoir to a susceptible host, either directly or indirectly through an intermediate plant or animal host, vector or the inanimate environment.

3. CONTACT means a person or animal that has been in association with an infected person or animal or a contaminated environment which may provide an opportunity to acquire the infective agent.

4. DISEASE includes conditions detrimental to health.

5. DISINFECTION means the killing of infectious agents outside the body by direct exposure to chemical or physical agents.

a. CONCURRENT DISINFECTION means the application of measures to cause killing of infectious agents as soon as possible after the discharge of infectious material from the body of an ill person or after the soiling of articles with such infectious discharges.

b. TERMINAL DISINFECTION means the application of measures to cause

62-3. Purpose. This chapter is enacted to protect the public health by requiring reporting of certain communicable diseases so that appropriate epidemiological control actions such as isolation or quarantine may be taken to control the spread of disease; to limit the employment in high risk occupations both for profit and by volunteers of persons with certain diseases during the time those persons may spread their disease to others through their employment; and to protect the public health by limiting attendance at school, nursery school or day care by persons with certain communicable diseases or conditions until the diseases or conditions are no longer communicable or are rectified.

62-5. List of Communicable Diseases. A copy of the list of reportable communicable diseases

62-7 Communicable Diseases

shall be kept on file, available to the public, in the office of the commissioner.

62-7. Reporting of Communicable Diseases.

1. Any person licensed under ch. 441 or 448, Wis. Stats., who knows or has reason to know, or has a reasonable suspicion that a person treated or visited by the licensee has a reportable communicable disease, or having had such disease, has died, shall report the same to the commissioner.

2. Any person, other than those licensed under ch. 441 or 448, Wis. Stats., having knowledge or reason to believe or suspect that anyone has a reportable communicable disease shall report such belief to the commissioner.

3. Each laboratory shall report to the commissioner those specimen results the commissioner designated to aid in the surveillance, diagnosis, control and prevention of communicable diseases, including cases of suspected food poisonings and outbreaks of disease occurring in the city of Milwaukee.

4. Unless otherwise specified, all reports required by this section shall be made within 24 hours either by telephone, telegraph, mail, or deposit at the office of the commissioner in a form prescribed by the commissioner.

62-8. Face Covering Requirements During the COVID-19 Pandemic.

1. MASK REQUIRED INDOORS. For the duration of the 'Moving Milwaukee Forward' health and safety orders, any person 3 years old or older who is present in the city of Milwaukee shall have possession of a face covering when the person leaves home or other place of residence and shall wear the face covering whenever the person is in a building open to the public.

2. MASK REQUIRED OUTDOORS. For the duration of the 'Moving Milwaukee Forward' health and safety orders, any person 3 years old or older who is present in the city of Milwaukee shall comply with the outdoor guidance provided by the centers for disease control and prevention.

3. MASK REQUIRED FOR CITY FACILITIES AND EMPLOYEES. The commissioner of public works and director of employee relations shall establish a face covering requirement policy for all city employees and other persons on the premises of any city facility.

4. EXCEPTIONS. Exceptions for face coverings will be made under the following circumstances:

a. Persons who fall into the centers for disease control and prevention's guidance for those who should not wear face coverings due to a medical condition, mental health condition, developmental disability, or for whom no other accommodation can be offered under the Americans with disabilities act.

b. Persons who have upper-respiratory chronic conditions, silent or invisible disabilities, or are communicating with an individual who is deaf or hard of hearing and communication cannot be achieved through other means.

c. Persons in settings where it is not practical or feasible to wear face coverings when obtaining or rendering goods or services to the extent necessary to obtain or render such goods or services including but not limited to the receipt of dental services or medical treatments or consuming food or beverages.

d. Whenever federal, state, or local law otherwise prohibit wearing a face mask or where it is necessary to evaluate or verify an individual's identity.

e. Persons whose religious beliefs prevent them from wearing a face covering.

f. Persons present in government facilities closed to the public, institutions of higher education, public and private K through 12 schools, and childcare or youth facilities that have a mitigation strategy approved by the commissioner of health.

5. PENALTY. The health department shall enforce this section. The owner or operator of any building open to the public shall ensure all persons present in his or her building open to the public comply with sub. 1. The owner or operator of any building open to the public has the right to refuse entry or service to any person for failure to comply with sub. 1. Any owner or operator of a building open to the public that permits a person to violate sub. 1 in their building open to the public shall upon conviction forfeit not less than \$50 and not more than \$500. The commissioner of health and city attorney are authorized to pursue license revocation or a court order closing a building open to the public in accordance with state and local law for failing to require persons present to abide by sub. 1.

19. PENALTY. Any person violating this section shall be subject to a penalty specified under s. 61-11.

75-15. Ambulance Certification Regulations.

1. DEFINITIONS. In this section:
 - a. "Advanced life support" ("ALS") means advanced life support as defined in s. DHS 112.03(1), Wis. Adm. Code.
 - b. "Agreement" means the ambulance service standards agreement identified in sub. 2-b-2.
 - c. "Ambulance" means a certified emergency vehicle used to transport sick, disabled or injured individuals as defined in ss. 146.50(1)(am) and 340.01(3)(i), Wis. Stats.
 - d. "Ambulance rate" means the base fee for ambulance conveyance which cannot be exceeded by certified providers on city authorized dispatch.
 - e. "Basic life support" ("BLS") means basic life support as defined in s. DHS 110.03(7), Wis. Adm. Code.
 - f. "Board" means the ambulance service board.
 - g. "Certified provider" means a provider from the private sector that applied for and obtained a certificate to supply services within the Milwaukee emergency medical services system as a certified provider.
 - h. "Committee" means the committee designated by the common council as responsible for ambulance service regulations.
 - i. "Emergency medical services" (EMS) means those services which are required as a result of an unforeseen attack of illness or an injury. These include rescue, ambulance, hospital emergency department, communications and public education services.
 - j. "EMT" means emergency medical technician as defined in s. DHS 110.03(14), Wis. Adm. Code.
 - k. "Fire department" means the city of Milwaukee fire department.
 - L. "Incident" means each event that causes MFD dispatch, through its usual procedures to refer a request for ambulance transport service to a certified provider, by telephone or other electronic means.
 - m. "Milwaukee emergency medical services system" means a system composed of fire department personnel and equipment, and private sector personnel and equipment for the purpose of providing advanced life support and basic life support responses and conveyances within city limits.

- n. "Milwaukee fire department dispatch" ("MFD dispatch") means the dispatch center operated by the fire department at any location for receiving and dispatching all calls for emergency medical assistance.
 - o. "Private sector" means any person, firm, partnership or corporation within the city providing ambulance services on a fee-for-service basis.
 - p. "Service area" means a geographically defined area within the city assigned in accordance with sub. 13.
2. AMBULANCE SERVICE BOARD.
 - a. Establishment. An 11-member ambulance service board is established consisting of:
 - a-1. A member of the public safety and health committee appointed by the president of the common council.
 - a-2. City health commissioner or designee.
 - a-3. Public member appointed by the mayor and confirmed by the common council. This member shall serve a term coterminous with that of the mayor. The mayor shall make his or her appointment within 60 days after commencement of a new common council-mayoral term or within 60 days after a vacancy in the board occurs, whichever is later.
 - a-4. Homeland security director or designee.
 - a-5. Milwaukee fire department medical director. This member shall not participate in disciplinary matters.
 - a-6. Representatives of the 5 hospital systems of Advocate Aurora, Ascension, Children's Hospital, Froedtert and the Medical College of Wisconsin, and Veterans Health Administration. A hospital representative shall not be a current medical director of a provider.
 - a-7. Designee of the Milwaukee county medical society EMS committee by action of the committee, who shall not be a current medical director of a provider.
 - b. Duties.
 - b-1. The board shall advise the committee on all matters pertaining to issuance, renewal, suspension, revocation and reinstatement of certified provider certificates, and shall, consistent with sub. 13, assist in the development and modification of service plans.
 - b-2. The board, with the assistance of the city attorney, the chief of the fire department and the certified providers shall oversee development and implementation of the agreement between the city and the certified providers, for specifying appropriate rules,

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regulations, procedures and service standards as required for the safe operation of the Milwaukee emergency medical services system.

c. The city clerk's office shall staff the board.

3. CERTIFICATION. No one from the private sector shall within the city act as a certified provider within the Milwaukee emergency medical services system without first having obtained a certificate as provided under this section. This section applies only to private sector providers supplying services to the city of Milwaukee emergency medical services system.

4. APPLICATION FOR CERTIFICATION AS CERTIFIED PROVIDER AND SERVICE AREA. a. Application for certificates as a certified provider under this section shall be filed with the health department on forms approved by the committee. The board and the committee are authorized to require sufficient information to determine the qualifications of the applicant to engage in the business of providing basic life support and advanced life support ambulance conveyances to the Milwaukee emergency medical services system. The application signed in proper form shall be presented to the common council for referral to the committee for its recommendation.

b. Each applicant shall furnish his or her name, date of birth, address, employer's name and address, a statement as to whether the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance other than traffic violations, and any other information required by the committee, subject to s. 111.335, Wis. Stats. All applicants for certificates as certified providers shall be exempt from the fingerprinting requirement provided in s. 85-21-1.

c. The fire department shall promulgate an appropriate initial or renewal application form to all providers by not later than September 1 of each year. All applications for initial or renewal certification shall be filed not later than September 30, to be eligible for certification for the next service period.

5. FEES. An applicant filing an initial application for a certificate as a certified provider or an application for renewal shall pay the fee required in ch. 60.

6. INVESTIGATION. Upon receipt of the application for a certificate as a certified provider, the matter shall be referred to the chief of police, who shall cause an investigation of the applicant's moral character to be made for the protection of the public health, welfare and

safety. As part of the investigation, the chief of police shall report to the health department all convictions, other than traffic violations, of the applicant, together with any other information in the possession of the police department as to the business conduct and moral character of the applicant.

7. HEARING. a. Upon referral of an application for certification as a certified provider from the common council to the committee, the committee shall schedule a hearing thereon. Prior to the hearing, the committee shall submit the application to the board for its consideration and advice.

b. The applicant shall receive notice of the hearing not less than 10 days prior to the hearing. At the hearing, the applicant may be represented by counsel, present witnesses and cross-examine any adverse witnesses under oath, and receive a transcript of the hearing at the applicant's expense.

c. At the conclusion of the hearing, a recommendation shall be made by the committee to the common council. Any member of the committee who votes to deny an application shall state the basis for the vote on the record.

8. CERTIFICATE ISSUANCE. The health department shall issue to each person qualifying under this section a certificate as a certified provider on which there shall be the person's true first name, surname and middle initial, the number of the certificate, and the period of time for which the certificate is valid. The certificate shall be in such form so to avoid alteration. The certificate shall be maintained by the provider and be exhibited to any person requesting to see it. Furthermore, the health department shall assign to each qualified person a series of numbers, which shall be used to identify the provider's ambulances. These numbers shall be placed on the front doors of the ambulances and shall be at least 5 inches high and in a color to contrast with the background on which it is placed.

9. APPROVAL OR DENIAL OF CERTIFICATE. a. The committee may recommend the denial of any application for certification as a certified provider for any of the following reasons:

a-1. The applicant is not of good character.

a-2. The applicant has violated any of the required or prohibited practices set forth in this section.

a-3. The applicant's previous certificate has been revoked for any reason whatsoever.