

ORDINANCE NO. _____

1 AN ORDINANCE repealing Chapter 8.16 of the Lincoln Municipal Code,
2 Contagious and Infectious Diseases, by repealing Sections 8.16.010, 8.16.020, 8.16.030, 8.16.040,
3 8.16.050, 8.16.060, 8.16.070, 8.16.080, and 8.16.090 in their entirety.

4 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

5 Section 1. That Chapter 8.16 of the Lincoln Municipal Code be and the same is
6 hereby repealed.

7 ~~**8.16.010 — Sexually Transmitted Diseases Defined.**~~

8 ~~Sexually transmitted diseases shall include syphilis; gonorrhea; chancroid; sexually~~
9 ~~transmitted diseases as specified by regulation of the Nebraska State Department of Health; and such~~
10 ~~other sexually transmitted diseases as adopted by regulation of the Board of Health and approved~~
11 ~~by the Nebraska State Department of Health. Such sexually transmitted diseases are hereby~~
12 ~~recognized and declared to be contagious, communicable, infectious, and dangerous to the public~~
13 ~~health.~~

14 ~~**8.16.020 — Sexually Transmitted Diseases; Persons Responsible for Reporting.**~~

15 ~~It is hereby made the duty of all physicians, nurses, hospital attendants and all other persons~~
16 ~~in attendance on a case or suspected case of sexually transmitted disease or who is prescribing for~~
17 ~~and attending any patient afflicted with any sexually transmitted disease, or any physician, having~~
18 ~~knowledge of any person who is suffering from any said disease, to report, within forty-eight hours~~
19 ~~after obtaining such knowledge, all such cases, giving the name, address, and occupation of the~~
20 ~~person to the Health Director.~~

21 ~~**8.16.030 — Isolation.**~~

22 ~~The Health Director may quarantine or isolate any person with an infectious, contagious, or~~
23 ~~dangerous disease who is not confined in a hospital or convalescent care facility to guard against the~~
24 ~~spread of such disease by establishing limits within which no person shall enter, except those~~
25 ~~necessarily in attendance upon such person. When such limits are established, the Health Director~~
26 ~~shall cause a notice of isolation, printed in large letters, to be placed upon, or near, any house in~~
27 ~~which any person may be afflicted or sick with any such disease upon which shall be printed a~~
28 ~~description of the limits of isolation. It shall be unlawful for any person to willfully enter such limits~~

1 at such times contrary to the provisions of this chapter, or to deface, alter, mutilate, destroy, or tear
2 down, or remove the notice herein named without permission of the Health Director. The Health
3 Director may adopt any other control measures by order which may seem advisable consistent with
4 applicable guidelines of the Federal Centers for Disease Control or other applicable guidelines

5 **8.16.040 — Exclusions and Control Measures.**

6 — Any child who has not received a vaccine or other immunity agent as recommended by the
7 Federal Centers for Disease Control against protussis, mumps, rubella, diphtheria, polio, or rubeola
8 or who does not have serologic confirmation of past infection with such diseases shall not be
9 permitted to attend school during an outbreak or when the particular school population has an
10 incidence of clinically confirmed cases of such diseases or when there is a community wide outbreak
11 of such diseases as determined by order of the Health Director. It shall be unlawful for any parent
12 or guardian having the legal custody of any child to knowingly cause or permit such child to attend
13 or be present within any school in violation of the order of the Health Director. The Health Director
14 may make such other reasonable orders for control measures of any contagious or infectious diseases
15 that are consistent with applicable guidelines of the Federal Centers for Disease Control or other
16 applicable guidelines; provided that no order for control measures, including orders excluding
17 children from school, shall be effective for more than thirty days without the approval of the Board
18 of Health. It shall be unlawful for any person to knowingly violate any provision of any order for
19 control measures provided for in this section.

20 **8.16.050 — Duty to Report Contagious Disease.**

21 — For the purpose of guarding against the introduction of contagious, infectious, or dangerous
22 diseases, it is hereby made the duty of all physicians and any person having charge of laboratories
23 or health care facilities in said city to report to the Health Director within twenty-four hours any
24 disease for which a report is required by the State Department of Health.

25 **8.16.060 — Report Forms; Furnished by Health Director.**

26 — It is hereby made the duty of the Health Director to prepare and furnish all the necessary
27 blanks for physicians and other reports and certificates required by this chapter.

28 **8.16.070 — Falsification of Information in Required Reports Unlawful.**

29 — It shall be unlawful for any person reporting any case of sexually transmitted diseases, to
30 falsely give the name, address, or occupation of the person having such sexually transmitted disease.

31 **8.16.080 — Sexually Transmitted Diseases; Unlawful to Expose Another to Infection.**

32 — It shall be unlawful for any person afflicted with any sexually transmitted diseases to
33 knowingly expose or communicate any of such sexually transmitted diseases to another person.

1 **8.16.090** ~~Sexually Transmitted Diseases; Infected Persons; Examination; Isolation; Court~~
2 ~~Order for Refusal to Comply.~~

3 ~~Whenever the Health Director shall have reasonable grounds, after proper investigation, to~~
4 ~~believe that any person within the city is suffering from, or infected with, any sexually transmitted~~
5 ~~disease that is likely to infect or to be the source of infection of another person, the Health Director~~
6 ~~may cause a medical examination to be made of such person for the purpose of ascertaining whether~~
7 ~~or not such person is in fact suffering from, or infected with, such disease. Every such person shall~~
8 ~~submit to such examination and permit such specimens of blood and body discharges to be taken~~
9 ~~for laboratory examinations as may be necessary to establish the presence or absence of such disease~~
10 ~~or infection. Every person who, by such examination, is found to be suffering from, or infected~~
11 ~~with, a sexually transmitted disease shall be required by the Health Director to submit to a pre-~~
12 ~~scribed course of treatment administered by the Health Director or by a duly licensed physician~~
13 ~~approved by the Health Director. The Health Director may order the isolation of such person so~~
14 ~~infected and treated and shall determine the place and the conditions under which such isolation and~~
15 ~~treatment shall be effected. Upon refusal to voluntarily submit to such examinations hereunder, the~~
16 ~~Health Director shall seek a court order from the district court directing such person to voluntarily~~
17 ~~submit to such examination and necessary isolation and treatment.~~

18 Section 2. That this ordinance shall take effect and be in force from and after passage
19 and publication in one issue of a daily or weekly newspaper of general circulation in the City,
20 according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2013:

Mayor