

Memo

To: Russ Dean (Town Manager) and Board of Selectmen
From: James Murray (Health Officer)
Date: 28-AUG-2020
Re: Mask Ordinance

Today, 28-AUG-2020, a final draft of the proposed mask ordinance is being submitted to the packet for the Selectboard Meeting to occur on 31-AUG-2020. The following changes have been made since the last draft was discussed at the Selectboard meeting on 24-AUG-2020.

This draft contains many revisions that were discussed during the last public comment portion of the Selectboard meeting, as well as revisions based on direct feedback.

The Declaration of Purpose language has been changed to better describe the situation and to highlight education as the primary purpose of the ordinance.

The Authority section has been adjusted as follows...

Language has been changed in the second "whereas" statement to reflect a better recognition of the health and wellbeing of the community.

Language has been changed in the third "whereas" statement to better reflect CDC language. Language in the fourth "whereas" statement now reflects CDC language from 7-AUG-2020, the most recent guidance.

"Whereas" statements 12, 13, and 16 have been removed.

"Whereas" statement has been added to highlight the opportunity to educate.

The line items have been changed as follows...

Item #2 has an exemption for food service kitchens and a variance process for businesses with unique situations.

Item #3 has the same variance process as #2 included.

Item #4, fixed verbiage regarding mouth and nose covering mask to face covering. Added "whether dining inside or outside" to the exemption for wearing masks at a table.

Item #6 now has a map attachment and clarifies that face coverings do not need to be worn in these areas when social distancing is possible.

New Item #7 added, stating that face coverings do not need to be worn outside when social distance is possible on any public areas, and shall not be required in transient passing scenarios.

Item #9 (formerly #8) language on walking has been removed entirely.

Item removed: "members of the public are strongly urged to wear face masks when attending social gatherings" due to the inapplicability in an ordinance.

New item #11 states a face covering is not required for those with medical/developmental conditions to whom the wearing of a face covering could pose a threat to health or safety.

The penalties section has been changes as follows:

A more clearly stated intent on education and information. Representatives of the Health Department shall be the designated responders to any call about a violation of the ordinance. Penalties are clearly labeled as a last resort and can only be used when noncompliance is repeated, intentional, and at the potential detriment of others. Fine amounts lowered to \$25 for second offense and \$50 for third and subsequent offences.

I recommend that the Selectboard adopt this most recent draft of the ordinance.

Any questions may be referred to the Town of Exeter Health Department.

James Murray

Health Officer
20 Court St. Exeter, NH 03833
[603-773-6132](tel:603-773-6132)