

Proclamation of the City of Hillsboro, Kansas

WHEREAS, the United States Departments of Health and Human Services declared a public health emergency for COV ID -19 beginning January 27, 2020, with now more than 4.53 million cases of the illness and more than 153,000 deaths as a result of the illness across the United States; and

WHEREAS, a State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020 and since the start of the pandemic the State of Kansas has experienced over 27,000 cases of the illness and over 350 deaths as a result of the illness; and

WHEREAS, in Marion County, there is a recent increase in cases as reported on the Marion County COVID dashboard; and

WHEREAS; this increased COVID-19 spread is a danger to the health and safety of every person in the City of Hillsboro and presents a threat to reopening and reviving the Marion County economy; and

THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Hillsboro do issue this proclamation strongly urging the use of face coverings by residents of, visitors to and businesses within the City of Hillsboro until the end of 2020 or earlier should the Marion County Health Department determine face coverings are longer recommended to stop the spread of COVID-19.

BE IT FURTHER RESOLVED that in support of this proclamation and in furtherance of the public's health, safety, and welfare the following guidance is offered:

Section 1. DEFINITIONS:

1. **FACE COVERING** means a protective mask covering the nose and mouth, including cloth face coverings or surgical masks or other materials described by the Centers for Disease Control and Prevention or a face shield that cover the front and sides of the face.
2. **BUILDING OPEN TO THE PUBLIC** means any structure used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy other use by the general public.

Section 2. FACE COVERINGS

1. **FACE COVERING USE INDOORS.** Any person five (5) years old or older should, whenever practical, wear a face covering whenever the person is in a common area of any building open to the public and cannot maintain six (6) feet of distance from any other person who is not a member of the person's family or household.
2. **FACE COVERING USE OUTDOORS.** Any person five (5) years old or older should, whenever practical, wear a face covering whenever the person is in an outdoor public

space and cannot maintain six (6) feet of distance from any other person who is not a member of the person's family or household.

Section 3. EXCEPTIONS. This proclamation recognizes that wearing a face covering may not be possible in every situation or for some people, including but not limited to:

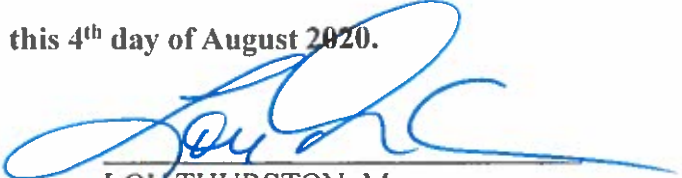
1. Persons who fall into the Centers for Diseases Control and Prevention's guidance for those who should not wear cloth face coverings due to a medical condition, mental health condition or sensory sensitivities, intellectual or development disabilities of for whom no other accommodation can be offered under the Americans with Disabilities Act.
2. 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.
3. Persons in settings where it is not practical or feasible to wear a face covering 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.
4. Persons for whom wearing a face covering would create a safety risk to the person related to their work.
5. Whenever a federal, state or local law otherwise prohibit wearing a face mask or where it is necessary to evaluate or verify an individual's identity.
6. Places of worship and person whose religious beliefs prevent them from wearing a face covering.

Section 4. PARTNERSHIP WITH BUSINESSES. Recognizing the significant challenges businesses have faced as a result of the COVID-19 and their need to continue operating along with the need to contain the transmission of COVID-19, the owners or operators of any building open to the public are strongly encouraged to adopt policies and practices for their individual businesses that are consistent with maintaining public health. Those policies and practices should be made known to the public so that they may take appropriate action before entering the business. Any member of the public who refuses to comply with face covering policy of a business and refuses to leave the premises after being asked to do so by the business owner or staff, may be considered in violation of other laws and subject to penalties for those violations.

Section 5. ENCOURAGEMENT AND RESPECT. All those who can wear a face covering to help reduce the spread of COVID-19 are strongly encouraged to so. Mitigating the spread of COVID-19 is the responsibly of all the members of, and visitors to, the community. We can only prevail and grow from this situation by working together in our common interest. As we work to meet the challenges of this pandemic, we must treat each other with respect and dignity regardless of our differences of ability and opinion.

Section 6. DURATION. This Proclamation and the guidance and requests made herein for the purposes of protecting the community shall continue and until the earliest of December 31, 2020, recommendation of the Administrator of the Marion County Health Department, or withdrawn, amended, or overruled by subsequent proclamation or ordinance.

Signed and sealed this 4th day of August 2020.



LOU THURSTON, Mayor