

**RESOLUTION NO. 2020-88**

**RESOLUTION ENCOURAGING AND RECOMMENDING FACE COVERINGS IN PUBLIC SETTINGS AND ADOPTING A POLICY REQUIRING USE OF FACE COVERINGS IN CITY FACILITIES AND BY CITY EMPLOYEES**

**WHEREAS**, the Governor of Iowa, by proclamation, continues to strongly encourage all Iowans two years of age or older to wear a mask or other face covering when in public settings, especially in circumstances when it is not possible to remain six feet away from others outside their household, unless it is unsafe to do so because of health or disability; and

**WHEREAS**, the Federal Center for Disease Control (“CDC”) and the Iowa Board of Medicine have determined face coverings are a critical tool in the fight against COVID-19 that could reduce the spread of the virus, particularly when used universally within communities, and the Iowa Board of Medicine has issued a face mask advisory noting that masks are most likely to reduce the spread of COVID-19 when they are widely used by people in public settings; and

**WHEREAS**, a White House Coronavirus Task Force issued recommendations for Iowa to mandate face coverings in the state's largest cities to try to slow the spread of COVID-19; and

**WHEREAS**, reopening guidance issued by the Iowa Department of Public Health (“IDPH”) advises that members of the public consider the use of cloth face coverings when social distancing is not possible because wearing face coverings in public places where social distancing measures are difficult (like grocery stores and pharmacies) can help slow the spread of COVID-19; and

**WHEREAS**, a recommendation encouraging that all persons within the City of Independence wear face coverings is warranted to reduce the risk of transmission of COVID-19, and is necessary to protect the health, safety, and welfare of residents and visitors, and to accelerate local recovery efforts; and

**WHEREAS**, encouraging and urging residents of the City of Independence to wear face coverings is consistent with the Governor’s Proclamation and guidance issued by the White House Coronavirus Task Force, CDC, IDPH, and Iowa Board of Medicine, as well as the Buchanan County Department of Public Health; and

**WHEREAS**, the virus continues to spread at an alarming rate within the State of Iowa, including Buchanan County, putting the health care system and the residents of Independence in immediate danger.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE IOWA, AS FOLLOWS:**

**SECTION 1:** *Face Coverings Encouraged in Public Settings:*

(a) The City Council of the City of Independence, Iowa, strongly encourages and recommends that all persons in the City of Independence wear a face covering such as a cloth mask, surgical mask, plastic shield, or similar covering that covers their noses and mouths when in a public setting in all of the following circumstances:

- i. When outside, except at one’s residence or dwelling place, and unable to stay at least six (6) feet away from other persons;
- ii. When inside any indoor public settings including without limitation all retail stores, restaurants, bars, taverns, and other accommodations, even if able to maintain 6 feet of distance from other persons; and
- iii. When using public transportation, private car service, or carpooling with persons outside a person’s immediate family.

(b) The City Council further encourages and recommends that organizations and businesses doing business in the City require customers who desire to enter or remain upon their premises to use a mask, plastic shield, or face covering that covers their nose and mouth.

(c) The following persons are exempted from the recommendations of this Section:

- i. Persons under 2 years of age; and
- ii. Any person who is unable to remove the face covering without assistance; and
- iii. Any person who has trouble breathing or has been instructed by a medical, legal, or behavioral health professional not to wear face coverings; and
- iv. Any person traveling in a personal vehicle alone or with members of the same household; and
- v. Any person actively engaged in a sports activity permitted under a proclamation of the Governor provided this exception does not apply to persons waiting to participate, such as team members on a sideline; and
- vi. Any person seated at a food establishment when actually engaged in the process of eating or drinking; and
- vii. Any person actually obtaining a service that would require temporary removal of the persons face covering (e.g. dental, orthodontic, or medical services); and
- viii. Any person for whom a face covering would be violative of a sincerely held religious belief or doctrine; and
- ix. When Federal, State or Local law or administrative policy prohibits wearing a face covering or requires the removal of the face covering.

**SECTION 2:** *Adoption of Policy Requiring Use of Face Coverings in City Facilities and by City Employees:* The "Policy for Working and Doing Business Onsite During the COVID-19 Pandemic" attached hereto and incorporated herein is hereby adopted and approved.

**SECTION 3:** *When Effective.* This Resolution shall be effective upon its passage and approval as provided by law.

**RESOLUTION NO. 2020-88** was passed and approved by a majority vote of the City Council of Independence, Iowa, on the 23<sup>rd</sup> day of November, 2020.


Record of Voting:

Ayes: O'Loughlin, Hanna, Callahan, Rodriguez, Hill, Scharff, and Kurtz

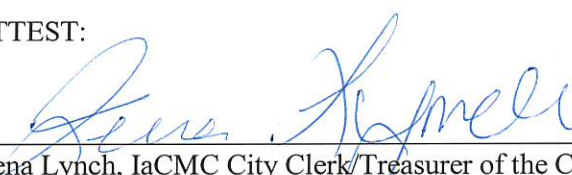
Nays:

Absent:

**RESOLUTION NO. 2020-88** was declared passed and adopted by the Mayor on this 23<sup>rd</sup> day of November, 2020.

  
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Bonita Davis, Mayor of the City of Independence, IA

ATTEST:

  
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Jeena Lynch, IaCMC City Clerk/Treasurer of the City of Independence, IA