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CITY OF SANTA FE, NEW MEXICO

BILL NO. 2020-10

INTRODUCED BY:

Councilor Carol Romero-Wirth

Councilor Signe I. Lindell

Councilor Jamie Cassutt-Sanchez

Councilor Roman "Tiger" Abeyta

Councilor Chris Rivera

AN ORDINANCE

CREATING A NEW SECTION 20-7 SFCC 1987 REGARDING THE USE OF FACE COVERINGS BY EMPLOYEES AND CUSTOMERS WHEN INSIDE PLACES OF BUSINESS AND BY ALL MEMBERS OF THE PUBLIC WHEN IN PUBLIC PLACES WHERE SOCIAL DISTANCING IS NOT POSSIBLE; ESTABLISHING AN EFFECTIVE DATE AS THE DATE OF BILL ADOPTION.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

Section 1. A new Section 20-7 of SFCC 1987 is hereby ordained to read:

20-7 USE OF FACE COVERING IN PUBLIC.

20-7.1 Short title.

This section may be cited as the "Public Health Protection Ordinance."

20-7.2 Definitions.

***Face covering* means a cloth, fabric, or other soft or permeable material, without holes, that covers both the mouth and nose and includes surgical masks, N-95 respirators, face shields, handmade masks, and bandanas.**

1 **10-7.3 Face covering requirement.**

2 A. The use of a face covering is required by every person within the boundaries of
3 the city of Santa Fe as detailed below. Every person over the age of ten (10) must wear a face
4 covering when:

- 5 1. inside a building open to the public;
- 6 2. waiting to enter a building open to the public;
- 7 3. interacting with other people in outdoor spaces, including, but not limited
8 to, curbside pickup, delivery, and service calls;
- 9 4. when engaging in business activities in private spaces (for example,
10 house showings, indoor services calls for appliances, etc).
- 11 5. utilizing public or private transportation; or
- 12 6. walking in public where maintaining a distance of six (6) feet between
13 other members of public at all times is not possible.

14 B. Face coverings are not required in the following circumstances:

- 15 1. in personal vehicles;
- 16 2. when a person is alone in enclosed spaces;
- 17 3. during outdoor physical activity, provided the active person maintains a
18 minimum of six (6) feet from other people at all times;
- 19 4. when a person is alone or only with other household members;
- 20 5. while drinking or eating;
- 21 6. When wearing a face covering causes or aggravates a health condition.

22 Employees for whom wearing a face covering causes or aggravates a health condition
23 must document the condition with their employer.

24 **10-7.4 Enforcement.**

25 Any person violating the Public Health Protection Ordinance shall be guilty of a petty

1 misdemeanor.

2 **20-7.5 Penalties.**

3 Persons found guilty of a violation of this Section shall be subject to a penalty of fifty
4 dollars (\$50.00) for each violation.

5 **20-7.6 Effective date.**

6 The Public Health Protection Ordinance shall go into effect immediately upon adoption
7 and will expire when the Centers for Disease Control withdraws its face covering
8 recommendation related to the COVID-19 pandemic.

9 APPROVED AS TO FORM:

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ERIN K. McSHERRY, CITY ATTORNEY

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25 *Legislation/2020/Bills/2020-10 Face Covering Requirement*