

1 CITY OF SANTA FE, NEW MEXICO

2 ORDINANCE NO. 2020-13

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4
5 AN ORDINANCE

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

11
12 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

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

14 20-7 USE OF FACE COVERING IN PUBLIC.

15 20-7.1 Short title.

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

17 20-7.2 Definitions.

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

21 10-7.3 Face covering requirement.

22 A. The use of a face covering is required by every person within the boundaries of
23 the city of Santa Fe as detailed below. Every person over the age of fifteen (15) must wear a face
24 covering when:

- 25 1. inside a building open to the public;

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

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

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

19 **20-7.4 Penalties.**

20 Any persons found guilty of a violation of this Section shall be guilty of an infraction,

21 punishable by:

- 22 A. a written warning for a first violation;
- 23 B. a fine not exceeding fifty dollars (\$50.00) for each subsequent violations of this
- 24 Section.

25 **20-7.5 Effective date.**

1 The Public Health Protection Ordinance shall go into effect immediately upon its
2 adoption and shall expire when the Centers for Disease Control withdraws its face covering
3 recommendation related to the COVID-19 pandemic as that recommendation applies to the city.

4 PASSED, APPROVED, and ADOPTED this 10th day of June, 2020

6 _____
7 ALAN WEBBER, MAYOR

8 ATTEST:

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10 _____
11 YOLANDA Y. VIGIL, CITY CLERK

12 APPROVED AS TO FORM:

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14 _____
15 ERIN K. McSHERRY, CITY ATTORNEY

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24 *Bill No. 2020-10*

25 *Legislation/2020/Ordinances/2020-13 Face Covering Requirement*