

CITY OF SILVERTON, OREGON
Order Requiring Face Coverings for All Individuals in City Buildings

WHEREAS, Governor Kate Brown, on March 8, 2020, declared a state of emergency due to the COVID-19 virus, finding that COVID-19 has created a threat to public health and safety, and constitutes a statewide emergency under ORS 401.025(1); and

WHEREAS, on March 16, 2020, Marion County declared a state of emergency to respond to the rapidly changing conditions of COVID-19; and

WHEREAS, pursuant to ORS 401.309(1) and the Silverton Municipal Code, Chapter 2.44, the Mayor of Silverton declared a local state of emergency on March 23, 2020, the City Council ratified the Mayor's declaration of a state of emergency on April 6, 2020, and the City Council extended the Mayor's declaration of a state of emergency until such time it can be rescinded by Council action on May 4, 2020; and

WHEREAS, also in March 2020 Governor Brown prohibited gatherings over 25 people, banned on-site consumption of food and drink at food establishments, closed schools, and ordered Oregonians to "Stay Home, Save Lives"; and

WHEREAS, these measures have been largely successful at reducing the rate of infection in Oregon such that Governor Brown directed the State to begin a phased, data-driven, and regionally tailored approach to reopening social, economic, and other activities in Oregon; and

WHEREAS, Marion County entered Phase I reopening on May 22, 2020, and Phase II on June 19; and

WHEREAS, the CDC and OHA have advised individuals to wear cloth face mask coverings when they are out of the home and may be in close proximity to others in order to prevent the transmission of this highly contagious virus; and

WHEREAS, in May 2020, Governor Brown issued Executive Order 20-25 under which authority OHA issued guidance titled "Mask and Face Covering Guidance for Business, Transit, and the Public" which contains face mask requirements for certain businesses for employees, contractors, and volunteers; and

WHEREAS, on June 17, 2020, Governor Brown announced a new face covering requirement, effective June 24, for the public in Clackamas, Hood River, Lincoln, Marion, Multnomah, Polk, and Washington counties; and

WHEREAS, on June 22, 2020, OHA released detailed guidance on the face covering requirement, which generally requires businesses to "[r]equire employees, contractors, volunteers, customers and visitors to wear a mask, face shield, or face covering, unless an accommodation or exemption is required by law" or an enumerated exemption applies, this new requirement does not appear to cover city-owned facilities; and

WHEREAS, on June 29, 2020, Governor Brown required face coverings to be worn in indoor public spaces in every county statewide beginning July 1, 2020; and

WHEREAS, as more businesses continue to open up and more individuals are exposed to COVID-19, it is important to ensure that City employees and the public are protected; and


WHEREAS, pursuant to the emergency powers set forth under SMC Chapter 2.44, the City Council desires to require that all employees and persons entering City-owned facilities also be required to wear a face coverings as set forth below.

NOW, THEREFORE, based upon the above findings, the City hereby requires the following:

1. Immediately upon entry to and at all times within all City-owned facilities members of the public and employees must observe social distancing and wear face coverings as follows:
 - A. Members of the public must wear face coverings and maintain a minimum of six feet of distance between non-household group members. Face coverings should sufficiently cover an individual's nose and mouth and are not a substitute for social distancing.
 - B. City employees must maintain, where possible, a minimum of six feet of distance between non-household group members (including other employees) and must wear face coverings when interacting with members of the public.
2. When not interacting with the public, City employees are required to wear face coverings while on duty and inside City-owned facilities when it is anticipated they will not be able to maintain a distance of at least six feet from other individuals, such as but not limited to, when employees are in hallways, stairwells, vestibules, atriums, waiting areas, and other areas where individuals may encounter others.
3. City employees who interact with the public while on duty outside of City-owned facilities are also required to wear face coverings.
4. City employees should avoid riding in City vehicles together if possible. If City employees do ride in City vehicles together, a face covering is required.
5. The following exemptions apply:
 - A. Members of the public in City-owned facilities: Children under 2 years of age, individuals with a medical condition that make it hard to breathe when wearing a face covering, and individuals with a disability that prevents the individual from wearing a face covering are exempt from the face covering requirement. Note: the City recommends that children between the ages of 2-12 should wear a face covering but the City recognizes that this might pose a challenge and the masks should be worn with assistance and close supervision.
 - B. City employees must obtain approval from the Assistant to the City Manager/HR Coordinator if they believe they fall within one of the exemptions to the face covering requirement listed below.
 - i. City employees with medical conditions or disabilities that fall within the above exemptions shall work with the Assistant to the City Manager/HR Coordinator and their supervisor on a reasonable accommodation that must be approved by the supervisor and the Assistant to the City Manager/HR Coordinator.

- ii. City employees performing manual labor are exempt from the face covering requirement while performing manual labor. Employees shall work with their supervisor to determine which tasks fall under this exemption.
 - iii. City employees performing tasks where wearing a face covering would not be safe, there is some occupational hazard associated with wearing a face covering, or some other condition is present that impacts their ability to do their job shall obtain approval from their supervisor on a reasonable alternative.
- C. City employees and members of the public may remove their face coverings when eating or drinking in a City-owned facility but shall at all times endeavor to stay at least six feet from non-household group members.
 - D. Individuals who are exempt from the face covering requirement shall still endeavor to stay at least six feet from non-household group members.
6. "City-owned facilities" only includes City Hall, City Shops, City Water Treatment Plant, City Wastewater Treatment Plant, and the public spaces of the Community Center.
 7. "Face coverings" includes cloth, paper or disposable face covering that covers the nose and mouth, medical grade masks and face shields that are clear plastic shields that cover the forehead, extends below the chin and wrap around the sides of the face.
 8. Signs explaining face covering requirements shall be posted at all open entrances to City-owned facilities where City employees work and within the public area of all departments open to the public. The City Manager will also provide information to all City employees on the proper way to wear and care for face coverings.
 9. If available, the City will provide at least two reusable cloth face coverings to each City employee, and will make one disposable face covering available to each member of the public entering a City-owned facility upon request.
 10. The City Manager is authorized to implement other policies and administrative guidance consistent with this Order, including but not limited to requirements and guidance for attendance at public meetings and City events that occur outside of a City-owned facility.
 11. Enforcement: A police officer may exclude from City-owned buildings a member of the public who violates this face covering requirement or impose a fine not to exceed \$150.
 12. This declaration is effective immediately and shall remain in effect for the duration of the City's declaration of emergency.

Dated and effective this 10 day of July, 2020.



Jason Freilinger, Council President of the City of Silverton