

ORDINANCE 2144 Temporary COVID-19 Mask Wearing and Gathering Limit Ordinance

This ordinance, effective Tuesday August 4, 2020, adopted in response to the COVID-19 pandemic and established measures to slow the rate of infection and limit public exposure to the virus. It remains in effect in the Borough of State College until the current pandemic Emergency Declarations are rescinded OR on January 31, 2021.

Wearing of Masks (Face Coverings) are REQUIRED when:

- Within six feet of another person who is not a household member.
- Waiting to enter and inside any building open to the public, such as but not limited to municipal/government buildings, grocery stores, pharmacies, retail stores, service establishments, and medical and dental treatment facilities.
- In places of employment where the individual would be in contact with the public, including preparing the packaging of food and/or beverage unless separated by a physical barrier between the employee and public.
- On and waiting to board all transport/transit vehicles, such as but not limited to CATA bus, rideshare (like Uber/Lyft) and shuttle services.
- Coming into contact, both indoors and outdoors, with any person who is not the person's family or household member.

Exemptions to Wearing of Masks (Face Coverings)

Persons shall not be required to wear a mask under the following circumstances:

- Where a medical condition, mental health condition, or disability prevents wearing a face covering, provided the person provides documentation within 5 days from a licensed medical professional of the existence of diagnosis that prevents the wearing of a mask.

*This is not a violation of the Health Insurance Portability and Accountability Act (HIPAA) because the ordinance is not asking the person to disclose their specific diagnosis or medical reason, just the existence of a medical exemption.

- Religious beliefs prevent them from wearing a face covering.
- Hearing impaired, or who are communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication.
- Wearing a face covering would create a risk to the person related to their work, as determined by local, state or federal regulators or workplace safety guidelines.
- Obtaining a service or treatment involving the nose or face or a medical procedure for which temporary removal of the face-covering is necessary to perform the service.
- Seated at a restaurant or other food or beverage service establishment, and all established Pennsylvania Department of Health requirements are followed.

Waiting Lines

Lines shall be prohibited in the public right-of-way (ROW) waiting to enter any business location or other private property, except as follows:

- No more than 10 persons waiting in the ROW to enter an establishment.
- Persons waiting in line social distancing of no less than 6 feet and are required to wear a mask (face covering).
- Shall not wait in front of any other business or property other than the business or property that they are waiting to enter.
- Businesses are not responsible for enforcement of individuals waiting to enter their businesses.

Limitations on Gathering Size

Gatherings of persons that are not from the same household shall be limited as follows:

- In all housing types in the Borough of State College, gatherings of more than 10 people both indoors and outdoors combined are prohibited.
- Gatherings at or in Borough of State College public parks and other municipal property of more than 25 people are prohibited.
- Gatherings in other private commercial property shall be restricted by the limitations established by the Pennsylvania Department of Health.
- The gathering size restrictions in the Ordinance shall apply for gatherings both indoors and outdoors on the property.
- When the number of household members exceeds the limitations set forth, no additional persons shall gather at this property, either indoors or outdoors.
- This shall not apply to private business locations, private offices, and events such as weddings, funerals, protest demonstrations, public and private schools and religious functions.

Enforcement

- Law enforcement (police) and other public safety, health officers, ordinance enforcement officers, and emergency management personnel are charged with the enforcement of this ordinance.
- Generally, enforcement will be first attempted using educational tactics or warnings prior to fines.
- The fine for a person or business not in compliance with the measures outlined in the ordinance are subject to a \$300 fine.

To report those not in compliance of this ordinance please contact the police department's non-emergency number at (814) 234-7150. Please do not call 911 unless it is an emergency.

