

ORDINANCE NO. 6469

AN ORDINANCE REQUIRING INDIVIDUALS WEAR FACE MASKS IN CERTAIN LOCATIONS WITHIN THE CITY LIMITS OF PARSONS AND SETTING OUT THE ENFORCEMENT OF SAID REQUIREMENT.

Be it ordained by the City Commission of Parsons, Kansas:

Section 1. That the City of Parsons, Kansas hereby determines that due to the spreading of the COVID-19 virus, the health and safety of its residents requires that persons within public service areas in all places of public accommodation are required to constantly wear face masks covering the nostrils and mouth of such persons subject to the following exceptions:

- A. Masks may be removed while consuming food or drinking a beverage and exercising if social distancing and disinfection best practices are also followed. While in places of public accommodation that serve food or beverages, masks must be worn at all times when an individual is not presently consuming food or drinking a beverage. While in places of public accommodation where exercise equipment is available for use, masks must be worn at all times when an individual is not presently engaged in exercise.
- B. Settings with ten (10) or fewer persons present, such as small business offices, which do not serve the public in person, and areas without normal public access, such as semi-private offices and workshops, do not require masks, unless persons cannot follow social distancing best practices. Examples include masks would be required in a mechanic's customer service area or corporate lobby, but not in the workshop or in the employee only areas with less than 10 employees.
- C. Reasonable accommodations may be made for individuals with a disabling condition that prevents wearing a face mask.
- D. Masks may be removed in outdoor settings generally while best practices to maintain social distance are followed. Masks shall be worn at managed events when attendance and format prevent social distancing.

Section 2. That the City of Parsons, Kansas hereby determines that the health and safety of Parsons residents requires that all businesses, offices, shops, and manufacturing and similar facilities are required to post conspicuous signs at all entrances to their establishment that employees, customers and visitors to their establishment must wear face masks pursuant to the rules stated in Section 1 of this ordinance to be admitted into their premises.

Section 3. Places of public accommodation are required to conspicuously post a sign informing the public that masks are required by this ordinance and that all employees, including the owner, shall wear a mask in the areas of the building open to the public.

Section 4. This ordinance shall expire on October 1, 2020 unless extended by the Parsons City Commission or repealed sooner.

Section 5. Individuals who refuse to wear a mask when required by Section 1 shall be in violation of this ordinance. Places of public accommodation who fail to abide by Section 3 shall be in violation of this ordinance. Any place of public accommodation has the option, but is not required, to ask an individual who refuses to wear a mask to leave the premises. In the event the individual refuses to leave the premises, the individual may be charged with criminal trespass in municipal court.

Section 6. Any person or entity in violation of this ordinance shall be prosecuted in Municipal Court as allowed by the Uniform Public Offense Code for Kansas Cities then in effect and charged with a class C misdemeanor and fined up to \$50.00 per occurrence. Prior to issuing any criminal complaints hereunder, law enforcement shall first promote compliance by a warning and/or education with the alleged violator. In the event the willful neglect/noncompliance continues, a citation shall be issued. Any person or business upon receiving their first citation shall be eligible to have the citation dismissed upon payment of \$15.00 to the City of Parsons. All second or subsequent citations shall be prosecuted as described herein.

Section 7. Social distancing shall be defined as maintaining at least 6 feet between individuals with only infrequent or incidental moments of closer proximity. A mask is defined as a *wearable* item that meets *all* of the following criteria:

- a) it entirely covers the mouth and nostrils of the wearer;
- b) it is securely affixed to the wearer by way of wrapping entirely around the back of the head and around the middle of the nose, above the nostrils (such as with a bandana) and/or wrapping behind the backs of both ears and around the middle of the nose, above the nostrils (such as with a disposable surgical mask or a washable cloth face covering);
- c) if the mask contains a wire or other fastening agent, this should be bent around the middle of the nose to ensure a secure fit;
- d) it does *not* require being manually held up in front of the face by the wearer (a tissue or napkin or any other item that is not affixed to the wearer is not considered a mask);
- e) it is made of a flexible material that contours to the face of the wearer;
- f) it is made of an opaque material that cannot easily be seen through.

Section 8. The City of Parsons and the Parsons Police Department shall promote education and voluntary compliance with the public and businesses for the first two weeks this ordinance is in effect. No citations shall be issued until at least fourteen (14) days has passed from the effective date described in Section 9.


Section 9. This ordinance shall take effect and be in full force from and after its passage, approval, and publication in the official City newspaper.

PASSED by the Governing Body of the City of Parsons, this 6th day of July, 2020.



Jeff Perez, Mayor

ATTEST:



Gabrielle Evans, City Clerk