

**CITY AND BOROUGH OF SITKA**

**RESOLUTION NO. 2020-24**

**ORDERING PEOPLE IN THE CITY AND BOROUGH OF SITKA TO WEAR MASKS  
OR CLOTH FACE COVERINGS IN PUBLIC PLACES**

**Failed on first and final reading 3-4 7/14/2020**

**WHEREAS**, the COVID-19 pandemic has generated a public health emergency that threatens to overwhelm our health system, endangering the lives and the wellbeing of the people, economy and general life of Sitka; and

**WHEREAS**, a phased reopening has allowed businesses to get back to work, with precautions in place, but with cases rising in Alaska and throughout the United States, our open status is in jeopardy unless more individuals in Alaska, the residents of Sitka and those visiting act decisively to stop the spread; and

**WHEREAS**, additional science and public health understanding of the efficacy of the use of masks in helping prevent the spread of COVID-19 shows that more widespread use is in our communities' best interest, the CDC and the Alaska Medical Director now recommend wearing of masks when physical distancing cannot be maintained or when in indoor public places of our community.

**NOW, THEREFORE, BE IT RESOLVED** that the Assembly of the City and Borough of Sitka, Alaska, hereby orders the following:

1. All individuals shall wear masks or cloth face coverings over their noses and mouths when they are indoors in public settings or communal spaces outside the home. This Order is subject to the conditions and exceptions stated below.
2. The settings included in this Order include, but are not limited to, the public and communal spaces within the following:
  - A. Grocery stores, pharmacies, and all other retail stores.
  - B. Restaurants, cafes, bars, and breweries – including food preparation, carry-out, and delivery food operations. There is a limited exception for customers while they are eating or drinking in one of these settings.
  - C. Buses, taxis, and other forms of public transportation when passengers are present.
  - D. Personal care facilities, to the extent required.
  - E. Childcare facilities.
  - F. Communal areas of offices where people from multiple households are present.
  - G. Elevators and indoor communal spaces in other buildings.

3. Employers are responsible to make sure employees who are present in the workplace have access to and wear masks or cloth face coverings when in direct contact with customers, members of the public, or other employees. Masks are not required when the only direct contact is between members of the same household or when employees are not near others (within six feet).

4. This Order does not apply to the following categories of people or activities:

A. Any child under the age of 2 years, as these very young children should not wear a face covering because of the risk of suffocation;

B. Any child under the age of 12 years, unless a parent or caregiver supervises the use of face coverings by the child to avoid misuse;

C. Any child in a childcare or day camp setting, although such settings may provide their own requirement for use for children age 2 years old or older;

D. Any individual for whom wearing a mask or cloth face covering would be contrary to his or her health or safety because of a medical condition or mental health condition, and any individual unable to tolerate a mask due to a physical or mental disability;

E. Individuals who are speech impaired, deaf, or hard of hearing, or individuals communicating with someone who is deaf or hard of hearing, where facial or mouth movements are an integral part of communication;

F. Any individual who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance;

G. Individuals who are exercising, if mask wearing would interfere with their breathing;

H. Individuals who are incarcerated, in police custody, or inside a courtroom, as these individuals should follow guidance particular to their location or institution;

I. Individuals performing an activity that cannot be conducted or safely conducted while wearing a mask (for example, a driver experiencing foggy glasses, a dental patient receiving care, an equipment operator where there is a risk of dangerous entanglement); and,

J. Musicians, presenters, ministers, and others communicating to an audience or being recorded, for the duration of their presentation/practice/performance where mask usage impairs communication, and so long as safe physical distancing is maintained.

5. If a person declines to wear a mask or face covering because of a medical condition or disability as described above, this Order does not require them to produce medical documentation verifying the stated condition or disability. Businesses may wish to consider accommodating such individuals through curbside or delivery service or by allowing the individual inside without a mask if doing so will not place others at risk.

6. Since this Order is a resolution, without the effect of law, it is unenforceable. The people of Sitka are respectfully requested to comply with this Order. Additionally, violation of this Order does not create grounds for residents to harass individuals who do not comply with it.

**EFFECTIVE DATE AND DURATION.** This resolution shall be effective immediately after its adoption. A public services announcement shall be widely distributed providing public notice of the orders in this resolution. This resolution shall remain in effect through September 8, 2020, or until earlier terminated by the Assembly.

**PASSED, APPROVED AND ADOPTED** by the Assembly of the City and Borough of Sitka, Alaska on this 14th day of July, 2020.

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Gary L. Paxton, Mayor

ATTEST:

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Sara Peterson, MMC  
Municipal Clerk

1<sup>st</sup> and final reading 7/14/2020

Sponsors: Knox/Christianson