

**A RESOLUTION REQUIRING FACE COVERINGS
IN RETAIL STORES AND CITY BUILDINGS**

WHEREAS, the Center for Disease Control (CDC) advises the use of simple cloth face coverings to slow the spread of the virus and help people who may unknowingly have the virus from transmitting it to others; and

WHEREAS, the Vermont Department of Health “recommends that all Vermonters wear cloth face coverings when outside of the home to help slow the spread of COVID-19;” and

WHEREAS, the Vermont Agency of Commerce and Community Development, the agency the Governor has authorized to provide guidance on his orders, has stated in its May 13, 2020 memo, “Employees must wear face coverings over their nose and mouth when in the presence of others. In the case of retail cashiers, a translucent shield or “sneeze guard” is acceptable in lieu of a mask. Businesses and non-profit and government entities may require customers or clients to wear masks;” and

WHEREAS, Vermont Governor Phil Scott announced on May 11, 2020 that retail stores may reopen on May 18, 2020, with certain precautions; and

WHEREAS, Governor Scott issued an Addendum 14 to his Executive Order on May 15, 2020, which includes in paragraph 3 the following authorization for municipalities: “The legislative body of each municipality may enact more strict local requirements regarding mask use than those set forth herein;” and

WHEREAS, the City of Vergennes wishes to lead by example by enacting stricter requirements to help slow the spread of COVID-19 in the regional community;

NOW, THEREFORE, BE IT RESOLVED that this City Council hereby issues the following COVID-19 Emergency Order re: Wearing Face Coverings Required in Retail Stores and City buildings:

1. Requirement to wear face covering or face shields

Starting May 18, 2020, all establishments located in the City of Vergennes that will be open to the public for service and/or the sale of products and commodities on a retail basis shall require both staff and customers to wear cloth face coverings or face shields over their nose and mouth while inside the establishment. Additionally, members of the public are required to wear cloth face coverings or face shields over their nose and mouth while inside City buildings. City staff are required to wear face coverings as provided in the City’s face covering policy.

2. Covered establishment

This Order covers retail establishments, including but not limited to:

- Stores selling clothing, shoes, furniture, gifts, books, and other products to the general public; and
- Grocery stores; and
- Hardware stores; and
- Garden supply stores; and
- Convenience stores.

3. Establishments not covered

Establishments that are not primarily selling products to retail customers, such as offices, restaurants, bars, and hotels shall not be subject to this Order, but can set their own rules and requirements for the use of masks and face guards within their establishments. However, such Establishments must abide by all state requirements for safe operations.

4. Requirements for cloth coverings or face shields

Cloth face coverings should meet the following criteria published by the CDC:

- Fit snugly but comfortably against the side of the face
- Be secured with ties or ear loops
- Include multiple layers of fabric
- Allow for breathing without restriction
- Be able to be laundered and machine dried without damage or change to shape.

Face shields should meet the following criteria:

- Be made with a clear plastic such as PET (Polyethylene Terephthalate) or PETG (Polyethylene terephthalate glycol)
- Extend to below the chin and to the ears
- Have no exposed gap between the forehead and the shield's headpiece.

5. Avoid purchasing medical masks

Unless necessary for medical reasons, non-medical professionals should avoid purchasing medical or N-95 masks so as not to deplete the supply of those critical medical masks available for healthcare workers and first responders.

6. Exceptions

The CDC advises that cloth face coverings should not be placed on young children under age 2, anyone who has trouble breathing, or is unconscious, incapacitated or otherwise unable to remove the mask without assistance.

7. Posting requirement

Each covered establishment must post signage at the entrance and at other appropriate locations stating that customers are required to wear face coverings by order of the Vergennes City Council. The City Clerk will ensure that this Order is posted in suitable posting locations throughout the City, including the City website.

8. Effective period

This Order shall remain in effect until this Council amends, rescinds, or suspends this Order.

Adopted this 28th day of May, 2020

VERGENNES CITY COUNCIL


Jeff Fritz (May 28, 2020 12:48 EDT)

Mayor Jeff Fritz

Lynn Donnelly
Lynn Donnelly (May 28, 2020 14:45 EDT)

Deputy Mayor Lynn Donnelly

Lowell Bertrand
Lowell Bertrand (May 28, 2020 15:26 EDT)

Alderman Lowell Bertrand


David C. Austin (May 28, 2020 19:06 EDT)

Alderman David Austin

Tara Brooks
Tara Brooks (May 28, 2020 12:57 EDT)

Alderwoman Tara Brooks

Mark Koenig
Mark Koenig (May 28, 2020 14:43 EDT)

Alderman Mark Koenig

William Benton
William Benton (May 28, 2020 12:35 EDT)

Alderman Bill Benton