

CHAPTER 225

ORDINANCE REGARDING FACE COVERINGS ON TOWN PROPERTY

Adopted October 5, 2021

Reenacted November 26, 2021 (extended to December 22, 2021)

Reenacted December 21, 2021 (extended to February 2, 2022)

Reenacted February 1, 2022 (extended to March 5, 2022)

SECTION 225.1 – EMERGENCY PREAMBLE

WHEREAS, there is currently an outbreak of novel coronavirus disease 2019 (“COVID-19”), a respiratory illness, which continues to proliferate throughout the United States and the State of Maine; and

WHEREAS, on March 15, 2020, Governor Janet Mills declared a state of civil emergency, due to the effect of the COVID-19 pandemic on the State of Maine, its people, and its economy, which remained in effect through June 30, 2021; and

WHEREAS, although the state of civil emergency is not currently in effect, the United States Centers for Disease Control (“CDC”) recommends that all individuals wear face coverings in indoor public settings in areas where there is “high” or “substantial” transmission of the COVID-19 virus, regardless of vaccination status; and

WHEREAS, as of the date of adoption of this Emergency Ordinance, the entire state of Maine is considered an area of “high” transmission of the COVID-19 virus; and

WHEREAS, in the judgment of the Gray Town Council, the foregoing facts create a public emergency within the meaning of Section 14(D) of the Town of Gray Charter, thereby making this Ordinance immediately necessary for the preservation of life, health, property and public safety;

NOW THEREFORE, pursuant to Section 14(D) of the Town of Gray Charter, the Gray Town Council hereby ordains that the Town of Gray Ordinance Regarding Face Coverings In Public Facilities be adopted to read as follows:

SECTION 225.2 – TITLE AND AUTHORITY

This Ordinance shall be known and be cited as the “Town of Gray Ordinance Regarding Face Coverings On Town Property” and is adopted pursuant to the Town’s home rule authority, as provided in 30-A M.R.S. § 3001; the Constitution of Maine, Article VIII, Part Second; and 7 M.R.S. § 284, all as may be amended from time to time.

SECTION 225.3 – PURPOSE

The purpose of this Ordinance is to protect the health and well-being of all persons who visit properties owned and operated by the Town of Gray for the conduct of Town government or for any other public events, programs or activities held on Town property.

SECTION 225.4 – FACE COVERINGS REQUIRED

- A. All persons, regardless of vaccination status, shall be required to wear a face covering designed to protect against the spread of the COVID-19 virus as approved by the United States CDC when visiting any Town property.
- B. For purposes of this Ordinance, Town property shall include all buildings and/or properties owned by the Town of Gray.
- C. Face coverings must be properly worn at all times, covering the nose and mouth, whenever a person is indoors of a Town building and / or in locations where safe distancing of at least six feet from other people is not possible.

SECTION 225.5 – SEVERABILITY CLAUSE

Should any provision of this ordinance be declared invalid for any reason, such declaration shall not affect the validity of other provisions or of this Ordinance as a whole, it being the legislative intent that the provisions of this Ordinance shall be severable and remain valid notwithstanding such declaration.

SECTION 225.6 – EFFECTIVE DATE; EXPIRATION

- A. In view of the emergency cited in the Emergency Preamble, this Ordinance shall be effective immediately upon adoption by the Gray Town Council on October 5, 2021.
- B. Pursuant to Section 14(D) of the Gray Town Charter, this Ordinance shall expire on December 4, 2021, unless otherwise reenacted prior to that date.