

STATE OF WISCONSIN MILWAUKEE COUNTY VILLAGE OF SHOREWOOD

ORDINANCE NO. 3014

AN ORDINANCE REPEALING AND REPLACING SECTION 319-11.2, "FACE COVERING REQUIREMENTS DURING THE COVID-19 PANDEMIC," OF ARTICLE II, "GENERAL REGULATIONS," OF CHAPTER 319, "HEALTH AND SANITATION," OF THE SHOREWOOD MUNICIPAL CODE

Whereas, as of September 1, 2020, COVID-19 cases have been on the rise in Wisconsin, Milwaukee County, the North Shore, and Shorewood in recent weeks; and

Whereas, public spaces and businesses are open for in-person operations in Shorewood, increasing the potential for further community spread of COVID-19; and

Whereas, COVID-19 is primarily spread via respiratory droplets when people are in close proximity with each other and people that are infected speak, sneeze, or cough. People can be infected and have no symptoms (asymptomatic) and they are still able to transmit the virus; and

Whereas, according to the Centers for Disease Control (CDC), there is emerging evidence from clinical and laboratory studies that demonstrates cloth face masks reducing the spray of respiratory droplets; and

Whereas, wearing a face mask is one of the most effective ways to reduce person to person transmission of COVID-19. Face masks serve as a barrier to prevent droplets from entering the air, which is known as source control. When combined with other preventive measures, including physical distancing and proper hygiene practices, wearing face masks is a simple and effective way to reduce the risk of COVID-19 transmission; and

Whereas, according to the Centers for Disease Control (CDC), the effectiveness of cloth face coverings at reducing the spread of COVID-19 is highest when masks are widely used by people in public settings. In settings where physical distancing is difficult to maintain, everyone wearing a face mask reduces the risk of transmission;

Whereas, on July 30, 2020 Wisconsin Governor Tony Evers used Executive Order #82, declaring a public health emergency to combat the uncontrollable spread of COVID-19 throughout the State of Wisconsin, and subsequently entered "Emergency Order #1," which required masks in outdoor "enclosed spaces";

NOW THEREFORE, at a regular meeting of the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin, held on the 8th day of September, 2020, by a favorable vote of the members being present and therefore, said Board does ordain as follows:

SECTION 1

Section 319-11.2, "Face covering requirements during the Covid-19 pandemic," of Article II, "General Regulations," of Chapter 319, "Health and Sanitation," of the Municipal Code of the Village of Shorewood is hereby repealed and replaced as follows:

319-11.2 Face covering requirements during the Covid-19 pandemic.

A. As used in this section, the following terms shall have the meaning indicated:

ENCLOSED SPACE

A confined space open to the public where individuals congregate, including but not limited to outdoor bars, outdoor restaurants, taxis, public transit, ride-sharing vehicles, and outdoor park structures.

FACE COVERING

A protective mask covering the nose and mouth, including cloth face coverings or surgical masks as described by the centers for disease control and prevention.

PHYSICAL DISTANCING

Maintaining at least six feet of distance from other individuals who are not members of your household or living unit.

B. FACE COVERINGS REQUIRED.

Every individual, age 4 years or older, who is present in the Village of Shorewood shall wear a face covering if both of the following apply:

- a. The individual is indoor or in an enclosed space, other than at a private residence; and;
- b. Another person who are not members of the individual's household or living unit are present in the same room or enclosed space.

Face coverings are strongly recommended in all other settings, including outdoors when it is not possible to maintain physical distancing.

C. EXCEPTIONS.

1. The following individuals are exempt from the face covering requirement in section B above:
 - a. Persons under 4 years of age.
 - b. Persons who fall into the Center for Disease Control and Prevention's guidelines for those who should not wear face coverings due to a medical condition, mental health condition, developmental disability, or are otherwise covered under the Americans with disabilities act.
 - c. Persons who have upper-respiratory chronic conditions and silent disabilities.
 - d. Persons in settings where it is not practical or feasible to wear face coverings, including when obtaining or rendering goods or services, such as the receipt of dental services or medical treatments.

2. Individuals who are otherwise required to wear a face covering may remove the face covering in the following situations:
 - a. While eating or drinking.
 - b. When communicating with an individual who is deaf or hard of hearing and communication cannot be achieved through other means.
 - c. Where obtaining a service that requires the temporary removal of the face covering, such as dental services.
 - d. While sleeping.
 - e. While swimming on duty as a life guard.
 - f. While a single individual is giving a religious, political, media, educational, artistic, cultural, musical, or theatrical presentation for an audience, the single speaker may remove the face covering when actively speaking. While the face covering is removed, the speaker must remain at least 6 feet away from all other individuals at all times.
 - g. When engaging in work where wearing a face covering would create a risk to the individual, as determined by government safety guidelines.
 - h. When necessary to confirm the individual's identify, including when entering a bank, credit union, or other financial institution.
 - i. When federal or state law or regulations prohibit wearing a face covering.

D. PENALTY.

The Village will provide appropriate social distancing education if feasible.

SECTION 2

That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby to such extent repealed.

SECTION 3

That this Ordinance shall take effect and be in force from and after its passage and posting, until January 20, 2021, at which any potential extension will be reviewed in consultation with the North Shore Health Department.

PASSED AND ADOPTED by the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin, this 8th day of September, 2020.



Allison Rozek, Village President

Countersigned:



Sara Bruckman, CMC/WCMC Village Clerk