

TOWN OF NEWMARKET, NEW HAMPSHIRE

BY THE NEWMARKET TOWN COUNCIL

EMERGENCY ORDINANCE NO. 06-2020/2021

AN ORDINANCE REAFFIRMING REQUIRING THE WEARING OF FACE COVERINGS UNDER CERTAIN CONDITIONS WITHIN THE TOWN OF NEWMARKET

THE TOWN OF NEWMARKET ORDAINS:

1. Purpose

The purpose of this ordinance is to require the wearing of face coverings under certain conditions during the COVID-19 Pandemic. The Newmarket Town Council has the authority to enact such an emergency ordinance in accordance with Section 3.9 of the Town Charter and New Hampshire RSA 47:17 XV and RSA 147:1.

2. Ordinance

- I. Employees of all businesses shall wear a face covering over their mouth and nose when interacting with the public and whenever they are within six feet of a co-worker or a customer.
- II. Members of the public entering any business, including without limitation any outdoor area where business of any sort is conducted, work site, or government building must wear a face covering, such as a fabric mask, scarf, or bandana over their nose and mouth. Policies regarding face coverings in governmental buildings within the geographical boundaries of the Town of Newmarket adopted by the governmental entity having jurisdiction are hereby recognized by this ordinance and shall not be deemed to be contradictory to the requirements stated herein.
- III. Members of the public entering a restaurant for the purpose of picking up food for takeout or any other purpose must wear a face covering over their mouth and nose. Members of the public dining indoors or outdoors at a restaurant may remove face covering while seated at their table. Members of the public must wear a mask when entering, using, or leaving the restroom of a restaurant.
- IV. Members of the public utilizing sidewalks and other pedestrian public ways, or public recreational lands or golf courses, are strongly encouraged but not required to wear a face covering to the fullest extent practicable and especially when there is a high likelihood of coming into contact with others and social distancing of at least six feet may not be possible.
- V. As used herein "face covering" means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose, mouth, and

surrounding areas of the lower face. A face covering may be factory made or homemade and improvised from ordinary household material.

- VI. Notwithstanding the above this order does not require children under 5 years of age to wear face covering (parents should make their own judgment). Face covering is not recommended for children less than 2 years of age.
- VII. A face covering is also not required to be worn by any person if said person can show a medical professional has advised that wearing a face covering may pose a risk to said person for health related reasons.

3. Penalties

Anyone who violates this ordinance may be subject to fines in the amount of \$50 for the first offence, \$100 for the second offense, and \$500 for the third and subsequent offenses, and/or may be summoned to the 10th District Court Brentwood Division.

4. Takes Effect

In accordance with Section 3.9 of the Town Charter, this Emergency Ordinance shall be effective upon adoption and shall stand repealed as of the 61st day following the date on which it was adopted, but this shall not prevent reenactment of the ordinance by the Town Council in the manner specified in Section 3.9 of the Charter if the emergency still exists.

First Reading

April 7, 2021

Second Reading

None Per Town Charter – Emergency Ordinance

Final Action by Council

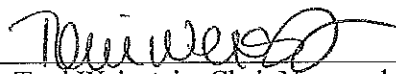
April 7, 2021

VOTING RECORD


Date of Vote:	YES	NO	ABSTAIN
Councilor Helen Sanders	✓		
Councilor Zachary Dumont		✓	
Councilor Scott Blackstone	✓		
Councilor Megan Brabec	✓		
Councilor Jon Kiper	✓		
Councilor Katanna Conley	✓		
Chair Toni Weinstein	✓		
Total Votes:	6	1	0

Ordinance: Does Pass as Amended.

Approved:


Toni Weinstein, Chair Newmarket Council

A True Copy Attest:


Terri Littlefield, Town Clerk

