

**ORDINANCE NO. 2021- 06**

**AN ORDINANCE TO REQUIRE WEARING MASKS IN BUILDINGS OR INDOOR SPACES MANAGED, LEASED, OR OWNED BY THE CITY OF PHENIX CITY, ALABAMA.**

**WHEREAS**, the City Council of the City of Phenix City, Alabama, recognizes the emergency declarations of the President of the United States and the Governor of the State of Alabama related to the spread of COVID-19 disease in our community; and

**WHEREAS**, the City Council of the City of Phenix City, Alabama, has authority under ALABAMA CODE SECTION 11-47-130 and SECTION 11-47-131 to prevent the introduction of contagious, infectious, or pestilential diseases into the City and to establish and regulate a sufficient quarantine, not inconsistent with laws of the state, in the City and to punish any breach of quarantine law; and

**WHEREAS**, the City Council of the City of Phenix City, Alabama, finds that it is in the best interest of the public peace, health, welfare, and safety, and to preserve the lives and protect the health of citizens of the City of Phenix City, to require that masks, consisting of at least simple cloth face coverings, be worn by persons when entering buildings or indoor spaces owned, managed, or leased by the City of Phenix City.

**NOW THEREFORE BE IT ORDAINED** as follows:


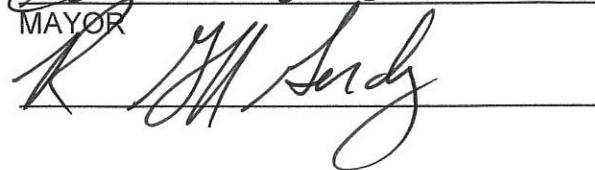
1. All persons, including City employees, entering a building or indoor space owned, managed, operated, or leased by the City of Phenix City shall wear a cloth face covering or mask. Persons who do not have a cloth face covering or mask will be provided with one at the entrance, subject to availability. Persons who refuse to wear a mask and/or decline the complimentary one offered will be denied entry unless they fall under one of the below-listed exceptions.


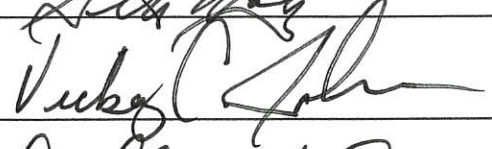
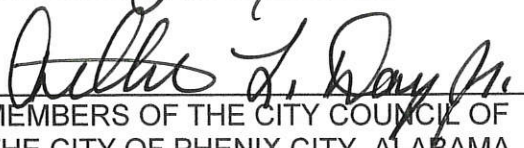
**A face covering or mask is defined as:** A device or material to cover the nose and mouth of a person to impede the spread of saliva or other fluids during speaking, coughing, sneezing or other intentional or involuntary action. Medical grade masks are not required; coverings may be fashioned from scarves, bandanas or other suitable fabrics. The mask must cover the mouth and nose of the wearer.

2. Once a person has entered the building, the person shall continue to wear the cloth face covering or mask while in the building. Should the person remove their cloth face covering or mask while in the building, a representative of the office may ask that person to leave. Employees working alone in their respective offices or workspaces are exempted from this rule and may remove their mask while in their offices or individual workspaces, as long as they are able to maintain appropriate physical distancing. However, employees must be prepared to don and wear a face covering or mask when leaving their offices or individual workspaces, and while interacting with others where physical distancing of more than six (6) feet cannot be consistently maintained.
3. The following exceptions shall apply:

- a. Cloth face coverings or masks are not required to be worn by:
  - i. Children under the age of six (6); and
  - ii. Older children who are unable to wear a mask properly or safely; and
  - iii. Persons with a medical, physiological, or psychological condition or disability that prevents wearing a face covering, including persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance. No person declining to wear a cloth face covering or mask because of a medical condition shall be required to produce verifying medical documentation; and
  - iv. Persons who are deaf or hard of hearing and for whom wearing a face covering prevents the use of the person's hearing aid; and
  - v. Persons while communicating with a person who is deaf or hard of hearing and for whom the ability to see the mouth is essential for communication; and
  - vi. Persons for whom wearing a face covering would create a risk to the person related to their work as determined by local, state, or federal regulations or workplace safety guidelines.
4. Signage consistent with this Ordinance will be clearly and conspicuously posted at every entrance to every building, office or public space owned, managed, operated, or leased by the City of Phenix City, Alabama.
5. Failure to comply with this Ordinance can be enforced by a uniform non-traffic citation and penalty consistent with Sec. 1-7 of the ordinances of Phenix City, General penalty; continuing violations.
6. This Ordinance shall become effective upon passage and publication in *The Citizen of East Alabama* newspaper, and continuing until it is rescinded, superseded, or amended.

**PASSED, APPROVED AND ADOPTED** this 4<sup>th</sup> day of May, 2021.

  
MAYOR  


  
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MEMBERS OF THE CITY COUNCIL OF  
THE CITY OF PHENIX CITY, ALABAMA

ATTEST:  
  
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CITY CLERK