

**FACE COVERINGS ORDINANCE  
TOWN OF FRANCONIA  
NOVEMBER 2020**

*The Town of Franconia ordains* that the following regulation adopted by the Franconia Select Board is hereby approved.

Infectious diseases are germs, such as viruses and bacteria. Some diseases, such as the Covid-19 virus have the ability to be spread from person to person very easily through respiratory droplets. Public Health Officials have determined that it is possible for an infected individual to transmit the Covid-19 virus without exhibiting symptoms. The best means of slowing the spread of the Covid-19 virus is through minimizing close personal contact with individuals in a public environment, social distancing, covering your mouth and nose by wearing a face covering and proper hand washing. For optimal protection, the following key factors should be considered while wearing a face covering. The safe use of face coverings requires the wearer to maintain proper hand hygiene by frequently washing hands with soap and water or hand sanitizer for at least 20 seconds. The wearer should prevent the spread of the Covid-19 virus by not touching their face, nose or eyes with unwashed hands and not touching the outside of the face covering at all times. Lastly, social distancing by keeping a distance of at least six feet between yourself and others also protects the spread of our respiratory droplets.

The Franconia Select Board adopts this Emergency Public Health Order as authorized by RSA 147:1 and New Hampshire Case Law as follows.

1. 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 coworker or customer.
2. Members of the public entering any business, including without limitation any outdoor area where business of any sort is conducted, including public transportation, taxis, ride share a livery vehicles, and government buildings must wear a face covering, such as a fabric mask, scarf or bandana over their nose and mouth. The Town ordinance will follow the Governors' more specific guidelines listed in the Stay at Home 2.0 order for Health and Fitness.
3. Face coverings are not required in outdoor public spaces such as roads, sidewalks, trails and outdoor work sites when people can easily, continuously and measurably maintain at least six (6) feet distance from all other people, except for family members, and except for others who share the same apartment unit, home or dwelling unit.
4. Members of the public entering a restaurant for the purpose of picking up food for take-out 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 face covering while entering, using or leaving the restroom of a restaurant or of any public building.

5. Residents, visitors and members of the public entering or present at a residential or commercial building complex of greater than two (2) units must wear a face covering over their nose and mouth while in common areas and communal spaces.
6. As used herein “face covering” means a covering made of cloth, fabric or other soft of 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.
7. A facial covering is recommended for ages 2 to 5 and is required for ages over 5. A facial covering is not required, nor recommended, for children less than 2 years of age. Lafayette Elementary School and Profile High School have policies in effect that will supersede the recommendations of the Town’s ordinance.
8. A face covering will not be 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. Any such medical documentation provided to the Town shall be kept confidential as is authorized by RSA 91-A.
9. Anyone who violations this ordinance shall be subject to a warning in the first instance and should the person refuse to put on a facial covering when requested may be subject to a fine of \$100 for the first violation and \$200 for the second, and any subsequent violations. Violators may be summoned to the Littleton District Court for such violations.

This order shall become effective immediately upon approval by the Board of Selectmen, recording this regulation with the Town Clerk, and either publishing a copy of these regulations on the Town of Franconia website and copies of these regulations have been posted in two or more places in Town. This regulation shall remain in effect for a period of thirty (30) days following the lifting of the Covid-19 State of Emergency by the Governor, unless the Select Board determines that the reasons for adopting these regulations still exist, in which case, these regulations shall continue in effect until rescinded by action of the Select Board.

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Jill Brewer, Chair

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Jeff Blodgett