

## **Resolution No. 20-09**

### **A Resolution of the Board of County Commissioners of Grant County, Kansas to establish a local face coverings protocol.**

**WHEREAS**, the Board of County Commissioners of Grant County, Kansas, have been given a choice of retaining authority or following Governor Laura Kelly's Executive Order 20-68 to implement a statewide face coverings protocol; and

**WHEREAS**, the Board of County Commissioners have chosen to retain local authority and adopt a local face coverings protocol for its citizens; and

**WHEREAS**, the Board of County Commissioners have determined wearing a face covering in public is the easiest and most effective way to protect each other, ease the burden on our overburdened healthcare system, and help keep our businesses open and our economy running.

**NOW, THEREFORE**, pursuant to the authority vested in Grant County Commissioners in order to ensure that its community can help keep each other safe, relieve the unsustainable burdens on our healthcare system, and keep our businesses open as we restore our economy, we hereby ask of its citizens the following:

1. Effective at 12:01 a.m. on Wednesday, November 25, 2020, any person in Grant County shall wear a face covering when they are in the following situations:
  - a. Inside, or in line to enter, any indoor public space;
  - b. While outdoors in public spaces and unable to maintain a 6-foot distance between individuals (not including individuals who reside together) with only infrequent or incidental moments of closer proximity.
2. The following are exempt from wearing face coverings:
  - a. Persons age five years or under; children age two years and under in particular should not wear a face covering because of the risk of suffocations;
  - b. Person with a medical condition, mental health condition, or disability that prevents wearing a face covering; this includes 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;

- c. Persons who are deaf or hard of hearing, or communicating with a person who is deaf or hard of hearing, where the ability to see the mouth is essential for communication;
- d. 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 regulators or workplace safety guidelines:
- e. Persons who are obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service;
- f. Person who are seated at a restaurant or other establishment that offers food or beverage service, while they are eating or drinking, provide they maintain a 6-foot distance between individuals (not including individuals who reside together) with only infrequent or incidental moments of closer proximity;
- g. Athletes who are engaged in an organized sports activity will follow Kansas State High School Activities Association (KSHSAA) guidelines.
- h. Persons who are engaged in an activity that a professional or recreational association, regulatory entity, medical association, or other public-health - oriented entity has determined cannot be safely conducted while wearing a face covering;
- i. Persons engaged in an activity or event held or managed by the Kansas Legislature:
- j. Persons engaged in a court-related proceeding held or managed by the Kansas Judiciary: and
- k. Persons engaged in any lawful activity during which wearing a face covering is prohibited by law.

3. Definitions:

- a. "Face Covering" means a covering of the nose and mouth that is secured to the head with ties, straps, or loops over the ears or is simply wrapped around the lower face. A face covering can be made of a variety of synthetic and natural fabrics, including cotton, silk, or linen. Ideally, a face covering has two or more layers. A face covering may be factory-made, sewn by hand, or can be improvised from household items such as scarfs, bandanas, t-shirts, sweatshirts, or towels.
- b. "Public Space" means any indoor or outdoor space or area that is open to the public; this does not include private residential property or private offices or workspaces that are not open to customers or public visitors.

- c. "Enforcement" means as currently permitted pursuant to state law, the Attorney General, and county attorney enforcing this order should use their discretion and consider the totality of the circumstances as they determine appropriate enforcement actions.

**NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF GRANT COUNTY, KANSAS**, that the adoption of a face coverings protocol is necessary to establish and maintain practices that are agreeable to the health of the citizens of the county, and the quality of the environment.

**ADOPTED AND APPROVED by the Board of County Commissioners of Grant County, Kansas, in special session, duly assembled, this 23<sup>rd</sup> day of November 2020.**

This resolution will be revisited at the first County Commissioner Meeting each month until rescinded.

**BOARD OF COUNTY COMMISSIONERS  
GRANT COUNTY, KANSAS**

  
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Kevin Shapland, Chairman

  
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Janet Stewart, Member

  
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Mark McGaughey, Member



Attest:

  
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Sheila Brown, County Clerk