



## MAYORAL MASK MANDATE

THE CITY OF FARGO, NORTH DAKOTA

### MANDATE -- COVID-19 -- FACE-COVERING REQUIRED

On March 16, 2020, I declared a state of emergency in the City of Fargo as a result of the COVID-19 pandemic which has since been approved and extended by the full City Commission.

On July 27, 2020, the Fargo City Commission approved a motion directing the public to wear masks where and when appropriate and encouraging stores and businesses to adopt policies prohibiting entry without the wearing of masks. The City of Fargo appreciates the sacrifice that individuals, businesses (including employees and other workers) are making in order to stem the tide of COVID-19 cases; however, the number of COVID-19 cases and deaths resulting continue to rise in the world, the nation and the state, including the City of Fargo. Each one of us—each resident, each adult, each child, each family, each business and each store—must do more. As a community, we must all do our part to greatly reduce the spread of this deadly COVID-19 disease and, therefore, I am issuing this **MANDATE** to every person, family, business and store in the City to adopt appropriate measures accordingly;

**NOW, THEREFORE, IT IS HEREBY DECLARED, ORDERED AND MANDATED:**

**Article I. Definitions.** – For purposes of this mandate, the following definitions shall apply:

- a. Face covering shall mean a paper or two-layered cloth face mask that covers the nose and mouth completely, and includes a paper or disposable face mask or a religious face covering.
- b. “Business” and “businesses” are broadly defined to include entities that employ or engage workers, including private-sector entities, public-sector entities, non-profit entities, and state, county, and local governments.
- c. “Social distancing” means individuals keeping at least six (6) feet of distance from other individuals who are not members of their household.
- d. “Household” means a group of individuals who share the same living unit.

**Article II. COVID-19-Face Covering Required.** -- Every person shall, within the city of Fargo, wear a face covering over the mouth and nose in all indoor environments where they are exposed to non-household members and where social distancing of six (6) feet or more cannot be assured and in all outdoor settings where there is exposure to non-household members, unless there exists ample space of six (6) feet or more to practice social distancing.

The following shall be exempt from wearing a face covering:

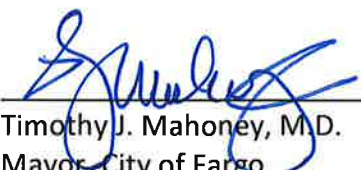
- a. Persons younger than school age, although parents and guardians are encouraged to have such younger children wear face coverings when and where appropriate;
- b. Persons with a medical condition or disability that prevents wearing a face covering;
- c. Persons performing job duties where a six (6) feet distance is not achievable, but a mask is inhibitory to the ability to safely and effectively perform the job duty;
- d. Persons participating in athletic activities where a six (6) feet distance is not achievable, but a mask is inhibitory to the activity;
- e. Persons actively consuming food or drink;
- f. Persons driving a motor vehicle alone or with passengers from the driver's household;
- g. Persons receiving services that require access to the face for security, surveillance, or other purposes may temporarily remove a face covering while receiving those services.
- h. Persons engaged in religious worship activities; however, face coverings are strongly encouraged;
- i. Persons giving a speech or performance for broadcast or to an audience; however, those persons shall safely distance from nearby individuals.

This mandate shall not prohibit law enforcement officers or local officials from enforcing trespassing laws or other applicable laws in removing violators at the request of businesses or other property owners.

**Article III. No penalty.**--Although these measures are being mandated with the strongest possible recommendation, there is no penalty for non-compliance with this mandate.

**Article IV. Effective Date and Term.**--This mandate shall take effect immediately and it shall remain in effect until the underlying state of emergency has ended unless it is sooner modified or terminated by the mayor or unless it is modified or terminated sooner by motion or resolution approved by the Fargo board of city commissioners.

**DONE AND DATED** this 19<sup>th</sup> day of October, 2020.

  
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Timothy J. Mahoney, M.D.  
Mayor, City of Fargo