

**A RESOLUTION TO MANDATE THE USE OF MASKS, SOCIAL DISTANCING
AND ESTABLISHMENT OF CAPACITY LIMITS IN RESTAURANTS AND BARS.**

WHEREAS, The New Town City Council operates under a Home Rule Charter as adopted by the qualified electors of the city of New Town

WHEREAS, The Home Rule Charter provides for the adoption of resolutions and regulations to provide for public health, safety, morals, and welfare, of the citizens of New Town; and

WHEREAS, there is a rapid spread of COVID-19 cases and hospitalizations, warranting rules, regulations, and mandates to protect the general public.

NOW THEREFORE, the City Council of New Town, North Dakota hereby establishes the following rules, regulations, and mandates for all public places, and open spaces within the City of New Town, North Dakota, to-wit:

1. Every person in the City of New Town shall wear a face covering (Mask) over the nose and mouth when inside a commercial entity or other public building or any space open to the public, or when in an outdoor public space, and shall maintain six feet social distancing from another person not in same household.
2. The face covering and social distancing requirement does not apply to the following situations or individuals:
 - a) Children younger than 10 years old.
 - b) People with a medical condition or disability that prevents wearing a face covering.
 - c) While seated at a restaurant or consuming food or drink.
 - d) While (a) exercising or engaging in physical activity outdoors and (b) maintaining a safe distance from other people not in the same household.
 - e) While the person is driving alone or with passengers who are part of the same household as the driver.
 - f) While obtaining a service that requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a personal care service involving the face. In such instances, face masks should be removed temporarily and only to the extent necessary.
 - g) While the person is in a swimming pool, lake, or similar body of water.
 - h) While voting, assisting a voter, serving as a poll watcher, or actively administering an election. However, wearing a face covering is strongly encouraged.
 - i) While actively providing or obtaining access to religious worship. However, wearing a face covering is strongly encouraged.
3. Capacity limits in all restaurants and bars will be limited to twenty-five (25%) percent of the maximum established capacity for such commercial business, as established by state

and local fire officials. The owners or operators of such establishments must comply with the following requirements:

- a) Keep everyone at least six (6.ft.) from one another and reduce congestion.
- b) Use ground markings, signs and physical barriers as appropriate to ensure social distancing and reduce congestion.
- c) Provide non-medical grade face coverings to their employees.
- d) Require face coverings when employees cannot consistently maintain six (6.ft.) of separation from others.
- e) Require face coverings in shared spaces, including during in-person meetings and in restrooms and hallways.

4. This resolution shall become effective and enforceable as of the date of publication of this Resolution and shall maintain in place until rescinded or modified by the Mayor and City Council.

Dated this 21 day of October, 2020

APPROVED:

Daniel Ulan

Mayor

ATTEST:

Eileen Zaun
City Auditor

RATIFICATION

The motion for the above Resolution to ratify this resolution was made by Council Member – Bratvold, and seconded by Council Member – Mayer, and upon vote being taken thereon, the said resolution to ratify the same was approved by a vote of 3 in favor, and 0, opposed, with the same having been fully ratified.