



ORDINANCE

RELATIVE TO REQUIRING FACE COVERINGS THROUGH FEBRUARY 28, 2022

CITY OF NASHUA

In the Year Two Thousand and Twenty-Two

Whereas, the Nashua Board of Health finds that the public's health remains threatened due to increased Covid-19 transmission and that the requirement of face coverings in the City should be extended.

Thus, the Board of Health urges the Board of Aldermen to extend the current face coverings requirements through February 28, 2022.

Now therefore, the City of Nashua ordains that the following Emergency Public Health Order adopted by the Nashua Board of Health is hereby approved:

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 co-worker or a customer.
2. Members of the public entering any business, including without limitation any outdoor area where business of any sort is conducted, work site, or government building must wear a face covering over their nose and mouth.
3. 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 at a restaurant may remove face covering when actively eating and drinking.
4. 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.
5. This order applies to all individuals over the age of 2, regardless of vaccination status.

6. A face covering is not 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. This exception to the face covering requirement for health reasons shall require a person to have in his or her immediate possession a written document executed by a medical doctor, registered nurse practitioner, or a physician's assistant authorized to prescribe medication which document certifies that the practitioner has warned the individual that he or she should not wear a face covering because it would pose a risk to his or her health.
7. All businesses open to the public, including restaurants, retail stores, service providers, and places of amusement and recreation, and residential and commercial buildings of greater than two (2) units shall post at each public entrance a notice stating "FACE COVERINGS REQUIRED."
8. Persons engaged in utilizing cardio, strength training, and other gymnasium equipment may remove the face covering during the actual use of such equipment provided a distance of six (6) feet from any other person is maintained.
9. Persons at places of amusement, including bingo halls, bowling alleys, charitable gaming facilities, and similar places where food and drink is served secondarily to the main activity may remove face covering while actually engaged in eating or drinking and not at other times.
10. Persons receiving personal care services including hair cutting and other hair treatment, facials, tattooing, piercing, and similar services, may remove face covering during any limited period during which the face covering actually interferes with the performing of the service.
11. For purposes of this ordinance and any other face covering requirements now in force or hereafter adopted the following words shall have the indicated meanings:

"Business" means any manager or supervisor on the premises when a violation occurs and any owner of the business.

"Face covering" means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose, mouth, and surrounding areas of the lower face. A face covering may be a 2-layer cloth mask or a surgical mask, but may not be a gaiter or scarf.

"Owner" means any one or more of the natural persons owning a business; in the case of a business owned by a partnership "owner" means the partnership and all general and limited partners; in the case of a business owned by a limited liability company "owner" means the company and all managers and members thereof; in the case of a business owned by a corporation "owner" means the corporation and all officers, and directors, thereof; and in the case of a business owned by a corporation having fewer than ten (10) shareholders "owner" means all shareholders.

ORDINANCE

O-22-003

This ordinance shall be effective immediately and shall continue in effect until the end of the day of February 28, 2022. The Board of Health and the Board of Aldermen reserve the right to revisit this end date if the public's health remains threatened due to increased transmission.

The City Clerk is directed not to codify this ordinance in the Nashua Revised Ordinances but to designate it as **Covid-19 Emergency Measure No. _____** (City Clerk to assign appropriate number upon passage) and publish it and any subsequent emergency measures on the city website.

LEGISLATIVE YEAR 2022

ORDINANCE: O-22-003

PURPOSE: Relative to requiring face coverings through February 28, 2022

ENDORSERS: Alderman-at-Large Melbourne Moran, Jr.
Alderman Patricia Klee
Alderman Thomas Lopez
Alderwoman-at-Large Gloria Timmons
Alderman-at-Large Lori Wilshire

COMMITTEE
ASSIGNMENT: Personnel/Administrative Affairs Committee

FISCAL NOTE: None.

ANALYSIS

This legislation approves the Board of Health's recommended extension of the regulations requiring the wearing of face coverings by persons at various places, effective through February 28, 2022.

Approved as to form: Office of Corporation Counsel

By: /s/ Steven A. Bolton

Date: January 19, 2022