

CITY OF CARBONDALE, ILLINOIS

ORDINANCE NO. 2020- 24

**AN ORDINANCE REGARDING FACE COVERINGS
TO PRESERVE AND PROTECT RESIDENTS**

ADOPTED BY THE CITY COUNCIL

OF THE CITY OF CARBONDALE, ILLINOIS

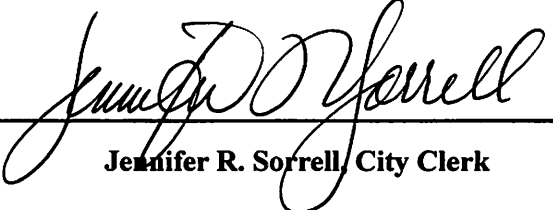
THE 30th DAY OF JULY, 2020

Published in pamphlet form by authority of the City Council of the City of Carbondale, Jackson County and Williamson County, Illinois, this 31st day of July, 2020

CERTIFICATE OF PUBLICATION

I, Jennifer R. Sorrell, the duly qualified City Clerk of the City of Carbondale, Illinois, and the official custodian of the records of said City, do hereby certify that this ordinance was published in pamphlet form by authority of the City Council on the 31st day of July, 2020.





Jennifer R. Sorrell, City Clerk

ORDINANCE NO. 2020- 24

AN ORDINANCE REGARDING FACE COVERINGS TO PRESERVE AND PROTECT RESIDENTS

WHEREAS, the City of Carbondale, Illinois (“City”), is a home rule unit of government and, pursuant to the provisions of Article VII, Section 6(a) of the Illinois Constitution, may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Illinois Municipal Code, 65 ILCS 5/11-20-5, provides that municipalities may do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of diseases; and

WHEREAS, the City has determined that the outbreak of novel coronavirus (COVID-19), a highly contagious disease, jeopardizes the public health and safety of the residents of the City; and

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) and the Illinois Department of Public Health (IDPH) have identified the risks associated with the outbreak of COVID-19 and made recommendations for suppression of the disease that include all individuals wear face coverings in public settings where other social distancing measures may be difficult to maintain, because people who are asymptomatic can spread COVID-19; and

WHEREAS, in order to protect the health, safety and welfare of the persons within the City, the City has determined that suppression of disease will be enhanced by implementing the following health restrictions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CARBONDALE AS FOLLOWS:

SECTION 1: PROTECTIVE FACE COVERINGS REQUIRED. All persons within the municipal boundary of the City engaging in any activity outside of their residence, while other

people are present, shall wear protective face coverings when it's not possible to maintain a minimum 6' social distance from others. As used in this Ordinance, a "face covering" is defined as a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose and mouth and surrounding areas of the lower face.

Examples of when face coverings are required include, but are not limited to:

- Shopping or working at retail businesses, like grocery stores or pharmacies;
- Picking up food from a drive thru or curbside pickup;
- Visiting a health care provider;
- All educational institutions except where students and faculty can maintain 6' social distancing;
- Traveling on public transportation, taxis or rideshare;
- Interacting with customers, clients or coworkers at a place of business or worship that is open to the general public;
- Performing services for state and local government agencies, where close interactions with other people are unavoidable; and
- When feeling sick, coughing or sneezing or otherwise ill.

SECTION 2: EXCEPTIONS.

(a) Protective face coverings are not required for children under two years of age, or for those with medical issues that would be compromised by wearing a face covering.

(b) Protective face coverings are not required when engaged in physical activity such as walking or running while maintaining social distancing from others of not less than six feet.

(c) Protective face coverings are not required when alone or with members of the same household.

(d) Protective face coverings are not required when eating or drinking, whether in public or private.

(e) Protective face coverings are not required when traveling in personal vehicles.

SECTION 3: DURATION. The restrictions herein shall be effective until the state enters

Phase 5 of the Restore Illinois Plan, unless repealed sooner by the City.

SECTION 4: NOTICE. Upon passage of this ordinance, the municipal clerk shall publish the ordinance in pamphlet form and shall cause at least two copies of the ordinance to be posted at prominent places within the City.

SECTION 5: VIOLATIONS. Any person violating the provisions of this ordinance shall be guilty of an offense against the City and shall be punished as provided by section 20-1-5 of the City code. A business owner or operator may refuse admission or service to any individual who fails to wear a face covering reasonably designed and made to inhibit, filter or restrict the passing of a person's breath, sneeze, cough or other exhaling from one's nose and mouth.

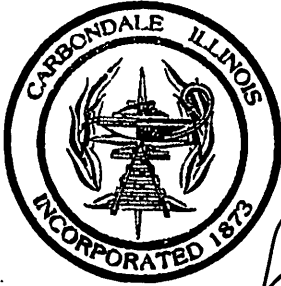
SECTION 6: EFFECT ON OTHER ORDINANCES. Nothing contained in this section shall be construed to impair the powers contained in this code, giving powers to the police and fire departments, but shall be construed together with existing ordinances now in effect for the safety and welfare of the citizens of the City.

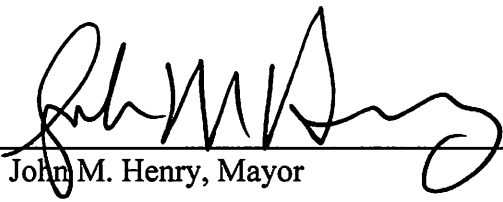
SECTION 7: EFFECTIVE DATE. Due to the urgent need to protect the public health and safety due to COVID-19, this ordinance shall be in full force and effect immediately upon passage.


SECTION 8: REPEAL OF CONFLICTING PROVISIONS. All ordinances and resolutions, or parts thereof, in conflict with the provisions of this ordinance are, to the extent of the conflict, expressly repealed on the effective date of this ordinance.

SECTION 9: SEVERABILITY. If any provision of this ordinance or application thereof to any person or circumstances is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 10. That this Ordinance shall take effect upon its passage, approval, recording and publication in pamphlet form in accordance with law.



APPROVED: 
John M. Henry, Mayor

ATTEST: 
Jennifer B. Sorrell, City Clerk

FOR:	Bradshaw, Doherty, Fronabarger, Grant, Harvey, Loos, Henry
AGAINST:	None
PASSED:	July 30, 2020
APPROVED:	July 30, 2020
RECORDED:	July 31, 2020
PUBLISHED:	July 31, 2020