

TOWN OF RICHMOND, VERMONT

RULE REQUIRING WEARING FACE COVERINGS INDOORS IN PUBLIC SPACES

DRAFT as of 12-3-21

Section 1. Authority.

This Rule is adopted by the Selectboard of the Town of Richmond under authority of Act 1, an act relating to temporary municipal rules in response to COVID-19 (2021).

Section 2. Purpose.

The purpose of this Rule is to require all individuals to wear face coverings while indoors at locations that are open to the public in order to prevent and mitigate the spread of COVID-19 and protect the public health and safety of the Town of Richmond

Section 3. Requirement to Wear Face Coverings.

All individuals in the Town of Richmond shall wear face coverings while indoors at locations that are open to the public.

Section 4. Exceptions.

Face coverings are not required for:

- Children under 2 years
- A person with a disability who cannot wear a face covering or cannot safely wear a face covering for reasons related to the disability
- A person for whom wearing a face covering would create a risk to workplace health, safety, or job duty as determined by the workplace risk assessment
- Any person while eating or drinking inside any establishment that serves food or beverage

Section 5. Enforcement.

A violation of this Rule shall be a civil matter which may be enforced in the Vermont Judicial Bureau or in the Chittenden County Superior Court, at the election of the Selectboard.

Violations enforced in the Judicial Bureau shall be in accordance with the provisions of 24 V.S.A. §§ 1974a and 1977 et seq. For purposes of enforcement in the Judicial Bureau, any Enforcement Officer shall have authority to issue tickets and represent the Town at any hearing.

Violations enforced in the Superior Court shall be in accordance with the Vermont Rules of Civil Procedure. The Town may pursue all appropriate injunctive relief.

Section 6. Penalties.

The Enforcement Officer is authorized to recover civil penalties for violations of this Rule as set out below:

1st Offense: \$50.00 fine.	Waiver amount: \$25
2nd Offense: \$100.00 fine.	Waiver amount: \$50
3rd and subsequent Offense: \$500,00 fine.	Waiver amount: \$250

For the above offenses, the Enforcement Officer is authorized to recover a waiver fee, in lieu of a civil penalty, in the stated amount, for any person who declines to contest a municipal complaint and pays the waiver fee.

Section 7. Other Laws.

This Rule is in addition to all other ordinances and rules of the Town of Richmond and all applicable laws of the State of Vermont. All ordinances, rules, or parts of ordinances, rules, resolutions, regulations, or other documents inconsistent with the provisions of this Rule are hereby repealed to the extent of such inconsistency.

Section 8. Severability.

If any section or provision of this Rule is held by a court of competent jurisdiction to be invalid, such finding shall not invalidate any other part of this Rule.

Section 9. Effective Period.

This Rule shall take effect immediately upon the approval by the Selectboard and shall remain in effect for a period not to exceed 45 days following its initial adoption. The Selectboard shall meet during the 45-day period in which this initial Rule is in effect and vote either to rescind this Rule or to extend it for an additional 30 days. Thereafter, the Selectboard shall meet at a minimum once every 30 days to reconsider this Rule, at which meeting the Selectboard shall vote either to rescind this Rule or to extend it for an additional 30-day period. The filing of a petition under 24 V.S.A. §§ 1972 and 1973, shall not govern the taking effect of this Rule.

ADOPTED by the Selectboard of the Town of Richmond at its meeting on this ____ day of _____, 20____.

SIGNATURES of Selectboard:
