

PROPOSED

**Missoula City-County Board of Health Rule and Health Officer Order
Face Coverings Required During COVID-19 Pandemic**

1. **Purpose:** To reduce the spread of the pandemic disease COVID-19 by increasing use of face coverings among people in indoor public settings as recommended by the Centers for Disease Control and Prevention.
2. **Authority:** This Directive is a Rule promulgated by the Missoula City-County Board of Health pursuant to §50-2-116, MCA, and by the Missoula City-County Health Officer pursuant to §50-2-118, MCA.
3. **Applicability:** The requirements in this rule and order are in addition to and do not replace requirements for businesses and other entities that have been issued by the Governor of Montana or the Missoula City-County Health Officer in response to the COVID-19 pandemic. This rule and order shall be in effect until revoked or revised by the Missoula City-County Health Board and Health Officer.
4. **Definitions:**
 - A. **Business** means a for-profit or non-profit entity which has employees or volunteers. The term “business” includes, but is not limited to, retail stores, food and beverage establishments, public lodging, personal care providers, medical providers, pharmacies, gyms and fitness services, indoor recreational facilities, indoor entertainment facilities, gas stations, repair and service providers, non-profit organizations, realty services, legal services, transportation services, and ride sharing services.
 - B. **Face Covering** means a cloth, paper, or disposable face covering that covers the nose and the mouth and which does not have an exhalation valve. The term includes medical-grade masks, but does not include face shields.
 - C. **Indoor space open to the public** means an indoor space, whether publicly owned or privately owned, where the public has access by right or invitation, express or implied, whether by payment of money or not. In addition to the public areas of the businesses defined above, such spaces may include, but are not limited to, building lobbies or common spaces, elevators, bathrooms, and buildings, gathering spaces and/or meeting rooms outside of private homes where people gather.

5. Businesses, Government Offices and Other Indoor Spaces Open to the Public

- A. A business, government office or person/corporate entity responsible for an indoor space open to the public shall:
 - a. Require employees, contractors, volunteers, customers and visitors to wear a face covering within the building, and when entering and exiting, and within a shared vehicle, except as allowed in Section 6.
 - b. Require employees who perform work in private homes to wear a face covering when other people are present.
 - c. Provide face coverings to employees.
 - d. Provide accommodations for employees, contractors, customers and visitors if required by State and federal disabilities laws, including the Americans with Disabilities Act (ADA) which protects people with disabilities from discrimination in employment and requires employers to engage in the interactive process for accommodations.
 - e. Post clearly visible signs at entry points that state “Mask or face covering use required for ages 12 and older.”

6. Exceptions to When Face Coverings Must be Worn.

- A. A face covering is not required for employees, contractors or volunteers when they are not interacting with the public and they can maintain six (6) or more feet of distance from other people.
 - B. A face covering is not required when an individual is fully separated from other people by a protective barrier, such as when working alone in a separate office. A plexiglass shield that provides only partial protection between the public and an employee does not negate the requirement to wear a face covering.
 - C. Individuals under the age of 12 are not required to wear a face covering, and should not wear a face covering if they cannot remove the face covering without help. Children under the age of 2 should not wear a face covering.
 - D. A face covering is not required while eating or drinking.
 - E. A face covering is not required when engaged in an activity that makes wearing a face covering physically impractical or unsafe, such as during strenuous physical exercise or when swimming.
7. **Effective Date.** This Board rule and Health Officer order are effective immediately upon passage by the Missoula City-County Board of Health and issuance by the Health Officer.

ADDITIONAL RESOURCES:

[ADA and Face Mask Policies](#)

[CDC About Cloth Face Coverings](#)

[CDC How to Make Cloth Face Coverings](#)