



Frequently Asked Questions

City of Mary Esther Required Face Coverings

When will this requirement take effect?

Friday, July 31st, 2020 at 12:01 AM

Who is required to wear a face covering?

Any individual in a business establishment in the City limits of Mary Esther must wear a face covering while in that business establishment.

However, there are exceptions to the face covering requirement.

What are the exceptions to the face covering requirement?

Facial coverings are not required to be worn by the following persons:

- A child under the age of 6 years;
- Persons who have trouble breathing due to a chronic pre-existing condition or individuals with a documented or demonstrable medical problem. It is the intent of this provision that those individuals who cannot tolerate a facial covering for a medical, sensory or any other condition which makes it difficult for them to utilize a facial covering and function in public are not required to wear one;
- Public safety, fire, and other life safety and health care personnel, as their personal protective equipment requirements will be governed by their respective agencies;
- Persons exercising while observing at least six feet of distancing from another person;
- Restaurant and bar patrons eating or drinking. It is the intent of this provision that a face covering will be worn while traversing a business establishment for ingress and egress, to use the facilities, and while otherwise standing when persons are unable to maintain at least six (6) feet of distancing;
- Business owners, managers, and employees who are in an area of a business establishment that is not open to customers, patrons, or the public, provided that six (6) feet of distance exists between persons. This exception does not apply to employees who are present in the kitchen or other food and beverage preparation area of a business establishment;

- An individual in a lodging establishment who is inside of the lodging unit, including, but not limited to, a hotel room, motel room, vacation rental unit, timeshare unit, or similar unit;

Where are face coverings required?

In a business establishment as defined below.

A “business establishment” is defined to mean any location where members of the public are regularly invited inside of a building to conduct business, service, governmental, social, recreational or not-for-profit activities. This definition shall specifically include but shall not be limited to retail, office, professional or service establishments, restaurants, fitness centers, bars, places of assembly, governmental buildings and public lodging establishments.

Does the requirement include all localities within the City of Mary Esther?

Yes. The ordinance requiring face coverings is intended to have citywide application.

Is a business required to post that face coverings are required while indoors?

The City of Mary Esther’s ordinance on face coverings does not address signage; however, Okaloosa County has adopted an ordinance related to Covid-19 face coverings. You can find it [here](#).

Is a business required to enforce the emergency order?

No. Local law enforcement and code enforcement are responsible. A violation of the emergency ordinance is a noncriminal infraction and does not authorize the search or arrest of an individual. Prior to issuing any citation, the individual will be asked to comply with the order or be able to explain how they are exempt. The first violation of the requirement is through a fine of \$50. The second violation would be a fine of \$125. All subsequent violations would be a fine up to \$250.

What is considered a face covering?

A “face covering” is defined as a uniform piece of material that securely covers a person’s nose and mouth and remains affixed in place without the use of one’s hands, whether store-bought or homemade, concurrent with CDC guidelines.

What if I don’t have a face covering?

Homemade coverings, bandanas, scarves and neck gaiters are all OK. The CDC has provided simple steps for making a cloth face covering with everyday items from your home that can be found [here](#). A video showing how to make a cloth face covering can be found [here](#).

Cloth face coverings should:

- Fit snugly but comfortably against the side of the face.
- Be secured with ties or ear loops.
- Be made of more than one layer of fabric that you can still breathe through.
- Be able to be washed and machine dried without damage or change to shape.

Cloth face coverings should be washed after each use. It is important to always [remove face coverings correctly](#) and [wash your hands](#) after handling or touching a used face covering. Follow the CDC's guidance on [how to properly wash cloth face coverings](#).

Will the City of Mary Esther be distributing face coverings to residents?

Yes and no. There is no concerted effort to make a city-wide distribution of masks; however, masks are available at the following locations for any resident needing one:

- Mary Esther Library (100 Hollywood Blvd. W.)
- City Administration Bldg. (195 Christobal Road, N.)

How well do cloth face coverings work to prevent spread of COVID-19?

Health experts agree that face coverings can be very effective at preventing the spread of COVID-19. The CDC recommends wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain, especially in areas of significant community-based transmission.

The primary role of the use of face coverings is to reduce the release of infectious particles into the air when someone speaks, coughs, or sneezes, including someone who has COVID-19 but feels well. Cloth face coverings are not a substitute for physical distancing, washing hands, and staying home when ill, but they may be helpful when combined with these primary interventions.

Are face coverings required on mass transit and in rideshares Uber/Lyft/taxis?

Yes, any public location or facility where six (6) foot social distancing is not available or practical.

Are face coverings required in churches?

Yes, any public location or facility where six (6) foot social distancing is not available or practical and particularly if the service is conducted indoors.

What should I do if I see someone without a face covering?

For your own safety, do not confront individuals without face coverings. Stay six (6) feet away from people who are not wearing face coverings. If someone is not wearing a face covering, please consider that the individual may have a valid reason, including concerns for their own safety. Others may have breathing problems or health issues you do not know about. People who cannot wear a cloth face covering are not required to show proof of their medical condition nor are they required to name their medical condition.

How long will the face covering requirement remain in effect?

The adopted ordinance was signed into legislation for a period of sixty (60) days taking it through September 28th, 2020 although the Council may extend it for a longer period or repeal it at some future date.

Does the ordinance apply to organizations that provide shared housing?

The face covering requirement only applies to a business establishment as defined below.

A “business establishment” is defined to mean any location where members of the public are regularly invited inside of a building to conduct business, service, governmental, social, recreational or not-for-profit activities. This definition shall specifically include but shall not be limited to retail, office, professional or service establishments, restaurants, fitness centers, bars, places of assembly, governmental buildings and public lodging establishments.

What authority does the City Council have to require face coverings?

The City has authority under Chapter 166, Florida Statutes and is responsible for the health, safety and welfare of its citizens.

Why does the City's emergency ordinance require face coverings in indoor spaces?

Face coverings are required in these instances as public health experts have identified indoor activities are especially at risk. In general, the more closely a person interacts with others and the longer the interaction, the higher the risk of COVID-19 spread.

Epidemiologists also point to mitigating the “three Cs” of transmission: closed spaces with poor ventilation, crowded settings, and close contact with others. That means encouraging outdoor seating when possible and maximizing ventilation in any indoor settings, limiting the number of people inside rooms and buildings, and continuing to keep individuals spaced apart by at least six feet.

Does this ordinance apply to child-care settings?

Yes. An individual in a business establishment must wear a face covering while in that business establishment. The ordinance exempts a child under the age of 6.

Can I wear a face shield instead of a face covering and be in compliance with the emergency ordinance?

No. The Centers for Disease Control do not recommend the use of face shields for normal everyday activities or as a substitute for cloth face coverings. Specifically, the emergency ordinance says that face coverings must fit snugly around the nose and mouth and a face shield does not.

Does the emergency ordinance apply to public schools operated by Okaloosa County School District?

No. General Home rule powers prevent the City from regulating activities on the Okaloosa County School District's property. Similar to federal, state, and county owned properties that may lie within the Mary Esther City Limits.

Per the ordinance recently adopted and that will go into effect July 31st, a **private school, charter school, day care, etc.** would need to follow the provisions of the ordinance unless one of the exceptions existed as listed in Section 3 B. (i.e. can't social distance, children under 6, medical condition, etc.). This however would not apply to the any Okaloosa County School District properties that are within the city limits.