



## **Portsmouth Mask Ordinance FAQs**

### **Portsmouth Mask Ordinance, effective through June 30, 2021**

#### **What are the requirements of the Mask Ordinance?**

The Portsmouth Mask Ordinance includes the requirements listed below in **red**. Additional information is provided to answer Frequently Asked Questions.

**FACE COVERINGS -- All persons are required to wear face coverings whenever they are:**

- **in indoor or outdoor places which are accessible to the public**
- **where physical distancing of six feet (6') between people who are not members of the same household is not maintained.**

#### **Are masks required in all buildings within the Portsmouth city limits?**

- Masks are required inside all City-owned buildings, including schools.
- The Governor's Emergency Order #81 is a statewide mask mandate effective through March 26, 2021.  
<https://www.governor.nh.gov/sites/g/files/ehbemt336/files/documents/emergency-order-81.pdf>
- Mask wearing requirements on private property are determined by the property owner, aided by the Governor's Emergency Order 52 and Guidelines covering various industries and situations. <https://www.covidguidance.nh.gov/>
- The NH Attorney General has also specified that "despite the use of such terms as 'guidance' and 'guidelines' the requirements in the Emergency Orders and their applicable documents must be complied with."
- The Governor's Emergency Order 52 as extended including Exhibits A and B, specifically require mask wearing in all houses of worship whenever congregants cannot maintain 6' of physical distancing.
- The Governor's Emergency Order #63 requires mask wearing at any event – indoors or outdoors – where 100 or more people are gathered.

#### **Are masks required inside buildings, in individual offices?**

- Mask are required in the public spaces of all buildings.
- Masks are not required to be worn by a single person in an office with the door shut but are required if more than one person is in the office and physical distancing of 6' is not possible or where there is no barrier such as a Plexiglas divider between workers.
- In private buildings, once someone has left the public space (e.g. reception area), mask wearing is subject to the policy of the property owner EXCEPT where State guidelines require mask wearing by customer-contact employees at all times.

- Face coverings must be worn in houses of worship whenever congregants are not seated 6' apart from all others except members of the same household.

#### **Are masks required at all times outdoors?**

- Mask wearing is required outdoors only when it is not possible to maintain physical distance of at least six feet.

**PERMISSIBLE FACE COVERINGS** -- Any product that covers the nose and mouth of the person wearing it.

- The face covering may be commercially manufactured or personally created.

#### **Why cloth face-coverings?**

- Cloth or disposable face coverings are acceptable.
- Cloth face masks are recommended for the general public in part to maintain the supply of other varieties of face masks for individuals exposed to higher risk, e.g. health care providers and first responders.
- Cloth face masks are best constructed with at least two layers of tightly woven, non-stretchy fabric. Reusable cloth masks should be washed regularly.
- Face-coverings made of material with large holes (e.g. crochet work) or vents are not effective.

#### **What about face shields?**

- Face shields are not considered effective by the CDC because they are open at the bottom and therefore do not contain respiratory droplets. But are better than nothing for those who cannot wear face-coverings of other kinds. Preferably, they should be worn with disposable face masks.

**EXCEPTIONS** The following persons are exempted from the requirements of this ordinance:

- Persons who have a medical or other condition which may pose a risk to the health of the individual wearing the face covering.
- Any person age six (6) or younger.
- Any person who is eating or drinking at a business establishment licensed by the City of Portsmouth for that purpose.

o Face coverings should be worn entering/leaving the restaurant and while moving around the restaurant, per the Governor's Guidelines.

<https://www.covidguidance.nh.gov/sites/g/files/ehbemt381/files/files/inline-documents/guidance-restaurants.pdf>

**ENFORCEMENT** Anyone charged with violating this ordinance is subject to a civil citation. The maximum penalty is \$25.

#### **Who enforces the Mask Ordinance?**

- The Portsmouth Police Department is responsible for issuing civil citations.
- The first step is education. Anyone in violation who dons a mask will not receive a citation.

**Am I under arrest if I'm stopped for not wearing a mask?**

- A civil citation is not a criminal citation and persons cited for violating the Ordinance are therefore not under arrest.

**If I receive a citation, where do I pay the fine?**

- The fine is payable to the City of Portsmouth. Details included on the citation.

**What if I refuse to wear a mask and refuse to pay the fine?**

- Those who refuse to pay the fine or are repeat offenders are subject to court (criminal) proceedings.

**What if someone refuses to comply with the Ordinance or with private property requirements?**

- Persons who refuse to comply with mask wearing on private property and refuse to leave the premises when asked are subject to charges of trespassing.
- Trespassing charges are criminal and are handled by the Police Department.

**What good does mask-wearing do?**

- Research shows that the COVID-19 virus is spread through the air after originating in an infected person who spreads it by breathing, talking, shouting, singing, sneezing, coughing, etc.
- Your mask protects others from COVID-19 infection you might not know you have.
- Others' masks protect you.
- Medical research has demonstrated the effectiveness of mask wearing in helping communities contain the spread of COVID-19. The director of the CDC says the only way to get control of COVID-19 is for everyone to wear masks.

**Why does Portsmouth need a mask ordinance?**

- COVID-19 is a deadly disease with no known cure or vaccine as yet. The death rate in NH among those who have contracted COVID-19 is 6% which is about the same as the national average of 6.2%.
- New Hampshire is fortunate that cases of COVID-19 are low, so far.
- However, infection rates in Rockingham County (where Portsmouth is located) are higher than most other counties in the state.
- Maintaining vigilance to prevent outbreaks such as those that have occurred in surrounding towns – UNH, a few schools/sports events and at the Shipyard – is the goal.
- Portsmouth joins other surrounding towns including Durham, Dover, Stratham, Newington and Exeter in adopting a mask mandate and with Rollinsford and Somersworth who have mask resolutions. Together we help each other reduce the spread of infection as people go to school, shop, attend church services, visit medical/professional offices, and conduct their lives on the Seacoast.