



**TOWN OF GRAY**  
**GRAY TOWN COUNCIL**  
**AGENDA • MARCH 8, 2022**

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**Gray Town  
Council Special  
Meeting**

**Online Via Zoom: <https://us06web.zoom.us/j/86080253227>**

**6:00 PM**

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**I. OPENING STATEMENT**

Due to the ongoing COVID-19 emergency, the Town Council meeting will NOT take place in person. The meeting will be held online with the link provided in the agenda header. For the Public Hearing, residents can click in to participate or call in using the number provided during the Public Hearing as detailed in the agenda.

**II. ROLL CALL**

**III. PLEDGE OF ALLEGIANCE TO THE FLAG**

**IV. REVISED ORDINANCE REGARDING FACE COVERINGS ON TOWN PROPERTY**

New guidelines released by MSAD15 on March 4, 2022 make face coverings optional in the schools starting on March 9th. Gray's childcare program has committed to following the MSAD15 guidelines and requests that the Council consider revised ordinance language to allow the program to follow MSAD-15 guidelines.

Motion: That Council approve the modified ordinance.

**REVISED ORDINANCE REGARDING FACE COVERINGS ON TOWN PROPERTY**

Proposed motion:

Motion: That Council approve the modified ordinance.

**V. ADJOURNMENT**

*\* The Town of Gray is an equal opportunity employer and complies with all applicable equal access to public accommodations law. If you are planning to attend a Town Council or Town committee or board meeting and need assistance with a physical disability, please contact the Town Manager's office at least 48 hours in advance of the meeting to have the Town assist you. 657-3339. TTY 657-3931.*

CHAPTER 225  
ORDINANCE REGARDING FACE COVERINGS ON TOWN PROPERTY  
Adopted October 5, 2021

**SECTION 225.1 – EMERGENCY PREAMBLE**

WHEREAS, there is currently an outbreak of novel coronavirus disease 2019 (“COVID-19”), a respiratory illness, which continues to proliferate throughout the United States and the State of Maine; and

WHEREAS, on March 15, 2020, Governor Janet Mills declared a state of civil emergency, due to the effect of the COVID-19 pandemic on the State of Maine, its people, and its economy, which remained in effect through June 30, 2021; and

WHEREAS, although the state of civil emergency is not currently in effect ended, the State of Maine has followed the United States Centers for Disease Control (“US CDC”) recommendations regarding the use of face coverings (i.e., masks) in indoor public settings since July 2021; and

WHEREAS, as of July 2021, the US CDC recommended that all individuals wear face coverings in indoor public settings in areas where there is “high” or “substantial” transmission of the COVID-19 virus, regardless of vaccination status; and

WHEREAS, the US CDC updated its guidance effective February 25, 2022 to state that in areas designated as “medium” level of community transmission of the COVID-19 virus, individuals who are immunocompromised or at high risk for severe illness, or those who live with or have social contact with someone at high risk for severe illness should consider wearing a mask in indoor settings; and

WHEREAS, the US CDC’s updated guidance also stated that in areas designated as “low” level of community transmission of the COVID-19 virus, individuals should wear a mask based on personal preference and risk profile; and

WHEREAS, Governor Mills directed the Maine CDC to review the updated US CDC guidance regarding masks and the Maine CDC advised on March 2, 2022 that the State of Maine will follow US CDC guidance, including the recommendation that face coverings in schools and child care facilities become optional effective March 9, 2022; and

WHEREAS, Governor Mills and the Maine CDC have advised that local municipal officials and school district officials maintain the authority to establish local policies regarding the use of face coverings; and

WHEREAS, the Superintendent of the Maine School Administrative District 15 (“MSAD 15”) announced on March 4, 2022 that MSAD 15 will follow the US CDC guidance and that masking would become optional in schools within the district effective March 9, 2022 subject to community transmission levels of COVID-19; and

WHEREAS, as of the date of adoption of this Emergency Ordinance, the entire state of Maine is considered an area of “~~high~~medium” transmission of the COVID-19 virus; and

WHEREAS, in the judgment of the Gray Town Council, the foregoing facts create a public emergency within the meaning of Section 14(D) of the Town of Gray Charter, thereby making this Ordinance immediately necessary for the preservation of life, health, property and public safety;

NOW THEREFORE, pursuant to Section 14(D) of the Town of Gray Charter, the Gray Town Council hereby ordains that the Town of Gray Ordinance Regarding Face Coverings In Public Facilities be adopted to read as follows:

### SECTION 225.2 – TITLE AND AUTHORITY

This Ordinance shall be known and be cited as the “Town of Gray Ordinance Regarding Face Coverings On Town Property” and is adopted pursuant to the Town’s home rule authority, as provided in 30-A M.R.S. § 3001; the Constitution of Maine, Article VIII, Part Second; and 7 M.R.S. § 284, all as may be amended from time to time.

### SECTION 225.3 – PURPOSE

The purpose of this Ordinance is to protect the health and well-being of all persons who visit properties owned and operated by the Town of Gray for the conduct of Town government or for any other public events, programs or activities held on Town property.

### SECTION 225.4 – FACE COVERINGS REQUIRED

- A. All persons, regardless of vaccination status, shall be required to wear a face covering designed to protect against the spread of the COVID-19 virus as approved by the United States CDC when visiting any Town property.
- B. For purposes of this Ordinance, Town property shall include all buildings and/or properties owned by the Town of Gray.
- C. Face coverings must be properly worn at all times, covering the nose and mouth, whenever a person is indoors of a Town building and / or in locations where safe distancing of at least six feet from other people is not possible.
- D. Notwithstanding the requirements of this Section 225.4, programs operated by the Town of Gray through its Recreation Department that include child care services shall be permitted to follow policies adopted by MSAD 15 for all school-aged children in school settings.

## SECTION 225.5 – SEVERABILITY CLAUSE

Should any provision of this ordinance be declared invalid for any reason, such declaration shall not affect the validity of other provisions or of this Ordinance as a whole, it being the legislative intent that the provisions of this Ordinance shall be severable and remain valid notwithstanding such declaration.

## SECTION 225.6 – EFFECTIVE DATE; EXPIRATION

- A. In view of the emergency cited in the Emergency Preamble, this Ordinance shall be effective immediately upon adoption by the Gray Town Council on October 5, 2021.
- B. Pursuant to Section 14(D) of the Gray Town Charter, this Ordinance shall expire on December 4, 2021, unless otherwise reenacted prior to that date.

*Reenacted on November 26, 2021, with an extension to December 22, 2021.  
Reenacted on December 21, 2021, with an extension to February 2, 2022.*