

**TOWN OF SNOWMASS VILLAGE
TOWN COUNCIL**

**ORDINANCE NO. 04
SERIES OF 2021**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SNOWMASS
VILLAGE REQUIRING ALL PERSONS TO UTILIZE FACE COVERINGS
WITHIN THE TOWN OF SNOWMASS VILAGE AND ADOPTING MANDATORY
FACE COVERING ZONES WITHIN THE TOWN OF SNOWMASS VILLAGE
FOR THE PRESERVATION OF THE PUBLIC HEALTH, SAFETY AND
WELFARE DURING THE COVID-19 PANDEMIC**

WHEREAS, pursuant to the Colorado Disaster Emergency Act, C.R.S., Section 24-33.5-701, et seq., the Town of Snowmass Village (“TOSV”) has by adoption of Town Council Resolution No. 14, Series of 2020 previously declared a local disaster currently exists in TOSV, the occurrence of which is an imminent threat to the health, safety and welfare of the TOSV community;

WHEREAS, Colorado Governor Jared Polis, Colorado Department of Public Health and Environment, and Pitkin County Board of Public Health have indicated the likelihood of community transmission of COVID-19 within TOSV;

WHEREAS, Town Council adopted Ordinance No. 8, Series of 2020 on May 5, 2020 requiring face coverings and amended Ordinance No. 8, Series of 2020 with the adoption of Ordinance No. 11, Series of 2020 and Ordinance No. 12, Series of 2020 to require face coverings to be worn at all times in certain zones within the Town of Snowmass Village;

WHEREAS, Ordinance No. 12, Series of 2020 shall terminate by its terms on April 20, 2021 and Town Council has determined that in order to protect the public health, safety and welfare face coverings should be required through the summer season; and

WHEREAS, in order to protect the public health, safety and welfare, Town Council has determined that certain zones in the Town where face coverings shall be required at all times.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Snowmass Village as follows:

Section One: Face Coverings Required.

- 1) Face Covering shall mean 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.
- 2) a) Face Coverings are required to be worn by all persons at all times when entering and while inside of a place of business, including common areas containing businesses, and/or any mode of transportation open to the public; and

b) Face Coverings are required to be worn by all persons at all times while in any outdoor place where the public has access, including, but not limited to, any street, sidewalk, trail, public parking lot, park, playground, and the common areas of any public and private buildings and facilities that are located within the Mandatory Face Covering Zones, commonly known as "The Snowmass Mall", "The Snowmass Center" and "Snowmass Base Village". The exact boundaries of such Zones are depicted on the attached Exhibit "A" which is incorporated into and made a part of this Ordinance by reference; and

c) Face Coverings are required to be worn by all persons at all times while in any indoor place where the public has access, including, but not limited to, any common areas of any public and private buildings and facilities that are located within the Mandatory Face Covering Zones, commonly known as "The Snowmass Mall", "The Snowmass Center" and "Snowmass Base Village". The exact boundaries of such Zones are depicted on the attached Exhibit "A" which is incorporated into and made a part of this Ordinance by reference; and

d) Face Coverings are required to be worn by all persons at all times while in any part of that outdoor place commonly known as the "Snowmass Ski Area" and Bike Park, where the public has access, including, but not limited to, any street, sidewalk, public parking lot, terrain parks, lift lines, lift mazes, dining areas, beverage service areas and the outdoor common areas of any public and private buildings and facilities that are located within the Mandatory Face Covering Zones of the "Snowmass Ski Area"; and

e) Face Coverings are required to be worn by all persons at all times while in any indoor place commonly known as the "Snowmass Ski Area", where the public has access, including, but not limited to, any indoor common areas, restrooms, dining areas, warming areas, bar or beverage service areas of any

public and private buildings and facilities that are located within the Mandatory Face Covering Zone of the “Snowmass Ski Area”; and

f) Face Coverings are required to be worn in all such other indoor or outdoor places where persons are unable to maintain safe social distancing (six feet or feet separation) from others not of their own household.

Section Two: Exceptions.

- 1) Nothing herein shall require the wearing of face coverings by the following persons:
 - a) Persons under the age of two years;
 - b) Persons for whom a face covering would cause breathing impairment from an existing health condition;
 - c) Persons working in an office who do not have any face-to-face interactions with the public;
 - d) Persons in an automobile, alone or with members or their own household; and persons in a bar or restaurant who are eating and drinking while seated at a table; and
 - e) Persons riding a ski lift or mountain bike lift with no other passengers, or persons all of the same household, or all passengers are at least six (6) feet apart on said lift; and
 - f) Persons skiing, riding, biking, hiking or otherwise ascending or descending on the Snowmass Ski Area who maintain a social distance of at least six (6) feet at all times.

Section Three: Penalties.

- 1) Violation of this Ordinance shall be subject to the penalty provisions of Section 1-72 of the Snowmass Village Municipal Code.
- 2) At the discretion of the Officer, a penalty assessment may issue in the amount of Fifty Dollars (\$50.00) for a first offense; One Hundred Dollars (\$100.00) for a second offense; and/or a summons to Court for any subsequent offense(s).

Section Four. Termination

This Ordinance shall remain in effect until 11:59pm on September 30, 2021, unless it is repealed or extended by Town Council.

READ, APPROVED AND ADOPTED by the Town Council of the Town of Snowmass Village on First Reading on March 15, 2021 upon a motion by Council Member Fridstein, the second of Council Member Shenk, and upon a vote of 4 in favor and 0 against. Council Member Sirkus was absent.

READ, APPROVED AND ADOPTED by the Town Council of the Town of Snowmass Village on Second Reading on April 5, 2021 upon a motion by Council Member _____, the second of Council Member _____, and upon a vote of ___ in favor and ___ against.

TOWN OF SNOWMASS VILLAGE

Bill Madsen, Mayor

ATTEST:

Rhonda B. Coxon, Town Clerk

APPROVED AS TO FORM:

John C. Dresser, Jr., Town Attorney