

**FRANKLIN TOWNSHIP  
RESOLUTION 2020-23**

**A RESOLUTION TO BE CONSISTENT WITH THE CITY OF KENT'S ORDINANCE  
REQUIRING FACIAL COVERINGS IN INDOOR AND OUTDOOR AREAS  
ACCESSIBLE TO THE PUBLIC**

The Board of Trustees of Franklin Township, Portage County, Ohio met in a regular session, on July 14, 2020 at the Township Hall, 218 Gougler Avenue, Kent, Ohio with the following members present:

Keith Benjamin  
Ann Hannah  
Scott Swan

It was moved by Mr. Swan, seconded by Ms Hanna that the following resolution be adopted:

WHEREAS as a result of the COVID-19 pandemic a statewide State of Emergency continues to exist and along with certain Ohio Department of Health Director's Orders places limits on mass gatherings and strong recommendations to physically distance; and

WHEREAS, the Board of Trustees concludes that additional measures are necessary to help slow the spread of COVID-19 in the community; and

WHEREAS, the Board of Trustees further concludes that the safety of Township residents, guests, business owners and patrons is best protected by implementing a facial covering requirement; and

WHEREAS, the Board of Trustees further concludes that the City of Kent and Franklin Township should have consistent and a cohesive responses to the COVID-19 pandemic.

NOW, THEREFORE, BE IT RESOLVED BY THE TRUSTEES OF FRANKLIN TOWNSHIP, PORTAGE COUNTY, OHIO:

THAT all persons while within the jurisdictional limits of Franklin Township and

(a) In indoor areas accessible to the public are required to maintain physical distance of at least six (6') feet of separation from non-group members and wear a facial covering provided expressly for that purpose.

(b) In outdoor areas accessible to the public are required to maintain physical distance of at least six (6') feet of separation from non-group members; if physical distancing is not possible while in outside areas, persons must wear a facial covering provided expressly for that purpose.

(c) The requirement to wear a facial covering and the applicable exceptions are attached

hereto and incorporated herein as Exhibit "A".

(d) This Resolution shall in no way modify any State of Ohio and/or Portage County Health District requirements for workers to wear facial coverings; and

THAT this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of Franklin Township, for which reason and other reasons manifest to this Board this Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage; and

THAT this Resolution shall remain in force consistent with the duration of the City of Kent Ordinance 2020-62 passed by the Council of the City of Kent; and

THAT the Franklin Township Fiscal Officer be and is directed to maintain a copy of this resolution in the Township Office for inspection by the public; and

THAT the Board of Trustees finds and determines that all formal actions of this Board concerning and related to the adoption of this Resolution were taken in an open meeting of this Board and that all deliberations of this Board that resulted in those formal actions were in meetings open to the public in compliance with the law including Section 121.22 of the Ohio Revised Code.

The roll was called on the question of its adoption. The vote was as follows:

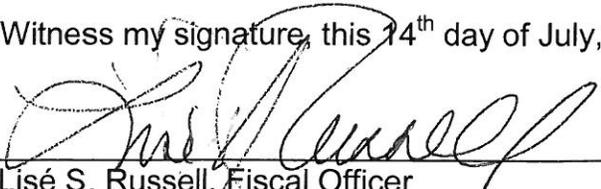
Name	Vote
Mr. Benjamin	Yes
Ms. Hanna	Yes
Mr. Swan	Yes

Adopted July 14, 2020

The State of Ohio, Portage County, ss.

I, Lisé S. Russell, Fiscal Officer of Franklin Township, do hereby certify that the foregoing is taken and copied from the Record of Proceedings of said Township; that the same has been compared by me with the Resolution on said Record and that it is a true and correct copy thereof.

Witness my signature, this 14<sup>th</sup> day of July, 2020.

  
Lisé S. Russell, Fiscal Officer

## EXHIBIT A

### Facial Covering Requirements

#### 1. Definitions

"Facial Covering" means a covering of the nose, mouth and chin that is secured to the head with ties, straps, or loops over the ears or is simply wrapped around the lower face. A Facial Covering can be made of a variety of synthetic and natural fabrics, including cotton, silk, or linen. Ideally, a Facial Covering has two (2) or more layers. A Face Covering may be factory made, sewn by hand, or can be improvised from household items such as scarves, bandanas, t-shirts, sweatshirts, or towels. These Facial Coverings are not intended for use by healthcare providers in the care of patients. A face shield that covers the nose, mouth and chin also meets the Facial Covering requirements of this Resolution.

#### 2. Requirements for facial coverings in any door to door activities in the Township and in indoor areas accessible to the public, including but not limited to the following indoor areas accessible to the public:

- a. All customers must wear Facial Coverings when they are inside a retail business establishment, unless the customer states that an exception applies as set forth in Section 3.
- b. All customers in restaurants and bars must wear Facial Coverings when not at their table; unless the customer states that an exception applies as set forth in Section 3.
- c. All customers must wear Facial Coverings in office spaces open to the public when they are inside the establishment, unless the customer states that an exception applies as set forth in Section 3.
- d. All customers of personal care and grooming businesses must wear Facial Coverings when they are inside the establishment, unless the customer states that an exception applies. Customers may take off their Facial Covering if they are receiving a facial treatment, shave, or other services on a part of the head which the Facial Covering covers or by which the Facial Covering is secured.

#### 3. Exceptions

- a. This Resolution does not require Facial Coverings for, and a Facial Covering does not need to be worn by, a customer or patron who:
  - i. Should not wear a Facial Covering due to any medical or behavioral condition or disability (including, but not limited to, any person who has trouble breathing, or is unconscious or incapacitated, or is otherwise unable to put on or remove the facial covering without assistance);
  - ii. Is actively eating or drinking;

- iii. Is strenuously exercising;
  - iv. Is seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible;
  - v. Is giving a speech for a broadcast or to an audience;
  - vi. Is temporarily removing his or her Facial Covering to secure government or medical services or for identification purposes;
  - vii. Is a child whose parent, guardian, or responsible person has been unable to place the Facial Covering safely on the child's face.
  - viii. For whom facial coverings are prohibited by law or regulation or are inconsistent with industry standards while the customer is on duty;
- b. Anyone who declines to wear a Facial Covering for any reason is not exempt from the requirement to practice adequate social distancing, keeping a minimum of 6' between them and any other person outside of their household.
4. Children under five (5) years of age should not wear a Facial Covering.
5. Right to refuse service and provision of masks
- a. Businesses who observe a violation of this Section have a right to refuse service based upon the violation.
  - b. Businesses are encouraged to make face coverings available for customers upon request.