



NHMA Guidance on Mandating the use of Face Coverings in Public Meetings and in Public Places

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The governing body (select board or town or city council), in consultation with the Health Officer/Board of Health and Emergency Management Director, can adopt public health regulations on gaining access to public buildings under [RSA 147:1](#), [RSA 47:17, XV](#) and [RSA 41:11-a](#). Those regulations could include regulating public access to town or city hall and other public buildings to respond to the local public health emergency arising out of the community spread of Covid-19. Considering recent guidance issued by the Centers for Disease Control (CDC), a governing body could conclude that those entering town and city buildings must wear a face covering or mask. This could include the requirement that those who attend public meetings at public facilities be required to wear a mask covering their nose and mouth. Similar authority to regulate access to library property can be exercised by the Library Trustees.

If a municipality is going to require masks for public meetings, a virtual attendance option should be provided, including allowing for public comment virtually.

The [current guidance](#) issued by the CDC states as follows:

- If you are not fully vaccinated and aged 2 or older, you should wear a mask in indoor public places.
- In general, you do not need to wear a mask in outdoor settings.
- In areas with high numbers of COVID-19 cases, consider wearing a mask in crowded outdoor settings and for activities with close contact with others who are not fully vaccinated.
- People who have a condition or are taking medications that weaken their immune system may not be fully protected even if they are fully vaccinated. They should continue to take all precautions recommended for unvaccinated people, including wearing a well-fitted mask, until advised otherwise by their healthcare provider.
- If you are fully vaccinated, to maximize protection from the Delta variant and prevent possibly spreading it to others, wear a mask indoors in public if you are in an area of substantial or high transmission.

However, if a person with a disability is not able to wear a face mask, local government agencies must consider reasonable modifications to a face mask policy so that the person with the disability can participate in, or benefit from, programs and have access to public meetings. A reasonable modification means changing policies, practices, and procedures, if needed, to provide goods, services, facilities, privileges, advantages, or accommodations to an individual with a disability. It is important to focus on how to provide goods or services to a customer with a disability in an equal

manner. This can be done by reasonably modifying your policies, practices, or procedures.
Examples of reasonable modifications to a face mask policy:

- Offer an online access option for public meetings.
- Allow a person to wear a scarf, loose face covering, or full-face shield instead of a face mask.
- Allow customers to order online with curbside pick-up or no contact delivery in a timely manner.
- Allow customers to order by phone with curb-side pick-up or no contact delivery in a timely manner.
- Allow a person to wait in a car for an appointment and enter the building when called or texted.
- Offer appointments by telephone or video calls.