



MASK/FACE COVERING COMPLAINT PROCEDURE

Mask-wearing is critical to stopping the spread of COVID-19. On July 1, 2020, Governor Wolf issued an order requiring anyone who is outside and cannot maintain social distance to wear a mask. The Governor's order also requires employees to wear face masks while performing their duties near others and requires customers to wear face masks when entering businesses and other establishments. Examples of situations in which mask-wearing is required include:

- Being in a health care setting.
- Doing work that involves interactions with the public or in a place visited by the public.
- Doing work where food is packaged or prepared for distribution to others.
- Working in common areas where non-members of an individual's household are present and social distancing is not possible.
- Waiting for or using public transportation, taxis, or ride-sharing vehicles.
- As an employee, customer, or other person in a business or other establishment open to the public.

The purpose of this policy is to provide for the health, safety and welfare of the citizens of, residents of, and visitors to the City of Scranton. It is not intended to be punitive. Nonetheless, given the seriousness of the current situation, and the necessity to ensure compliance with the Governor's order, the City of Scranton will implement the following procedures to respond to complaints of businesses or other organizations allowing employees or persons to be present on their property in violation of the Governor's order. This policy is issued pursuant to the authority granted to the Commonwealth and to the City of Scranton under the Disease Prevention and Control Law of 1955, which makes the Commonwealth responsible for the prevention and control of communicable and non-communicable diseases, which authorizes the Commonwealth to issue rules and regulations to accomplish purposes of the law, and which authorizes the City of Scranton to enforce compliance with the law.

Step 1: Upon receiving a complaint that a business or other establishment may be operating in violation of the Governor's directives on mask wearing, the City will send the proprietor a letter stating that the complaint has been received and outlining the mask/face covering order.

Step 2: Upon receiving a second complaint after the letter referred to in Step 1 has been delivered to an establishment, a City Health Inspector or officer of the Scranton Police Department will visit the entity to inform them again of the Governor's order and note any violations that they witness.

Step 3: Upon any subsequent visit, should the inspector/officer witness more violations, the entity's owner may receive a citation for a summary violation of the Disease Prevention and Control Law of 1955. The proprietor of the establishment shall then have the right to a hearing before a district magistrate in the jurisdiction where the business is located. Upon conviction of the summary violation, the magistrate may sentence the proprietor to fine of not less than \$25, no more than \$300, together with costs and in default of payment of the fines and costs to possible imprisonment in the county jail for a period not to exceed 30 days. It should be noted each time an individual is allowed to be present in an establishment without a mask can be considered a separate violation of the law and the proprietor can be charged and receive the appropriate punishment for each violation.

Step 4: In addition to the punishments referred to in Step 3, a business or other establishment that does not enforce the Governor's mask directive, may also be subject to loss of any license that they may have to operate their business, or other establishment, as well as, a loss of any insurance that they may have to cover their operations and other civil penalties that the law may impose.

Date: July 14, 2020