



Town of Hilton Head Island TOWN MANAGER UPDATE

An Update from Assistant Town Manager Josh Gruber 6/30/2020

Good afternoon Hilton Head Islanders and Guests,

The Hilton Head Island Town Council passed Ordinance 2020-14 on Monday, June 29, 2020, requiring individuals to wear face coverings in commercial business establishment. The S. C. Department of Health and Environmental Control and Centers for Disease Control and Prevention (CDC) advise the use of face coverings to help slow the spread of the coronavirus

Since the Ordinance was passed, we have received a number of questions from Island residents and guests, business owners, and others seeking clarification on parts of the Ordinance that affects them the most.

I will address some of those questions in today's update. You can view a copy of the ordinance and our complete list of questions and answers on our website at hiltonheadislandsc.gov.

Are masks required on Hilton Head Island? Yes. Our Town Council passed ordinance 2020-14 on Monday, June 29, 2020, requiring individuals to wear a face covering. Any person entering a commercial business establishment within the Town's municipal limits must wear a face covering.

A commercial business establishment means any establishment located in a closed building or other indoor environment that primarily sells goods or services, or a combination of them, to the general public, including but not limited to grocery stores, restaurants, lobbies and public spaces in hotels, motels and timeshare complexes, pharmacies, bars, salons, retail stores, medical and dental offices.

When will the ordinance go into effect and how long will it be in effect? The ordinance goes into effect at 11:59 p.m. on Tuesday, June 30, 2020, and will remain in effect until Aug. 27, 2020, unless terminated or extended by Town Council.

What are rules regarding face coverings for children? Please follow CDC guidelines for children. According to the CDC, [cloth face coverings](#) should not be placed on children younger than 2 years old or anyone who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the cover without assistance.

What if I have an underlying condition? The ordinance allows the following exceptions for persons with underlying conditions: any person who is unable to safely wear a Face Covering due to age, an underlying health condition, or who is unable to don or remove the



Town of Hilton Head Island **TOWN MANAGER UPDATE**

Face Covering without the assistance of others, any person eating or consuming food and beverages; and persons receiving medical care or treatment.

Do I need to have proof of my medical condition?

The Southeast ADA Center, a regional arm of the ADA National Network, has produced some helpful guidance on the subject of face mask regulations and individuals who may suffer from a disability that would make wearing the mask unsafe. A copy of that document can be found here: <https://www.adasoutheast.org/ada/publications/legal/ada-and-face-mask-policies.php>

While no proof is needed in order to not be subject to the requirements of the Town's mask ordinance, it does not mean that a person with a medical condition can just enter and stroll about through an indoor commercial establishment as he or she may please without a mask on. Rather, the business will be required to comply with the mask regulations and should provide a reasonable accommodation to the person to the extent that a reasonable accommodation is possible. Examples of this include allowing a person to wear a scarf, loose face covering, or full face shield instead of a face mask; allowing customers to order online with curbside pick-up or no contact delivery in a timely manner; allowing customers to order by phone with curb-side pick-up or no contact delivery in a timely manner; allowing a person to wait in a car for an appointment and enter the building when called or texted; or offering appointments by telephone or video calls.

Do I need to wear a mask on the beach or at a pool? No. While our ordinance does not address wearing facial coverings on the beach, the CDC encourages the use of cloth face coverings among beach and pool visitors. Face coverings should be worn when feasible and are **most** essential at times when social distancing is difficult. The CDC advises those wearing cloth face coverings to **not** wear them in the water, because they can be difficult to breathe through when they're wet. This means it is particularly important to maintain social distancing in the **water**.

Do gyms have to require people to wear a mask while working out?

Yes. Individuals within a gym are within an indoor commercial establishment and are therefore subject to the Ordinance.

How will the ordinance be enforced? The Beaufort County Sheriff's Department, Town code enforcement officers and other persons with lawful authority will enforce the ordinance.

Will I be penalized for not wearing a mask? Not wearing a mask in compliance with the ordinance is a misdemeanor and may result in an arrest and fine. Businesses not in compliance may have their business license suspended or revoked.



Town of Hilton Head Island **TOWN MANAGER UPDATE**

What do I do if I see individuals not wearing masks or face coverings in at businesses? If you encounter someone not wearing a face covering, we recommend you distance yourself at least six feet. While the Town's ordinance has provisions for violators, our focus is on education in order to gain our community's compliance.

Stay Update with COVID-19 Cases in our Community

You can track the latest number of cases in South Carolina and in Beaufort County by visiting our COVID-19 Hub at hiltonheadislandsc.gov/COVID19 or SCDHEC.gov.