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Dan Wood  
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Kimberly Chapman  
*Town Clerk*

**Town of Bluffton/Face Covering Ordinance**  
**Frequently Asked Questions (FAQ)**  
**Effective July 1, 2020**

**Overview:** Bluffton Town Council unanimously approved Emergency Ordinance No. 2020-10 during its June 30, 2020 emergency meeting. The ordinance requires face coverings in any building open to the public. This law was effective Wednesday, July 1, 2020 at noon. The ordinance also mandates that all restaurants, retail establishments of every description, salons, grocery stores, and pharmacies shall require their employees to wear a face covering. Employees also must wear a face covering in any area where the general public is allowed.

The spirit of this ordinance is about using common sense and consideration for your fellow neighbors to promote public health and safety. The intent of this ordinance is to reverse the trend of new COVID-19 cases in the Town of Bluffton and subsequently, in the state of South Carolina.

**Question 1: Beaufort County also approved an ordinance which is similar in many ways but differs in others, how do we know which one to follow?**

Though the details between the two ordinances may vary, the basic requirement and the intent remain the same. The spirit of both ordinances is to use a face covering while in any building open to the public and for employees to wear a face covering while in any area which the public is allowed. Simply put, if you are around other people except for immediate family, please use a face covering.

As with any issue which involves jurisdictional boundaries, it presents an opportunity to educate citizens and businesses if they are or are not in the Town limits. The Town has several informational tools to help with this, which include:

- Am I in Bluffton? App  
<https://townofbluffton.us/bluffton/>
- Bluffton Explorer Map  
<https://www.townofbluffton.us/map/>  
(Type in address, click on address on map, a window will pop-up. If the window includes the Town of Bluffton seal, the address is in the Town limits, if it only has the Beaufort County seal, the address is in the unincorporated parts of Beaufort County).

**Question 2: Do I have to use a face covering at the gym?**

According to the ordinance, “any building open to the public” is subject to this rule. Since most gyms are open to customers as potential members, they are effectively open to the public. To this end, a face covering would be required when entering the gym. It is also advised that gym staff wear a face covering. The issue of exercising is not specifically addressed in the ordinance. However, it is a reasonable expectation that one would follow social distancing guidelines when working out and, given that, reason follows that a face covering may not be worn while actively exercising.

**Question 3: Do I have to use a face covering while pumping gas?**

Under the ordinance, you are not required to wear a face covering while outdoors unless you are an employee of an establishment that is interacting with people in outdoor spaces. It is recommended to wear a face covering in this situation, however, given the likelihood of coming into contact with other customers and that you are touching a gas pump that is handled by hundreds of customers per day.

**Question 4: I have asthma...I am claustrophobic...I have a breathing disorder; do I have to wear a face covering? Do I need a doctor’s note?**

The ordinance states, “the following people are exempt from the ordinance...any person who has an underlying medical condition or is under 8 years old...or who is unable to remove a face covering without assistance of others.” The ordinance does not place the burden of proof on any person claiming an underlying medical condition. A doctor’s note is not required.

**Question 5: I am a musician who plays for the public, do I have to wear a face covering?**

The ordinance was not written with the intent to impede the ability of one to musically perform. The answer to this question is similar in nature to the answer for the question regarding wearing of a face covering at the gym. If you are in a building “open to the public,” you have to wear a face covering. However, there is no expectation for the ordinance requirement to diminish the ability of a musician to perform so long as proper social distancing is maintained. While not performing, face coverings are to be worn with the exception of actively eating and drinking.

**Question 6: Do I have to wear a face covering at the Bluffton Farmers Market?**

If you are an owner or employee of a vendor, this ordinance is clear that you “wear a face covering in any area where the general public is allowed.” If you are a customer, it is recommended you also wear a face covering due to being in a public venue despite the fact it is not a “building open to the public.”

**Question 7: Do I have to wear a face covering while walking my dog?**

According to the ordinance, a face covering is required in “any building open to the public.” Walking your dog is most likely, not in a building open to the public.

**Question 8: Will I get arrested for not wearing a face covering?**

No. Violation of the ordinance is not a criminal offense. It is a civil infraction and carries a fine of up to \$50. Enforcement by way of a citation is a very last resort. According to the ordinance, voluntary compliance is preferred over writing a citation.

**Question 9: I am a business owner and one of my customers refuses to wear a face covering. Do I call the police?**

Under the ordinance, if a worker or customer refuses to wear a face covering for other than medical reasons, a business may decline entry or service to that individual. The proper recourse would be to remind the customer of the face cover requirement. If they fail to comply, the business owner has every right to ask the person to leave the property. If the customer refuses to leave after being requested to do so, it would then be appropriate to summon law enforcement for assistance.

**Question 10: My son/daughter plays soccer/baseball. Do they have to wear a face covering when they are playing?**

The ordinance does not apply to outdoor recreational activity.

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