

Spencer County, Kentucky
Ordinance No. 20
Fiscal Year 2005 Series

**An Ordinance Providing for the Wearing of Masks in Public Places
Within Spencer County, Kentucky**

Whereas, the Fiscal Court of Spencer County, Commonwealth of Kentucky has determined it necessary to provide regulations regarding the wearing of masks in public locations,

Now Therefore, Be It Ordained by the Fiscal Court of Spencer County, that:

Section 1: Definitions. For the purposes of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- Mask – Any mask, device or hood whereby any portion of the face is so hidden or covered as to conceal the identity of the wearer.
- Public Place – All walks, alleys, boulevards, avenues, lanes, roads, highways or other ways or thoroughfares dedicated to public use or owned or maintained by public authority; all grounds and buildings owned, leased by, operated or maintained by public authority; all buildings owned, leased or operated for the use of organizations enjoying all tax-exempt privileges as a charitable use.

Section 2: Wearing of masks in public places. No person shall, while wearing any mask whereby a substantial portion of the face is hidden or covered so as to conceal the identity of the wearer, enter, be or appear in any public place within Spencer County, Commonwealth of Kentucky.

Section 3. Exemptions. The following are exempted from the provisions of section 2 of this ordinance:

- Any person under the age of 16 years;
- Any person wearing traditional holiday costumes in season;
- Any person using masks in theatrical productions including use in Mardi Gras celebrations and masquerade balls;
- Any person lawfully engaged in trades or employment or in sporting activity where a mask or facial covering is worn for the purpose of ensuring the physical safety of the wearer or because of the nature of the occupation, trade, or professional or sporting activity;
- Any person wearing a gas mask in drills, exercises or emergencies;
- Any person engaging in an activity such that the wearing of the mask is protected by the Constitution of the Commonwealth of Kentucky or the United States Constitution.

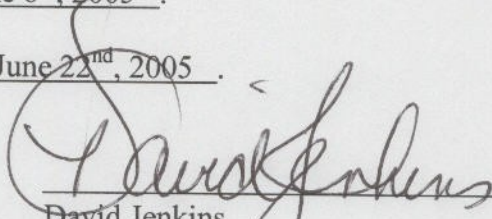
Section 4. Penalties. Any person who violates the terms of this ordinance shall be guilty of a misdemeanor and shall be fined not more than \$250 and/or imprisoned for no longer than 90 days.

Section 5. Severability. If any provision of this ordinance as now or later amended or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

Section 6. Effective. This ordinance shall become effective immediately upon passage and publication as required by law. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

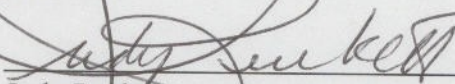
Given first reading and approval on June 6th, 2005 .

Given second reading and adoption on June 22nd, 2005 .



David Jenkins
Spencer County Judge Executive

Attest:



Judy Puckett
Spencer County Fiscal Court Clerk