
IDPH Emergency Rules to Enforce the Use of Face Coverings and Gathering Restrictions

Restrictions and requirements:

- Any individual who is over age two and able to medically tolerate a face covering (a mask or cloth face covering) shall be required to cover their nose and mouth with a face covering when in a public place and unable to maintain at least a six-foot social distance. This requirement applies whether in an indoor space, such as a store, or in an outdoor space.
- Any business, service, facility or organization open to the public or employees shall require employees, customers, and other individuals on the premises who are over age two and able to medically tolerate a face covering to cover their nose and mouth with a face covering when on premises and unable to maintain at least a six-foot social distance.
- Reasonable efforts to comply with regard to customers shall be determined based on the totality of the circumstances and include, but are not limited to: posting signage requiring face coverings to be worn on the premises; providing face coverings to customers; giving verbal warnings to customers to wear a face covering when on the premises; and requesting that customers leave the premises if not wearing a face covering.
- Gatherings of more than 50 people (or gatherings of 50% or more of a building's maximum occupancy as determined by the authority having jurisdiction, if 50% of a building maximum occupancy is less than 50 people) are prohibited unless exempted by law or Executive Order.

Enforcement:

- First, the establishment will be given a written notice of non-compliance by an enforcing entity and a reasonable opportunity to come into compliance.
- Second, the establishment may be ordered to have some or all the people on the premises disperse if it does not voluntarily comply in a reasonable time after receiving a verbal or written notice.
- Third, any establishment that refuses to comply with a written order to disperse will be subject to the penalties which could include a Class A Misdemeanor. For an establishment, the only possible penalty is a fine of between \$75 and \$2500 for refusal to voluntarily comply after an opportunity to come into compliance.

No individual shall be held responsible for compliance with this rule on behalf of a business, service, facility or organization.

Reasonable Accommodations:

If an individual has a medical condition or disability that prevents them from safely wearing a face-covering, there are reasonable accommodations. Businesses are encouraged to inform their customers of exceptions to the mask requirement. Proof of a medical condition or disability is not required.

- Provide the individual an opportunity to order by telephone or online and provide pickup at a special register or curbside or deliver to the individual's home.
- Arrange for an employee to bring the individual the items for purchase and allow the individual to pay at a special register, over the phone, or at the front of the store.
- Provide the individual with the opportunity to leave a list of items with the business and pick them up at a later time or arrange for delivery to the individual's home.
- Provide the individual with an opportunity to shop during off-peak times where social distancing can be maintained.