

§ 10-613. Concealed Identities. 164

(1) No person shall, with the specific intent to intimidate or threaten another person, or with the specific intent to hide one's identity during the commission of unlawful activity, wear a mask, hood, ski mask, balaclava, or other device or means of hiding, concealing, or covering any portion of the face for the purpose of concealing their identity on public property or private property in this City without the express written permission of the owner or occupier of the property.

(2) This Section shall not be construed to punish constitutionally protected speech.

(3) A person who violates subsection (1) of this Section shall be subject to a fine not less than two thousand dollars (\$2,000).

(4) No person shall wear a ski mask or balaclava in any school building, recreation center, daycare, park, City-owned building, or on any mode of public transportation, including, but not limited to, buses, trains, trolleys, and subways. For purposes of this Section, a "ski mask or balaclava" means a close-fitting garment covering the whole head and face, with holes for the eyes, mouth, or nose, or any combination of the three.

(5) The provisions of subsection 10-613(4) shall not be construed to apply to any person who wears a ski mask or balaclava while:

(a) Wearing a traditional holiday costume;

(b) Worn for a religious purpose;

(c) Engaged in a trade or employment where they are worn for the purpose of ensuring the physical safety of the wearer;

(d) In a theatrical production;

(e) Protecting the wearer from the elements while participating in a winter sport; or

(f) Lawfully engaged in First Amendment activities.

(6) Any person who wears a ski mask or balaclava in violation of subsection (4) of this Section, where such violation is not otherwise covered by subsection (1) of this Section, shall be fined two hundred fifty dollars (\$250).

(7) If a court of competent jurisdiction declares any part of this Section to be invalid, such judgment shall not affect the validity of this Section as a whole or any remaining part thereof. It is the intention of City Council that the remaining provisions of this Section would have been adopted as if such part found to be invalid had not been enacted.

Notes

164 Added, Bill No. [000164](#) (approved July 27, 2000). Enrolled bill numbered this as Section 10-612; renumbered by Code editor. Amended, Bill No. [230510](#) (became law December 14, 2023).