



INYO COUNTY HEALTH & HUMAN SERVICES

James Richardson, M.D.
Public Health Officer, Inyo County

**INYO COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT
REVISED PUBLIC HEALTH OFFICER ORDER
REQUIRING MEMBERS OF THE PUBLIC AND WORKERS TO WEAR FACE COVERINGS
AND REQUIRING BUSINESSES AND INDOOR FACILITIES
TO TAKE CERTAIN RELATED ACTIONS**

Date Order Issued: May 8, 2020

Date Order Revised: July 13, 2020

Please read this Order carefully. Violation of or failure to comply with this Order is a crime punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295.)

SUMMARY OF THE ORDER:

Because of our collective actions, Inyo County has limited the spread of COVID-19 and associated hospitalizations and deaths in our area. Still, the risk of catching the disease increases as more people leave their homes and local community. Therefore, it is more important than ever to protect ourselves, other Inyo County residents, business and indoor facility owners, employees, customers, and visitors from the droplets that transmit COVID-19, thereby protecting our fellow citizen's health and helping to ensure that our local economy continues to recover.

In light of the growing number of infections in California, the California Department of Public Health (CDPH) recently released an updated guidance document mandating that face coverings be worn state-wide, with some exceptions. The Inyo County Health Officer has updated this local Order to incorporate the CDPH guidance and to clarify the responsibility of businesses in Inyo County to adhere to, and ensure their employees and customers are adhering to, the mandatory face covering guidance.

One key method of transmission of the COVID-19 virus is respiratory droplets that people expel when they breathe, cough, or sneeze. People infected with the virus may not have any symptoms, meaning they are asymptomatic, but they can still be contagious. People infected with the virus are contagious 48 hours before developing symptoms, the time when they are pre-symptomatic. Additionally, many people with the COVID-19 virus have mild symptoms and do not recognize that they are infected and contagious, and they can unintentionally infect others.

Therefore, the Inyo County Public Health Officer, along with the Centers for Disease Control (CDC) and the California Department of Public Health (CDPH), believe that wearing a face covering, when combined with physical distancing of at least 6 feet, frequent hand washing, and avoiding crowds, may reduce the risk of transmitting coronavirus when in public and engaged in essential or approved activities by reducing the spread of respiratory droplets containing COVID-19. And, because it is not always possible to maintain at least 6 feet of distance, this order requires members of the public and

workers to wear face coverings while engaged in activities when others are nearby. To reiterate, although wearing a face covering is one tool for reducing the spread of the virus, doing so is not a substitute for sheltering in place, physical distancing of at least 6 feet, frequent hand washing, and avoiding all gatherings.

In order to achieve this order’s objective of reducing the spread of COVID-19, all businesses and indoor facilities must require compliance with this order by customers, employees, contractors, visitors, and other persons entering their premises. For example, this order requires businesses and indoor facilities to refuse admission and service to any customer or visitor who fails or refuses to properly wear facial coverings on the premises in compliance with this order.

This Order includes certain exceptions, which have been revised to align with the exceptions included in the CDPH *Guidance for the Use of Face Coverings* document.

The County Health Officer will continue to monitor the rate of COVID-19 disease spread, the severity of the resulting illnesses and deaths caused, California Department of Public Health (CDPH) and Centers for Disease Control and Prevention (CDC) recommendations, and the effect of this Order. If needed, this Order may be expanded or otherwise modified to protect the public’s health.

UNDER THE AUTHORITY OF THE CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE COUNTY OF INYO HEALTH OFFICER ORDERS:

1. Effective immediately and continuing until modified or rescinded by further order of the Health Officer, all individuals in the incorporated and unincorporated areas of the County of Inyo (County) are required to wear a facial covering when they enter any indoor facility besides their residence, any enclosed open space, or while outdoors when the person is unable to maintain a six-foot distance from another person. “Indoor facilities” include, but are not limited to, businesses, government agencies, houses of worship, schools, and office buildings.
2. “Facial covering” means any fabric or cloth that covers the mouth **and** nose. The facial covering can be made using household items (including scarves, bandanas, t-shirts, sweatshirts, towels, turtlenecks, or other fabric), can be sewn by hand, or factory-made. Masks made of mesh or with holes for the nose and mouth are not permitted. Further guidance on facial coverings can be found here: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html> or here: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Face-Coverings-Guidance.aspx>.
3. Employees, contractors, owners, customers, visitors, and volunteers of all businesses or indoor facilities must wear a facial covering in full compliance with this order (e.g., covering mouth and nose) in areas where customers or the public are present or likely to be present, including:
 - a. Any space visited by customers or members of the public, including but not limited to, reception areas, grocery store or pharmacy aisles, service counters, customer/public restrooms, cashier and checkout areas, waiting rooms, service areas, and other spaces used to interact with customers or the public, regardless of whether a customer or anyone from the public is present at the time;
 - b. Any space where food is prepared or packaged for sale or distribution to others;
 - c. Common areas such as hallways, stairways, elevators, and parking facilities; or
 - d. Any room or enclosed area where other people (except member of the person’s own

household) are present and an individual cannot maintain a six-foot distance from another person.

- e. Notwithstanding the foregoing, customers of restaurants and bars are not required to wear facial coverings while appropriately seated, to the extent permitted by applicable state-issued orders and guidances for such businesses.
- f. Notwithstanding the foregoing, customers of gyms, health clubs, and swimming pools, are not required to wear facial coverings while swimming or showering, to the extent permitted by applicable state-issued orders and guidances for such businesses.

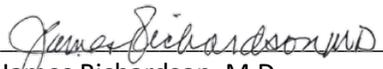
For purposes of this Order, the term “customer” is broadly defined and includes any person who enters a business or indoor facility for the purpose of potentially or actually patronizing or utilizing the goods, services, equipment, or other features of the business or facility, including but not limited to members of clubs or organizations.

4. All businesses or indoor facilities shall display, at all points of ingress, signage that informs all employees, contractors, owners, customers, visitors, and volunteers of the requirement to wear a facial covering while patronizing or utilizing the business or indoor facility. The display of any facial covering-related signage created by Inyo County is presumed to meet this requirement. Businesses or indoor facilities may display non-County-created signage regarding facial covering requirements as long as that signage clearly and reasonably communicates the requirement to wear a facial covering while patronizing or utilizing the business or indoor facility. All signage shall be printed on paper no smaller than 8.5 x 11 inches.
5. Employers who require their employees to leave their residence to work must ensure that their employees comply with this Order while on duty by either (1) supplying employees with facial coverings or (2) ensuring that their employees are using their own facial coverings.
6. **All businesses and indoor facilities shall strictly enforce the face-covering requirements of this order with respect to their employees, contractors, customers, visitors, and volunteers while they are on the business or facility premises and shall refuse admission and service to any person who fails or refuses to wear facial coverings on the premises in full compliance with this order.**
7. The following individuals are exempt from wearing a face covering:
 - a. A person who is driving in a car alone or with members of their household, unless the windows in the vehicle are lowered to interact with first responders, food service workers, or other persons who are not members of their households;
 - b. Persons younger than two years old. These very young children must not wear a face covering because of the risk of suffocation;
 - c. Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance.
 - d. Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication.
 - e. Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.

- f. Persons who are obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service.
 - g. Persons who are seated at a restaurant or other establishment that offers food or beverage service, while they are eating or drinking, provided that they are able to maintain a distance of at least six feet away from persons who are not members of the same household or residence.
 - h. Persons who are engaged in outdoor work or recreation such as swimming, walking, hiking, bicycling, or running, when alone or with household members, and when they are able to maintain a distance of at least six feet from others.
 - i. Any other situation expressly exempted by state-issued orders or guidance.
8. Persons exempted from wearing a face covering due to a medical condition must wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge, as long as their condition permits it.
9. Businesses that are open to the public should be cognizant of the exemptions to wearing face coverings and may not exclude any member of the public for not wearing a face covering if that person is complying with the guidance. Businesses will need to develop policies for handling these exemptions among customers, clients, visitors, and workers, and may consider delivery, curbside, or takeout options to ensure the safety of other patrons.
10. Proper facial covering hygiene shall be observed at all times by all individuals who must wear a facial covering pursuant to this Order. This includes:
 - a. Limiting touching of the face or the facial coverings;
 - b. Washing their hands before applying their facial covering, shortly after touching their facial coverings and after removing their facial covering;
 - c. Frequently washing or sanitizing the facial covering or properly discarding single-use facial coverings.
11. Businesses and indoor facilities shall fully comply with any and all provisions (including but not limited to those related to face-covering) set forth in state-issued COVID-19 orders and guidances applicable to their industry or facility, which are incorporated herein by this reference. Industry specific guidance is available at <https://covid19.ca.gov/industry-guidance/#top>. For purposes of this order, any recommendations specified in such orders and guidances shall be deemed to be mandatory requirements.
12. The Health Officer has determined that this Order, and its prior Orders, were and are necessary because cases of COVID-19 have been confirmed in Inyo County and because visitors may be entering Inyo County from other counties where COVID-19 is prevalent. COVID-19 is highly contagious and has a propensity to spread in various ways including, but not limited to, by attaching to surfaces or remaining in the air.
13. This order is issued in accordance with, and incorporates by reference, the June 18, 2020 guidance issued by the California Department of Public Health mandating the use of masks to prevent the transmission of COVID-19 the March 4, 2020 Proclamation of a State Emergency issued by Governor Gavin Newsom; the March 16, 2020 declaration by the Inyo County Health Officer of a local health emergency; and the March 17, 2020 declaration by the Inyo County Board of Supervisors of a local emergency.

14. Where a conflict exists between this Order and any state public health order related to controlling the spread of COVID-19 during this pandemic, the most restrictive provision controls. Consistent with California Health and Safety Code section 131080, except where the State Health Officer may issue an order expressly directed at this Order or a provision of this Order and based upon a finding that a provision of this Order constitutes a menace to the public health, any more restrictive measures in this Order may continue to apply and control in the County of Inyo Public Health jurisdiction.
15. This Order is made in accordance with all applicable State and Federal laws, including but not limited to: Health and Safety Code sections 101030, et seq.; Health and Safety Code sections 120100, et seq.; and Title 17 of the California Code of Regulations section 2501.
16. Pursuant to Sections 26602 and 41601 of the California Government Code and Section 101029 of the California Health and Safety Code, the Health Officer requests that the Sheriff and all chiefs of police in all cities located in the Inyo County Public Health jurisdiction ensure compliance with and enforcement of this Order. The violation of any provision of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment or both.

IT IS SO ORDERED:


James Richardson, M.D.
Inyo County Public Health Officer

07/13/2020

Date