

ORDER NO. 2020-4

**SAN JUAN COUNTY LOCAL HEALTH OFFICER ORDER
REGARDING COVID-19; REQUIRING THE WEARING OF
CLOTH FACE COVERINGS**

WHEREAS, the coronavirus disease 2019 (COVID-19) is caused by a virus that spreads easily from person to person which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic;

WHEREAS, COVID-19 has spread throughout Washington State, including San Juan County, significantly threatening the life and health of persons in San Juan County;

WHEREAS, COVID-19 can spread from people without symptoms, including persons who are asymptomatic or pre-symptomatic, to others;

WHEREAS, in the absence of interventions to limit the spread of the disease, for every case of COVID-19 in the community we can expect 2.5 more cases in the community, leading to a dramatic increase in the number of cases over a short period of time;

WHEREAS, there are currently no known medications or vaccinations that are effective in preventing the spread of COVID-19;

WHEREAS, non-pharmaceutical interventions, such as social distancing and the wearing of cloth face coverings, are presently the only effective measures to control and prevent the spread of COVID-19;

WHEREAS, the two primary modes of transmission of COVID-19 are surface contact routes and respiratory droplets from infected individuals;

WHEREAS, respiratory droplets from infected individuals can be transmitted not only through coughing or sneezing but also through other actions including talking or breathing;

WHEREAS, on February 29, 2020, Governor Inslee issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the state of Washington as a result of COVID-19 outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State;

WHEREAS, since February 2020 Governor Inslee has issued a series of proclamations related to COVID-19 that place limitations on gatherings, business and leisure activity, and travel, including Proclamation 20-25, "Stay Home -Stay Healthy," adopted on March 23, 2020 ("Governor Proclamation 20-25");

WHEREAS, the Governor established a phased approach known as "Safe Start Washington" beginning on May 5, 2020, which provides for gradual increases over time in allowable business and leisure activity, travel, and gatherings with an emphasis on

simultaneously minimizing the health impacts of COVID-19, reducing the risk of COVID-19 to Washington's most vulnerable populations, and preserving capacity in the health care system;

WHEREAS, San Juan County is a popular travel and leisure destination which experiences a large influx of visitors throughout the year, particularly in and around the summer months;

WHEREAS, when San Juan County moves from Phase I to Phase II of the Safe Start Washington plan there will be a substantial increase in the levels of allowable business and recreation activities, accompanied by a substantial increase in the amount of permissible travel to San Juan County, including non-essential travel as authorized by the Safe Start Washington plan;

WHEREAS, the possibility of dangerous outbreaks of COVID-19 locally is substantially greater when there is an increase in travel to San Juan County, particularly if there is also an increase in business activity;

WHEREAS, widespread use of cloth face coverings to cover the mouth and nose, also known as non-surgical face masks, is recommended in the Governor's Safe Start Washington plan and can help to control the spread of COVID-19 by reducing the transmission of respiratory droplets from infected individuals into the environment from asymptomatic or pre-symptomatic individuals, particularly in public spaces where social distancing is not possible or unpredictable, such as indoor businesses;

WHEREAS, the Safe Start Washington Plan contains detailed requirements for businesses which include requirements regarding the wearing of masks and face coverings by employees together with recommendations for the wearing of face coverings by customers;

WHEREAS, there is a national shortage of medical grade masks, surgical masks, and N-95 respirators that are critically needed for healthcare providers who are on the front lines working to protect all of us, and health officials are increasingly urging non-medical workers to wear non-medical grade cloth face coverings to help curb the spread of COVID-19;

WHEREAS, workers of certain essential businesses and other frontline employees must be protected because they face greater exposure and risk of contracting COVID-19 due to their frequent in person contact with members of the public and inability to work from home and widespread mask use may decrease the risk of spread from someone with unrecognized infection;

WHEREAS, RCW 70.05.070 requires and empowers the local health officer to take such action as is necessary to control and prevent the spread of any contagious or infectious diseases within the jurisdiction;

WHEREAS, WAC 246-100-036, requires the local health officer, when necessary, to institute disease control measures as he or she deems necessary based on his or her professional judgment, current standards of practice, and the best available medical and scientific information; and

WHEREAS, in order to control and prevent the spread of COVID-19 in San Juan County and protect our most vulnerable populations, in my professional judgment, based on the current standards of practice and the best available medical and scientific information, a requirement for business owners and operators to require non-employees to wear cloth face coverings over the mouth and nostrils while inside businesses, together with appropriate notice requirements, should be established at the time San Juan County transitions from Phase I to Phase II of the Safe Start Plan.

NOW, THEREFORE, I, Dr. Frank James, Local Health Officer for San Juan County, under the authority of RCW 70.05.070, RCW 43.20.050, and WAC 246-100-036, and on the basis of the foregoing recitals, make the following ORDER:

1. Use of Cloth Face Coverings. Owners and operators of all businesses and buildings open to the public in San Juan County are strongly encouraged to require their customers and other visitors to wear a cloth face covering over their mouth and nostrils at all times when inside the business or building. For purposes of this Section 1 only, wearing of cloth face coverings should not be required for the following individuals:

(a) any child under two years of age;

(b) any child who is at least two and less than twelve years of age unless a parent or caregiver supervises the use of cloth face coverings by children to avoid misuse;

(c) any individual who is unable to remove the cloth face covering without assistance;

(d) any individual who is deaf and uses facial and mouth movements as part of communication; or

(e) any individual who has been advised by a medical professional that wearing a face covering may pose a risk to that individual for health reasons.

This Section 1 may and should be used to educate, encourage, and persuade those individuals who are able to do so to wear cloth face coverings while in public.

2. Cloth Face Coverings Required. Owners and operators of businesses in San Juan County shall not permit or allow any non-employee to enter or remain inside a building owned or operated by the business unless the non-employee is wearing a cloth face covering over their mouth and nostrils. This Section 2 does not apply to a restaurant, tavern, or bar patron while eating or drinking. Further, businesses that sell food, medicine, or medical supplies shall provide a method for customers to purchase these items without entering a building, such as curbside pick-up or delivery.

3. Notice by Businesses, Ports, and Marina Facilities. Owners and operators of all businesses, ports, and/or marina facilities in San Juan County shall post notice at entry points indicating that the wearing of cloth face coverings is required inside businesses in San Juan County. Said notice shall be posted no later than 48 hours after San Juan County begins Phase II of the Safe Start Washington plan as authorized by the Governor or Washington Secretary of Health. This paragraph does not require posting of notice by a business that is not open to the public.

4. Definitions. “Cloth face covering” means a soft cloth or fabric covering that is worn on the face and fully covers a person’s mouth and nostrils, such as a protective mask, scarf, bandana, or any more protective covering. CDC guidance regarding the wearing and making of cloth face coverings can be found at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>.

5. Social Distancing and Hand Washing. A cloth face covering does not replace the need to adhere to social distancing standards or requirements, wash hands frequently, and avoiding touching of the face.

6. Critical Supplies. Surgical masks and N-95 respirators are critical supplies that should be reserved for health care workers, medical first responders, and other workers as recommended by CDC guidance. Such items should not be worn as cloth face coverings unless necessary.

Any violation of this order is a misdemeanor punishable by fine and arrest and imprisonment up to 90 days pursuant to RCW 70.05.120.

Section 2 of this order is effective on the date that San Juan County begins Phase II of the Safe Start Washington plan as authorized by the Governor or Washington Secretary of Health. All other provisions of this order are effective at midnight on May 16, 2020.

This order shall remain in effect until further order of the County Health Officer following a determination that the wearing of cloth face coverings is no longer necessary.

DATED this ___15___ day of ___MAY___, 2020 at ___11:43___pm.



FRANK JAMES, M.D.
SAN JUAN COUNTY HEALTH OFFICER