

**ORDER OF THE YOLO COUNTY PUBLIC HEALTH OFFICER GENERALLY
REQUIRING MEMBERS OF THE PUBLIC AND WORKERS TO WEAR FACE
COVERINGS, WITH EXCEPTIONS AND EXEMPTIONS AS SPECIFIED**

DATE OF ORDER: APRIL 24, 2020

Please read this Order carefully. Violation of, or failure to comply with, this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295 *et seq.*; California Penal Code § 69, 148(a)(1)).

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, 120175, AND 120220, THE HEALTH OFFICER OF THE COUNTY OF YOLO (“HEALTH OFFICER”) HEREBY ORDERS AS FOLLOWS:

1. This Order will take effect upon issuance and will continue to be in effect until it is rescinded, superseded, or amended in writing by the Health Officer. But this Order will not be enforced until 8:00 a.m. on April 27, 2020. Capitalized terms in this Order are defined in the March 18 Yolo County Shelter in Place Order (the “Local Shelter Order”), available on the Yolo County website (see link below¹) and incorporated herein by this reference. Nothing in this Order modifies the Local Shelter Order, currently in effect through May 1, 2020, which remains in full force and effect.

2. The purpose of this Order is to require a **Face Covering**, as defined in Section 4, below, in a variety of different settings that present a transmission risk for the COVID-19 virus. By way of example only, this Order is intended to promote safety in the following settings:

- For individuals engaging in Essential Activities;
- For individuals visiting and working at Essential Businesses;
- For individuals seeking care at Healthcare Operations or while engaging in certain types of public transit or transportation; and
- For those working at or seeking services from entities engaged in Essential Infrastructure work, Minimum Basic Operations, or Essential Government Functions.

Altogether, the intent of the requirements set forth in this Order is to reduce the spread of COVID-19 and mitigate the public health impact of the virus. All provisions of this Order must be interpreted to effectuate this intent.

The success of this Order depends upon voluntary compliance by individuals and community acceptance of its requirements. Individual violators are unlikely to be cited, with enforcement directed instead at non-complying Essential Businesses and other enterprises. Despite this, through voluntary compliance, all individuals have an opportunity to contribute to public health and the welfare of our community. Individuals that choose not to wear Face Coverings when required by this Order may encounter difficulties such as being refused access to public transit and Essential Businesses. Accordingly, individual compliance with this Order is

¹ <https://www.yolocounty.org/health-human-services/adults/communicable-disease-investigation-and-control/novel-coronavirus-2019/shelter-in-place>

essential to successfully performing many basic activities—such as shopping for groceries and other necessary supplies—and is expected of all community members.

3. This Order is issued based on evidence of continued occurrence of COVID-19 within the County, the Sacramento region, and the United States of America, and considers scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically. With the virus that causes COVID-19, people can be infected and contagious and not have any symptoms, meaning they are asymptomatic. People can also be infected and contagious 48 hours before developing symptoms (presymptomatic). Further many people with the COVID-19 virus have mild symptoms and do not recognize they are infected and contagious, and they can unintentionally infect others.

For these and other reasons, the CDC, CDPH, and the Yolo County Health and Human Services Agency now believe that wearing a face covering, when combined with physical distancing of at least 6 feet and frequent hand washing, may reduce the risk of transmitting coronavirus when in public and engaged in Essential Activities. And because it is not always possible to maintain at least 6 feet of distance, face coverings are important in many situations, including when in public, at work, while engaging in Essential Activities, and all other times when others are nearby. For clarity, 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, and frequent hand washing.

4. As used in this Order, a “**Face Covering**” means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers only the nose and mouth and surrounding areas of the lower face. A covering that hides or obscures the wearer’s eyes or forehead is not a Face Covering. Examples of Face Coverings include a scarf or bandana; a neck gaiter; a homemade covering made from a t-shirt, sweatshirt, or towel, held on with rubber bands or otherwise; or a mask, which need not be medical-grade. A Face Covering may be factory-made or may be handmade and improvised from ordinary household materials. The Face Covering should be comfortable, enabling the wearer to breathe comfortably through the nose and avoid adjustments that require touching the face.

For as long as medical-grade masks such as N95 masks and surgical masks are in short supply, members of the public should not purchase those masks as Face Coverings under this Order. Medical grade masks should be reserved for health care providers and first responders. In general, even when not required by this Order, people are strongly encouraged to wear Face Coverings when in public. Also, for Face Coverings that are not disposed of after each use, people should clean them frequently and have extra ones available so that they have a clean one available for use.

Note that any mask that incorporates a one-way valve (typically a raised plastic cylinder about the size of a quarter on the front or side of the mask) that is designed to facilitate easy exhaling is not a Face Covering under this Order and is not to be used to comply with this Order’s requirements. Valves of that type permit droplet release from the mask, putting others nearby at risk.

A video showing how to make a face covering and additional information about how to wear and clean Face Coverings may be found at the website of Centers for Disease Control and Prevention (see link below²).

5. Except as specifically exempted below, all persons shall wear Face Coverings while in any indoor facility other than their residence and outdoors when the person is unable to maintain a six-foot distance from another person at all times. By way of example only, the Face Covering requirement applies in the following situations:

- a. When inside of, or in line to enter, any Essential Business, including but not limited to grocery stores, convenience stores, supermarkets, laundromats, and restaurants;
- b. While at any location or facility engaging in Minimum Basic Operations or while seeking or receiving Essential Government Functions;
- c. While engaged in Essential Infrastructure work;
- d. While at any facility providing Healthcare Operations—including hospitals, clinics, COVID-19 testing locations, dentists, pharmacies, blood banks and blood drives, other healthcare facilities, mental health providers, or facilities providing veterinary care and similar healthcare services for animals—unless directed otherwise by an employee or worker at the Healthcare Operation; or
- e. When waiting for or riding on public transportation (including without limitation any bus or shuttle) or paratransit or while in a taxi, private car service, or ride-sharing vehicle.

6. Each driver or operator of any public transportation or paratransit vehicle, taxi, or private car service or ride-sharing vehicle must wear a Face Covering while driving or operating such vehicle, regardless of whether a member of the public is in the vehicle, due to the need to reduce the spread of respiratory droplets in the vehicle at all times.

7. All Essential Businesses, as well as entities and organizations with workers engaged in Essential Infrastructure work, Minimum Basic Operations, or Essential Government Functions (except for Healthcare Operations, which are subject to their own regulations and policies regarding specified face coverings, and law enforcement agencies and fire departments, which shall develop agency-specific protocols in consultation with the Health Officer), must:

- a. Require their employees, contractors, owners, and volunteers to wear a Face Covering at the workplace and when performing work off-site any time the employee, contractor, owner, or volunteer is:
 - i. Interacting in person with any member of the public;
 - ii. Working in any space visited by members of the public, such as by way of example and without limitation, reception areas, grocery store or pharmacy

² <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>

aisles, service counters, public restrooms, cashier and checkout areas, waiting rooms, service areas, and other spaces used to interact with the public, regardless of whether anyone from the public is present at the time;

- iii. Working in any space where food is prepared or packaged for sale or distribution to others;
- iv. Working in or walking through common areas such as hallways, stairways, elevators, and parking facilities; or
- v. In any room or enclosed area when other people (except for members of the person's own household or residence) are present.

For clarity, a Face Covering is not required when a person is in a personal office (a single room) or other space in the workplace at times when coworkers and others outside of that person's household are not present and as long as the public does not regularly visit the space in the workplace. By way of example and without limitation, a construction worker, plumber, bank manager, accountant, or bike repair person is not required to wear a Face Covering if that individual is alone and in a space not regularly visited by coworkers or the public, but that individual must put on a Face Covering at all times when essential work prevents social distancing, such as when coworkers are nearby (i.e., within six feet), when being visited by a client/customer, and anywhere members of the public or other coworkers are frequently present.

- b. In addition, an Essential Business must also take reasonable measures, such as posting signs, to remind their customers and the public of the requirement that they wear a Face Covering while inside of or waiting in line to enter the business, facility, or location. Essential Businesses and entities engaged in Essential Infrastructure work or Minimum Basic Operations must take all reasonable steps to prohibit any member of the public who is not wearing a Face Covering from entering and must not serve that person if those efforts are unsuccessful and seek to remove that person. Nothing in this Order, however, requires or encourages the use of physical force, threats, or intimidation.

Sample signs for notifying customers can be found on the County website at:

<https://www.yolocounty.org/home/showdocument?id=64106>

<https://www.yolocounty.org/home/showdocument?id=64110>

8. Children over two years of age should be encouraged to wear a face covering in places where they are likely to encounter other people at closer than a six-foot range, such as when going to a medical appointment. Children younger than two years of age must not wear a Face Covering because of the risk of suffocation. This Order does not require any child under 13 years of age to wear a Face Covering. Parents and caregivers must supervise the use of Face Coverings by children to avoid misuse.

9. Wearing a Face Covering is not required while engaging in outdoor recreation such as walking, hiking, bicycling, or running. But each person engaged in such activity must comply with social distancing requirements including maintaining at least six feet of separation from all other people not part of the same household to the greatest extent possible. Additionally, each person engaged in such activity should bring a Face Covering and wear it at times when it is difficult to maintain compliance with Social Distancing Requirements (as defined in Section 10.j of the Local Shelter Order), and should carry the Face Covering in a readily accessible location, such as around the person's neck or in a pocket, for such use. Because running or bicycling causes people to more forcefully expel airborne particles, making the usual minimum 6 feet distance less adequate, runners and cyclists must take steps to avoid exposing others to those particles, which include the following measures: crossing the street when running to avoid sidewalks with pedestrians; slowing down and moving to the side when unable to leave the sidewalk and nearing other people; never spitting; and avoiding running or cycling directly in front of or behind another runner or cyclist who is not in the same household.

10. This Order does not require any person to wear a Face Covering while driving alone, or exclusively with other members of the same household, in a motor vehicle.

11. A Face Covering is also not required by this Order if an individual can show either: (1) a medical professional has advised that wearing a Face Covering may pose a risk to the individual for health-related reasons; or (2) wearing a Face Covering would create a risk to the individual related to their work as determined by local, state, or federal regulators or workplace safety policies or guidelines. A Face Covering should also not be used by anyone who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the Face Covering without assistance.

12. In addition to reasons set forth above, this Order is also issued in light of the existence, as of April 23, 2020, of 155 confirmed cases of infection by the COVID-19 virus in the County, including a significant number of suspected cases of community transmission. This Order is necessary to reduce the rate of community spread and promoting safer interactions in the event the Local Shelter Order is revised to allow additional activities. The Health Officer will continue to assess the public health situation as it evolves and may modify this Order, or issue additional Orders, related to COVID-19, as changing circumstances dictate.

13. This Order is also issued in accordance with, and incorporates by reference, the following authorities:

- The March 4, 2020 Proclamation of a State of Emergency issued by Governor Newsom
- The March 6, 2020 Proclamation by the Director of Emergency Services Declaring the Existence of a Local Emergency in the County
- the March 6, 2020 Declaration of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19) issued by the Health Officer,
- The March 9, 2020 Resolution of the Yolo County Board of Supervisors Ratifying the Declaration of a Local Health Emergency and Proclamation of Local Emergency Regarding Novel Coronavirus

- The March 12, 2020 Executive Order (Executive Order N-25-20) issued by Governor Newsom
- The March 18, 2020 Shelter in Place Order issued by the County Health Officer (referred to herein as the Local Shelter Order)
- The March 19, 2020 State Public Health Officer Order (the “State Shelter Order”) setting baseline statewide restrictions on non-residential business activities, and Executive Order N-33-20, directing California residents to follow the State Shelter Order
- Guidance issued by the CDPH and CDC, as each of them have been and may be supplemented

14. The State Shelter Order is complementary to the Local Shelter Order and all other orders, including this Face Covering Order, issued by the local Health Officer. Where a conflict exists between a local order and any state public health order related to the COVID-19 pandemic, the most restrictive provision controls pursuant to, and consistent with, California Health and Safety Code § 131080 and the Health Officer Practice Guide for Communicable Disease Control in California, unless the State Health Officer issues an order that expressly determines a provision of a local public health order is a menace to public health.


15. Pursuant to Government Code §§ 26602 and 41601 and Health and Safety Code § 101029, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce 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.

16. This Order shall become effective immediately upon issuance, but enforcement shall not commence until April 27, 2020, at 8:00 a.m. It will continue to be in effect until rescinded, superseded, or amended in writing by the Health Officer.

17. Copies of this Order shall promptly be: (1) made available at the County Administration Building at 625 Court Street, Woodland, CA 95695; (2) posted on the County website (www.yolocounty.org); and (3) provided to any member of the public requesting a copy of this Order.

18. If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:


 Ron Chapman, MD, MPH
 Health Officer of the County of Yolo

Dated: April 24, 2020