

**INYO COUNTY HEALTH AND HUMAN SERVICES DEPARTMENT
PUBLIC HEALTH OFFICER ORDER
REQUIRING MEMBERS OF THE PUBLIC AND WORKERS TO WEAR FACE COVERINGS**

Date Order Issued (Revised): Thursday, October 28, 2021

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

This Order supersedes and replaces all previous Inyo County Public Health Officer orders regarding Face Coverings.

WHEREAS, a state of emergency has been declared by the State of California, and a local emergency has been declared in Inyo County in response to the COVID-19 pandemic; and

WHEREAS, since August 2021, Inyo County has experienced an exponential increase in case numbers in both the adult and pediatric population, resulting in the highest case rate in the State of California, 101.4 cases per 100,000 persons (7 day average, 7 day lag), and a test positivity rate of 20.1% as of October 25, 2021; and

WHEREAS, a State Public Health Officer Order requiring unvaccinated individuals to wear face coverings in indoor public places, and a recommendation by the Inyo County Public Health Officer for all individuals in Inyo County to wear face coverings in indoor public places, has not resulted in significant compliance; and

WHEREAS, approximately 65% of the eligible population in Inyo County is fully vaccinated against COVID-19, leaving almost one third of the vaccine-eligible population, and all children under the age of 12, more vulnerable to the COVID-19 virus; and

WHEREAS, hospitals and skilled nursing facilities in Inyo County are experiencing an increase in COVID-19 inpatient cases during a time where staffing, capacity, and resources are strained; and

WHEREAS, throughout the pandemic, face coverings have been recommended by the U.S. Centers for Disease Control and Prevention (CDC) to decrease the transmission of the respiratory illness caused by the novel coronavirus (COVID-19). Face coverings decrease shedding of COVID-19 by people who are infected. Many people with COVID-19 infection have mild or even no symptoms. Such cases may unknowingly spread the virus to others and face coverings are intended to decrease the chance of such transmission.

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

1. Effective Friday, October 29, 2021 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), regardless of vaccination status, are required to wear a face covering when they

enter any indoor public facility. "Indoor facilities" include, but are not limited to, businesses, government agencies, houses of worship, and office buildings, in addition to other indoor settings, such as schools and healthcare facilities that are currently under state-issued orders and guidance.

2. Face Covering Requirements: An effective face covering or mask has both a good fit and good filtration. A well fitted face covering has no gaps between the face and covering/mask, such as above the nose or at the sides.
 - a. Recommendation: wear a medical mask (also called surgical mask or disposable face mask) when available and appropriately fit.
 - b. To be in compliance with this order, a "face covering" must possess the following attributes:
 - i. Be properly worn and completely cover the nose and mouth.
 - ii. Cloth masks can work if they are tight fitting and should be made with two or more layers of a breathable fabric that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source).
 - iii. Mask should be secured to the head with ear loops or straps that go around the head to reduce gaps from the face.
 - iv. Mask should fit snugly, but comfortably against the side and bottom of the face.
 - v. Mask must be a solid piece of material without slits, exhalation valves, or punctures.

Further guidance on facial coverings can be found here:

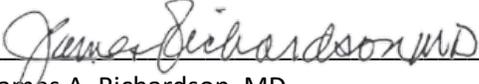
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Get-the-Most-out-of-Masking.aspx> and here <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>

3. All individuals, businesses, venue operators, or hosts of public indoor settings must require all patrons to wear a face covering in full compliance with this order for all indoor settings, regardless of their vaccination status.
 - a. For purposes of this Order, the term "patron" 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 this business or facility, including but not limited to members of clubs or organizations.
4. Employees, contractors, owners, patrons, visitors, and volunteers of all businesses or indoor facilities must wear a face covering in full compliance with this order in areas where patrons, the public, or staff are present or likely to be present, including:
 - a. Any space visited by patrons or members of the public, including but not limited to, reception areas, grocery store or pharmacy aisles, service counters, patron/public restrooms, cashier and checkout areas, waiting rooms, service areas, and other spaces used to interact with patrons, the public, or staff, regardless of whether a patron 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 areas where other people (except member of the person's own household) are present.
 - e. Notwithstanding the foregoing, patrons of restaurants and bars are not required to wear facial coverings while appropriately seated, to the extent permitted by applicable state-issued orders and guidance for such businesses.
 - f. Notwithstanding the foregoing, patrons of gyms, health clubs, and swimming pools are not required to wear a mask while swimming or showering, to the extent permitted by applicable state-issued orders and guidance for such businesses.
5. All businesses and indoor facilities shall display, at all points of entrance, signage that informs all employees, contractors, owners, patrons, visitors, and volunteers of the requirement to wear a face covering in full compliance with this order while patronizing, utilizing the business or indoor facility, or working.
- a. The display of any face covering or mask related signage created by Inyo County is presumed to meet this requirement. Signs are available for download at <https://www.inyocounty.us/covid-19/invo-businesses/print-materials>
 - b. Businesses or indoor facilities may display non-County-created signage regarding face covering requirements as long as that signage clearly and reasonably communicates the requirement to wear a face covering in full compliance with this order (e.g.; covering mouth and nose) while patronizing, utilizing the business or indoor facility, or working. All signage shall be printed on paper no smaller than 8.5 x 11 inches.
6. All businesses and indoor facilities, including governmental entities, business owners, or facility operators, shall strictly enforce the face covering requirements of this order with respect to their employees, contractors, patrons, visitors, and volunteers while they are on the business of facility premises and shall refuse admission and service to any person who fails or refuses to wear a face covering in full compliance with this order on the premises in full compliance with this order.
7. The following individuals are exempt from wearing face coverings or masks:
- a. Persons younger than two years old. Very young children must not wear a face covering or mask because of the risk of suffocation.
 - b. Persons with a medical condition, mental health condition, or disability that prevents wearing a mask. This includes persons with a medical condition for whom wearing a face covering or mask could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering or mask without assistance.
 - c. 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.

- d. Persons for whom wearing a face covering or mask would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.
8. This order is issued in accordance with, and incorporates by reference, the July 28, 2021 [Guidance for the Use of Face Coverings](#) issued by the California Department of Public Health; 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.
9. 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.
10. 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.
11. 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.
12. This Order shall take effect beginning at 11:59 p.m. on Friday, October 29, 2021 and will remain in effect until rescinded, in writing, by the Inyo County Health Officer.
 - a. COVID-19 community transmission within Inyo County will continue to be reviewed and assessed on an on-going basis in conjunction with availability and access to healthcare resources and capacity, case rates week-over-week, and vaccine coverage of the eligible population.

IT IS SO ORDERED:



James A. Richardson, MD
Inyo County Health Officer

Date: Tuesday, October 26, 2021