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ORDER OF THE HUMBOLDT COUNTY PUBLIC HEALTH OFFICER FOR THE WEARING OF FACE COVERINGS IN WORKPLACES AND PUBLIC SETTINGS

DATE OF ORDER: AUGUST 6, 2021

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 sections 120295, *et seq.*)

SUMMARY OF THIS ORDER

This Order requires all individuals to wear face coverings when indoors in workplaces and public settings, as well as outdoor crowded public spaces and events, with limited exemptions, and recommends that businesses and events make face coverings available to individuals entering these spaces.

BACKGROUND

Since June 15, 2021 when most restrictions from the State of California's Blueprint for a Safer Economy were lifted, the average daily incident case rate of COVID-19 in Humboldt County has increased significantly to reach the "High Transmission" level of the US Centers for Disease Control and Prevention's ("CDC") Indicators for Levels of Community Transmission. The testing positivity rate in Humboldt County has also risen dramatically since June 15 to now be over 10% consistently. Hospitalizations from COVID-19 in Humboldt County have risen to a record high of 25 COVID-19 patients, resulting in significant strain on our fragile rural healthcare infrastructure.

The significantly more transmissible Delta variant of the SARS-CoV-2 virus has become the predominant strain in the US and in Humboldt County. While the vast majority of cases since June 15 have occurred among unvaccinated persons, the increase in cases among fully vaccinated persons has continued to increase, meaning that the risk of infection is no longer considered low in fully vaccinated persons. In July, 25% of documented cases in Humboldt County were among fully vaccinated individuals. The most recent data from the Humboldt County Public Health Laboratory showed 50% of sequenced samples to be Delta variant in the early part of July. Statewide data now shows over 80% of samples in California are Delta variant. The COVID-19 vaccines currently authorized in the US have been shown to be highly safe and effective at providing protection to individuals and communities, particularly against severe COVID-19 disease and death, and are recommended by the CDC for all



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populations for whom the vaccine is authorized by the US Food and Drug Administration.

In considering options to stem this rapid increase in COVID-19 transmission, a continued increase in the proportion of the population vaccinated is necessary but not sufficient. Universal use of face coverings in all public settings, including all indoor as well as crowded outdoor settings and events, also known as masking, is the least disruptive and most immediately impactful additional measure to take at this time. Masks are safe and effective at preventing COVID-19, [do not increase your CO2 levels of the air you breathe](#), and will have an immediate impact on our current surge in Humboldt County.

Inclusion of crowded outdoor public spaces and events in this requirement, [as currently recommended by CDC](#), will allow for less impact on previously planned events to continue. It is felt that the impact to outdoor events would be greater if they were not included in this order. As evidence becomes available, and local data is reviewed, masking in outdoor public spaces and events will be considered first for removal of required masking as it is a lower risk setting than indoor public spaces. All individuals, especially those who are unvaccinated or at higher risk of severe outcomes from COVID-19, should take personal measures to reduce risk in addition to masking.

This Order is necessary to control and reduce the rapid rise in the rate of community spread of COVID-19 and to reinforce the need for safe interactions. 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.

ORDER

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

1. Except as otherwise set forth herein, the July 28, 2021 [Guidance for the Use of Face Coverings](#) issued by the California Department of Public Health (“CDPH”), as may be amended from time to time, continues to apply throughout the County.
2. Face Coverings. A “Face Covering” means a face covering that is well-fitted to an individual and covers the nose and mouth especially while talking, consistent with the Face Covering Requirements. [CDPH guidance “Get the Most out of Masking”](#) addresses current recommendations for a Well-Fitted Mask and Face Covering. A non-vented N95 mask is strongly recommended as a Well-Fitted Mask, even if not fit-tested, to provide maximum protection. A Well-Fitted Mask does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric or any mask that has an unfiltered one-way exhaust valve.
3. This Order directs that face coverings shall be worn, regardless of vaccination status, over the mouth and nose, in all indoor public settings, venues, gatherings, and workplaces, such as, but not limited to: offices, retail stores, restaurants and bars, theaters,



family entertainment centers, conference centers, and State and local government offices. For purposes of this Order, all non-residential settings are considered public, and common areas within apartments and other multi-household residential settings (e.g., common patios, laundry rooms, lobbies) are also considered public. In addition, this order applies to all outdoor crowded public spaces and events, that involve sustained close contact with other people outside of one's household.

4. Individuals, businesses, venue operators, hosts, and others responsible for the operation of indoor public settings and outdoor crowded settings and events must:

- Require all patrons to wear face coverings for all indoor settings and outdoor crowded settings and events, regardless of their vaccination status; and
- Post clearly visible and easy-to-read signage at all entry points for indoor settings and outdoor crowded settings and events to communicate the masking requirements to all patrons.

In addition, those responsible for indoor settings and outdoor crowded public settings and events are strongly encouraged to provide face coverings at no cost to individuals required to wear them.

5. Exemptions from face covering requirements – Individuals are not required to wear face coverings in the following circumstances:

- Persons younger than two years old;
- Persons who are working alone in a closed office or room;
- Persons who are actively eating and/or drinking;
- Persons swimming or showering in a fitness facility;
- Persons in a private car alone or with members of their household;
- Persons who are actively engaged in physical activity where a mask poses a threat to personal safety or health;
- Persons who are obtaining a medical or cosmetic service involving the nose or face for which temporary removal of the face covering is necessary to perform the service;
- Persons who are specifically exempted from wearing face masks pursuant to other CDPH guidance.

6. Employers and businesses subject to the Cal/OSHA COVID-19 Emergency Temporary Standards (“ETS”) and/or the Cal/OSHA Aerosol Transmissible Diseases Standards should consult the applicable regulations for additional requirements. The ETS allow local health jurisdictions to mandate more protective measures. This Order, which requires face coverings for all individuals in indoor settings and businesses, regardless of vaccination status, takes precedence over the more permissive ETS regarding employee face coverings.

7. Unvaccinated as well as fully vaccinated persons should continue to follow CDC guidance for [unvaccinated people](#) and for [fully vaccinated people](#) to protect themselves and



others, including wearing a well-fitted [face covering](#), [physical distancing](#) (at least 6 feet), avoiding crowds, avoiding poorly ventilated spaces, covering coughs and sneezes, [washing hands](#) often, and following any applicable workplace, school, or business sector guidance or requirements including the Cal/OSHA Emergency Temporary Standards. Fully vaccinated people should still watch for [symptoms](#) of COVID-19, especially following an exposure to someone with suspected or confirmed COVID-19. If symptoms develop, all people – regardless of vaccination status – should isolate and be clinically evaluated for COVID-19, including SARS-CoV-2 testing. Anyone testing positive for SARS-CoV-2, regardless of vaccination status, must follow the [Mass Isolation Order of the Humboldt County Health Officer](#).

8. This Order shall become effective at 12:01 am on August 7, 2021 and will continue to be in effect until it is extended, rescinded, superseded, or amended in writing by the Health Officer. The Health Officer intends to continually review the need for the Order by monitoring daily COVID-19 case rates, percent positivity, hospitalizations, variants of concern circulating in the county, and vaccination rates.

9. All State orders and guidance documents referenced in State orders are complementary to this Order. By way of this Order, the Health Officer adopts such directives as orders as well. 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 section 131080, 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.

10. Copies of this Order shall promptly be: (1) posted on the County website and (2) provided to any member of the public requesting a copy of this Order.

11. 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.

12. Recommendation: In indoor public and private settings where there is close contact with other people who may not be fully vaccinated, individuals should consider wearing a higher level of protection, such as wearing two masks (“double masking”) or wearing a respirator (e.g., KN95 or N95). This is particularly important if an individual is not fully vaccinated and is in an indoor public setting or crowded outdoor setting or event.

IT IS SO ORDERED:

Ian Hoffman, MD, MPH
Health Officer of the County of Humboldt

Date / Time

