

Elkhart County Health Department
Public Health Order No. 01-2020

Face Covering Mandate

CHRISTOPHER ANDERSON
CLERK
ELKHART COUNTY HEALTH DEPARTMENT

2020 JUN 29 PM 12:12

FILED

The outbreak of a new coronavirus continues to cause the disease called COVID-19. COVID-19 is having a direct impact on the health and safety of Elkhart County residents. Elkhart County is experiencing record numbers of confirmed positive cases of COVID-19. Elkhart County has recently seen an increased hospital census because of COVID-19. Elkhart County's ICU bed availability has fallen significantly. In order to protect public health, restrictions must be established to help curb the spread of COVID-19.

With this understanding, I hereby Order the following, effective June 30, 2020, at 12:01 AM:

A. Face Covering Mandate

Every individual must properly wear a face covering over their nose and mouth when they are at:

1. an indoor area open to the public, including public transportation;
2. an outdoor public area where a distance of 6 feet from individuals outside of their household cannot be maintained; or
3. a private indoor or outdoor area where a distance of 6 feet from individuals outside of their household cannot be maintained.

An adult should supervise use of face coverings by children aged 3 to 12 to avoid misuse. A properly worn face covering is one that fully covers the individual's mouth and nose, fits snugly against the sides of the face with no gaps, is secured (i.e. straps, ear loops) to prevent slipping, and allows for breathing with no restriction. All face coverings, which are not disposed of after each use, should be washed each day it is used and made completely dry before the next use.

B. Exceptions to the Face Covering Mandate

The Elkhart County Health Department recognizes that the following individuals are not required to wear a face covering as a result of this Order No. 01-2020:

1. any child aged two years or less (a face covering may cause such a child to suffocate);
2. any individual who has a physical disability that prevents easily wearing or removing a face covering;
3. any individual who is deaf and needs to remove the face covering to use facial and mouth movements as a part of their communication;
4. any individual who has been advised by medical professional that wearing a face covering may pose a risk to the person wearing the face covering for health related reasons;

5. any individual who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance;
6. any individual who is directed to remove a face covering by a law enforcement officer;
7. any employee engaged in a work related activity where a face covering would serve to present or exacerbate a hazard as recognized by the Occupational Safety and Health Administration;
8. any individual whose religious beliefs prevents them from wearing a face covering;
9. any restaurant or bar customer while they are dining; and
10. any individual who (1) is not in an area open to the public and (2) can maintain at least 6 feet from all other individuals not residing in his or her household.

C. Business and Employer Requirements

Every business and employer in Elkhart County must take the following steps to ensure that all employees and visitors of the entity comply with this Order:

1. All employers in Elkhart County must amend their COVID-19 continued operations plan, first established per the mandate included in Section 4 of Executive Order 20-26 and still required by Section 5.b of Executive Order 20-32, to require all employees and visitors to wear face coverings in accordance with this Order.
2. All businesses must post the English and Spanish version of the Order No. 01-2020 sign (PDF copy will be available at <http://www.elkhartcountyhealth.org/>) at each available entrance to their building.
3. All business must continue to follow the Executive Order of the Governor and any other Orders issued by state or local officials. This includes, but is not limited to, maintaining social distancing (at least six feet of separation) and sanitation requirements.

D. Intent and Use of this Order

The intent of this Order is to mandate that all people in Elkhart County, whether engaged in work activities, social activities, or everyday activities, wear a face covering, as outlined herein, to prevent the spread of COVID-19. This Order is necessary to slow the spread of COVID-19 throughout Elkhart County and protect public health. When applying this Order, it is important to remember the following:

1. Nothing in this Order reduces or eliminates the requirements imposed by the Executive Orders of Governor Holcomb, or imposed by any directive or order from the local health officer, Governor, or other regulatory local, state, or federal agency.
2. Actions that contradict this Order do not create grounds for residents or law enforcement to stop, detain, issue a citation, arrest, intimidate, or harass individuals that do not comply

with this Order. This Order should be used to educate, encourage, and persuade individuals to wear face coverings.

3. Use of a face covering does not replace the need to take the additional necessary protective measures set forth in Section E below.

E. Additional Necessary Protective Measures

Use of a face covering as mandated by this Order does not replace the need for all Elkhart County employers, residents, and visitors to take additional necessary protective measures to protect against the spread of COVID-19. To keep Elkhart County working, activities open, and ourselves healthy, everyone should maintain the following basic protective measures:

1. Wash your hands frequently during the day for 20 seconds with soap and water. If this is not available, use hand sanitizer with at least 60% alcohol.
2. Maintain a minimum of 6 feet of distance between yourself and individuals outside of your household.
3. Avoid touching your eyes, nose, and mouth with unwashed hands.
4. Stay home and isolate yourself from other members of your household if you are sick.
5. Avoid being around sick people.
6. Clean frequently touched surfaces often.
7. Sneeze and cough in the inside of your elbow or in a tissue.

F. Scope and Duration

This Order goes into effect at 12:01 AM on June 30, 2020. This Order will remain in effect until rescinded by the Elkhart County Local Health Officer. Prior to rescinding this Order, the Health Officer intends to examine the number and percentage of positive cases in Elkhart County in comparison to the State of Indiana, the hospitalization census for Elkhart County, and the availability of ICU beds in Elkhart County. For the duration of this Order, this Order supersedes the Guidance on Wearing Face Coverings issued by the Elkhart County Health Department on June 12, 2020. Compliance with this Order is not required to the extent necessary to comply with any federal, state, or local laws, rules, and regulations.

Signed and issued June 29, 2020, in Elkhart County, Indiana.



Dr. Lydia Mertz, Elkhart County
Local Health Officer