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

DATE OF ORDER: August 13, 2021

Please read this Order carefully. Violation of, or failure to comply with this Order is a public nuisance subject to citation, abatement, or both, as well as a misdemeanor punishable by fine, imprisonment, or both. (California Government Code §120155, 120220, 120295; California Penal Code §69, 148(a)(1))

SUMMARY OF THIS ORDER

This Order requires all individuals to wear face coverings when indoors in workplaces and public settings, with limited exemptions, and recommends that businesses make face coverings available to individuals entering their business.

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 Sierra County has increased to a point to reach the "Widespread Transmission" level of the US Centers for Disease Control and Prevention's ("CDC") Indicators for Levels of Community Transmission. While most cases since June 15 have occurred among unvaccinated persons, the daily case rate among vaccinated persons has risen to reach the CDC's "Moderate Transmission" level, meaning that the risk of infection is no longer considered low in fully vaccinated persons.

The significantly more transmissible Delta variant of the SARS-CoV-2 virus has become the predominant strain in the US. Genomic sequencing has now confirmed that the Delta variant is present in Sierra County and most likely the predominant circulating strain within Sierra County based on regional trends. Sierra County has stalled in its vaccination rate with only 50.8% fully vaccinated as of August 9, 2021. Since May 2021, Sierra County has seen case rates rise from 0 cases/100,000 per day to a staggering 27.5 cases/100,000 per day and higher. Transmission is particularly widespread among the County's unvaccinated and most vulnerable populations.

The three 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 populations for whom the vaccine is authorized by the US Food and Drug Administration, including for women wanting to become pregnant, pregnant women, and women who are breast feeding – [COVID-19 Vaccines While Pregnant or Breastfeeding \(cdc.gov\)](#).

In considering options to curb this rapid increase in COVID-19 transmission, a continued increase in the proportion of the population vaccinated is necessary but not sufficient. Universal indoor use of face coverings, also known as masking, is the least disruptive and most immediately impactful additional

measure to take. 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.

On July 21, 2021, Sierra County's Public Health Officer strongly recommended universal indoor masking in public places to curb the transmission and illness from COVID-19.

On July 27, 2021, the CDC updated [guidance for fully vaccinated people](#) given new evidence on the B.1.617.2 (Delta) variant, recommending that fully vaccinated persons wear a mask in public indoor settings. On July 28 2021, the California Department of Public Health ("CDPH") aligned its [guidance for the use of face coverings](#) with the CDC and recommended universal masking in public indoor settings statewide.

Therefore, this Order is necessary to control and reduce the rate of community spread and to reinforce the need for safe interventions. 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 SIERRA ("HEALTH OFFICER") HEREBY ORDERS AS FOLLOWS:

1. Except as otherwise set forth herein, the July 28, 2021 updated [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. 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 serving the public.
3. Individuals, businesses, venue operators, hosts, and others responsible for the operation of indoor public settings must:
 - a. Require all patrons to wear face coverings for all indoor settings, regardless of their vaccination status; and,
 - b. Post clearly visible and easy-to-read signage at all entry points for indoor settings to communicate the masking requirements to all patrons.

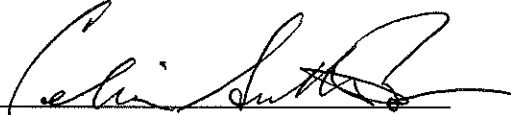
In addition, those responsible for indoor public settings are strongly encouraged to provide face coverings at no cost to individuals required to wear them.

4. Exemptions from face covering requirements – Individuals are not required to wear face coverings in the following circumstances:
 - a. Persons who are working alone in a closed office or room;
 - b. Persons who are actively eating and/or drinking;
 - c. Persons swimming or showering in a fitness facility;

- d. 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; and,
 - e. Persons who are specifically exempted from wearing face masks pursuant to other CDPH guidance.
5. 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.
6. 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), masking in crowded outdoor settings, 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.
7. 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 [isolation recommendations](#) of the Sierra County Health Officer.
8. 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 §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.
9. Pursuant to Government Code § §26602 and 41601 and Health and Safety Code §101029, the Health Officer requests that the Sheriff and all deputies 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 pursuant to Section 120275 of the Health & Safety Code is punishable as a misdemeanor by fine, imprisonment, or both. Other administrative and judicial remedies are also available.**
10. Copies of this Order shall promptly be: 1) made available at the County offices at 202 Front Street, Loyalton, CA 96118 or 22 Maiden Lane, Downieville, CA 95936; 2) posted on the County website (www.sierracounty.ca.gov); and, 3) 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. This Order shall become effective at 12:01 am on August 16, 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 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.

IT IS SO ORDERED:

A handwritten signature in black ink, appearing to read "Celia Sutton-Pado", written over a horizontal line.

Celia Sutton-Pado, M.D.
Health Officer of the County of Sierra

Dated: August 13, 2021