

ORDER NO. 2021- 2

**SAN JUAN COUNTY LOCAL HEALTH OFFICER ORDER
REGARDING COVID-19: REQUIRING THE WEARING OF FACE COVERINGS**

WHEREAS, the coronavirus disease 2019 (COVID-19) is caused by a virus that spreads easily from person to person which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic;

WHEREAS, COVID-19 has spread throughout Washington State, including San Juan County, significantly threatening the life and health of persons in San Juan County;

WHEREAS, on February 29, 2020, Governor Inslee issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the state of Washington as a result of COVID-19 outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State;

WHEREAS, on March 13, 2020, the San Juan County Council declared a state of emergency as a result of the COVID-19 pandemic;

WHEREAS, on March 13, 2020, the President of the United States issued a presidential proclamation declaring that the COVID-19 outbreak in the United States is a national emergency;

WHEREAS, COVID-19 can spread from people without symptoms, including persons who are asymptomatic or pre-symptomatic, to others;

WHEREAS, in the absence of interventions to limit the spread of the disease, for every case of COVID-19 in the community we can expect 2.5 more cases in the community and the new Delta variant leads to more than double that rate of infection, leading to a dramatic increase in the number of cases over a short period of time;

WHEREAS, there are current vaccinations that can be effective preventing the spread of COVID-19 in fully vaccinated individuals;

WHEREAS, the primary mode of transmission of COVID-19 is respiratory droplets from infected individuals;

WHEREAS, respiratory droplets from infected individuals can be transmitted not only through coughing or sneezing but also through other actions including talking or breathing;

WHEREAS, non-pharmaceutical interventions, such as wearing cloth face coverings, are an effective measure to control and prevent the spread of COVID-19;

WHEREAS, San Juan County is a popular travel and leisure destination which experiences a large influx of visitors throughout the year, particularly in and around the summer months;

WHEREAS, the possibility of dangerous outbreaks of COVID-19 locally is substantially greater when there is an increase in travel to San Juan County, particularly if there is also an increase in business activity;

WHEREAS, widespread use of cloth face coverings or medical masks to cover the mouth and nose are recommended by the Centers for Disease Control (CDC) to help control the spread of COVID-19 by reducing the transmission of respiratory droplets from infected individuals into the environment from asymptomatic or pre-symptomatic individuals, particularly in public spaces where social distancing is not possible or unpredictable, such as indoor businesses;

WHEREAS, although devices known as “face shields” may protect the eyes, nose and mouth from some contamination from respiratory droplets that are propelled toward the wearer and protect others from some droplets that are propelled away from the wearer, face shields generally are not enclosed, allow for smaller respiratory droplets to pass around the shield to the wearer or shared airspace, have not been proven to provide the level of protection afforded by cloth face coverings or medical masks, and are not recommended for use by the CDC as a suitable alternative to cloth face coverings or medical masks;

WHEREAS, face shields can be made to include a cloth element reaching to the body and enclosing the airspace around the face so that there is no open space for respiratory droplets to freely pass into shared airspace, such devices provide the same functions as cloth face coverings and provide greater protection than face shields alone, furthermore, face shields worn in addition to face masks provide some additional protection by helping to prevent the contamination of the face covering itself and may of use to reduce risk of infection when worn in combination (face shield and face covering together);

WHEREAS, the use of a face shield alone is inadequate as a substitute for a cloth face covering, however, the use of face shields that include a cloth element with at least two layers enclosing the airspace around the face (“enhanced face shields”) as an alternative to cloth face coverings is appropriate to protect the public health and to provide an alternative that will be easier to use for certain persons and allow facial expression and lip reading;

WHEREAS, children under 12 years of age have not been able to receive protective vaccines and for those children under two years old it is difficult to safely wear a cloth face covering or medical mask, and that.

WHEREAS, about 10% of high-risk elders in San Juan County, about 20% of eligible 12- to 64-year-olds in San Juan County, and those persons in San Juan County with diseases or medical treatments that render them immune compromised have not received and thus are not protected by vaccination;

WHEREAS, documented cases known as “breakthrough cases” are now occurring among a portion of fully vaccinated individuals;

WHEREAS, the highest local rate of infection observed during the entire pandemic to date occurred yesterday, August 10, 2021 and there has been documented sustained community spread of the disease in recent weeks;

WHEREAS, the recent increasing case count has occurred despite a regionwide recommendation issued on July 26th, 2021, for businesses and individuals to provide and wear masks for all indoor public activities;

WHEREAS, RCW 70.05.070 requires and empowers the local health officer to take such action as is necessary to control and prevent the spread of any contagious or infectious diseases within the jurisdiction; and

WHEREAS, WAC 246-100-036, requires the local health officer, when necessary, to institute disease control measures as he or she deems necessary based on his or her professional judgment, current standards of practice, and the best available medical and scientific information;

NOW, THEREFORE, I, Dr. Frank James, Local Health Officer for San Juan County, under the authority of RCW 70.05.070, RCW 43.20.050, and WAC 246-100-036, and on the basis of the foregoing recitals, make the following ORDER:

1. Use of Cloth Face Coverings or Medical Masks. Owners and operators of businesses in San Juan County shall not permit or allow any non-employee to enter or remain inside a building owned or operated by the business unless the non-employee is wearing a cloth face covering or medical mask over their mouth and nose. This does not apply to a restaurant, tavern, or bar patron while eating or drinking. Further, businesses that sell food, medicine, or medical supplies shall provide a method for customers to purchase these items without entering a building, such as curbside pick-up or delivery.

2. Definitions “Cloth face covering” means a soft cloth or fabric covering that is worn on the face and fully covers a person’s mouth and nostrils, such as a protective mask, scarf, bandana, or any more protective covering. CDC guidance regarding the wearing and making of cloth face coverings can be found at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>.

3. Face Shields. Face shields alone are inadequately protective and may not be used as a substitute for cloth face coverings or medical masks when cloth face coverings or medical masks are required by this order. Face shields that include a cloth element with at least two layers reaching to the body and enclosing the airspace around the face so that there is no opening for respiratory droplets to freely pass into shared airspace (“enhanced face shields,” or “combination face shields/face masks”) may be worn as an alternative to cloth face coverings whenever cloth face coverings are required by this order.

4. Exceptions. The following exceptions apply to Section 1 of this Order:

a. No person is required to wear a cloth face covering in a medical setting such as a hospital or dentist’s office when doing so would not be medically appropriate for the wearer or would interfere with medical care.

b. Children under the age of two are not required to wear a cloth face covering.

c. Children between the ages of two and twelve are not required to wear a cloth face covering when inside a day care, preschool, summer camp, or similar

business when doing so would not be developmentally appropriate as determined by the child's parent, guardian, caregiver, or an employee of the business with supervision of the child.

Any violation of this order is a misdemeanor punishable by fine and arrest and imprisonment up to 90 days pursuant to RCW 70.05.120.

This Order becomes effective Friday, August 13, 2021 at 5:00 p.m. and shall remain in effect until further order of the County Health Officer following a determination that the wearing of cloth face coverings or medical masks is no longer necessary.

DATED this 11 day of August, 2021 at 10:08 p.m.



FRANK JAMES, M.D.
SAN JUAN COUNTY HEALTH OFFICER