

Johnson County Public Health

Face Covering Regulation

2020

Section I

Authority and Applicability

1.01 Iowa Code 137.104 provides that, “a local board of health shall...make and enforce such reasonable rules and regulations not inconsistent with law and the rules of the state board as may be necessary for the protection and improvement of the public health.”

1.02 The novel coronavirus, SARS-CoV-2, also referred to as COVID-19, is a virus that primarily spreads from person to person and can result in serious illness, long-term negative health impacts or death.

1.03 The Johnson County Board of Health finds that COVID-19 poses a continuing and immediate threat to the public health of Johnson County, Iowa residents and visitors.

Section II

Definitions

2.01 “ADMINISTRATIVE AUTHORITY” means the local board of health as authorized by Iowa Code Chapter 137, or its appointed representative.

2.02 “THE BOARD” means the Johnson County Board of health

2.03 “THE COUNTY” means Johnson County, Iowa

2.04 “FACE COVERING” means a material that securely covers a person’s nose and mouth and remains affixed in place without the use of one’s hands, whether purchased or homemade, and consistent with the Center for Disease Control and Prevention guidelines

2.05 “HOUSEHOLD MEMBER” means a person who lives a majority of time with the person in their apartment, house, mobile home, or other structure intended for residential occupancy

2.06 “INDOOR PUBLIC SETTING” means an enclosed area to which the public is invited

Section III

General Regulations

Therefore, pursuant to Iowa Code 137.104, be it hereby ordered and enforced by the Board as the Administrative Authority, as follows:

3.01 Every person in Johnson County shall wear a face covering when:

- A. In public as opposed to being in one's place of residence, when one cannot stay six (6) feet away from others
- B. Inside of any indoor public settings, for example, but not limited to:
 1. Grocery stores
 2. Pharmacies
 3. Hardware stores

4. Retail stores
 5. Schools
 6. Other public settings that are not ones place of residence and when you are with persons who do not live in the household
- C. Outside, if keeping six (6) feet away from others is not possible
- D. Using public transportation or private car service (including taxis, ride share, or carpooling)

3.02 Exemptions. Places and times where persons are exempt from wearing a face covering:

- A. While traveling in a personal vehicle alone or with household members
- B. While a person is alone or in is in the presence of only household members
- C. While exercising at moderate or high intensity e.g. jogging or biking
- D. While seated at a bar or food establishment in the process of eating or drinking
- E. While obtaining a service that would require temporary removal of the persons face covering
- F. When federal or state law prohibits wearing a face covering or requires the removal of the face covering

3.03 Exemptions. Persons who are exempt from wearing a face covering:

- A. Persons younger than 2 years old due to the risk of suffocation
- B. Anyone who has trouble breathing, on oxygen therapy or ventilator
- C. Anyone who is unconscious, incapacitated, or otherwise unable to remove the face covering without assistance
- D. Anyone who has been told by a medical, legal, or behavioral health professional not to wear face coverings

3.04 Appropriate Use. If a cloth face covering is chosen, appropriate use of a cloth face covering includes:

- A. A snug fit, but comfortable against the side of the face
- B. Completely covers the nose and mouth
- C. Is secured with ties or ear loops
- D. Includes multiple layers of fabric
- E. Allows for breathing without restriction
- F. Can be laundered and machine dried without damage or change to shape

Section IV

Enforcement, Penalties and Implementation

4.01 The following ordinance is not intended to be punitive or stigmatizing and is in the best interest of health, safety, and economic recovery. A violation shall constitute a simple misdemeanor.

4.02 The first offense shall be punishable by the minimum fine for a simple misdemeanor.

4.03 The second or subsequent offense shall be punishable by a fine up to the maximum fine for a simple misdemeanor.

4.05 This ordinance shall become effective upon approval of the Board of Supervisors and publication in the local paper of record as described in Iowa Code section 137.104(1)(b)(2).

4.06 This ordinance will expire when the Governor's proclamation of disaster emergency expires or when the Johnson County Board of Supervisors' declaration of public health disaster expires, whichever date is later.

Issued this ____ day of _____ 2020.

By: _____

Peter Wallace, MD

Chairperson, Johnson County Board of Health

Attest: _____