

**ORDER OF THE BI-COUNTY PUBLIC HEALTH OFFICER FOR SUTTER  
COUNTY AND YUBA COUNTY**

**ORDER DIRECTING PERSONS IN SUTTER COUNTY AND YUBA COUNTY  
TO WEAR FACE COVERINGS, WITH EXCEPTIONS AND EXEMPTIONS AS  
SPECIFIED**

**DATE OF ORDER: May 4, 2020**

**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 § 120295 *et seq.*; California Penal Code § 69, 148(a)(1)).**

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

1. This Order will take effect at **12:01 a.m. on May 4, 2020** and to be in effect until it is rescinded, superseded, or amended in writing by the Bi-County Health Officer for Sutter County and Yuba County.
2. **Intent and Purpose of Order:** As the Yuba-Sutter community embarks on a phased-in gradual reopening of our community, it is **critical** that all community members take upon themselves the responsibility to adhere to the important public health recommendations to reduce the transmission of COVID-19. Non-pharmacological interventions of social distancing of six feet or more, good hand hygiene, staying home if ill with fever, cough, sore throat, or shortness of breath, and wearing facial coverings when social distancing is not possible are key.
3. **What is Known:** Evidence shows that approximately 20% of COVID-19 infectious persons are asymptomatic – lacking all symptoms. Given this, the risk of unwitting transmission to another person is high and forms the basis for the Centers for Disease Control and Prevention’s recommendation for the public to wear cloth face coverings in public settings when social distancing is not possible (<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover.html>).
4. **What is a Face Covering:** A face covering is a covering made of cloth, fabric or other soft or permeable material, without holes, that covers the nose, mouth and chin. A facial covering should **not** hide or obscure the eyes. Examples of facial covering includes a scarf, bandana, or neck gaiter. Facial coverings can be cleaned via laundering in the warmest setting possible and dried.
5. **When to wear Face Coverings:**

- a. **When Indoors:** All persons shall wear Face Coverings while indoors when social distancing of six feet or more cannot be achieved between persons from separate households. When a person is in their residence, they do not need to wear a facial covering. When a person is alone or with only their household members, they do not need to wear a facial covering.
  
- b. **When Outdoors:** Persons shall also wear Face Coverings when outdoors and social distancing of six feet or more cannot be achieved between persons from separate households. Wearing a Face Covering is not required while engaging in outdoor recreation such as walking, hiking, bicycling, or running. But each person engaged in such activity must comply with social distancing requirements including maintaining at least six feet of separation from all other people not part of the same household to the greatest extent possible. Additionally, each person engaged in such activity should bring a Face Covering and wear it at times when it is difficult to maintain compliance with Social Distancing Requirements of six feet or more from another person. Because running or bicycling causes people to more forcefully expel airborne particles, making the usual minimum 6 feet distance less adequate, runners and cyclists must take steps to avoid exposing others to those particles, which include the following measures: crossing the street when running to avoid sidewalks with pedestrians; slowing down and moving to the side when unable to leave the sidewalk and nearing other people; never spitting; and avoiding running or cycling directly in front of or behind another runner or cyclist who is not in the same household.
  
- c. **When Driving:** This Order does not require any person to wear a Face Covering while driving alone, or exclusively with other members of the same family or household, in a motor vehicle.

6. **Exceptions:**

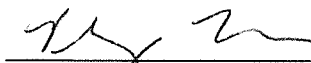
- Children younger than two years of age shall not wear a Face Covering due to the risk for suffocation. For children older than two years of age, parents and guardians must take caution to ensure that those children are wearing Facial Coverings appropriately. The American Academy of Pediatrics provides further specific facial coverings guidance for children: <https://www.healthychildren.org/English/health-issues/conditions/chest-lungs/Pages/Cloth-Face-Coverings-for-Children-During-COVID-19.aspx>.
  
- A Face Covering is also not required by this Order if an individual can show either:
  - a. A medical professional has advised that wearing a Face Covering may pose a risk to the individual for health-related reasons; or

- b. Wearing a Face Covering would create a risk to the individual related to their work as determined by local, state, or federal regulators or workplace safety policies or guidelines; or
- c. A Face Covering should also not be used by anyone who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove the Face Covering without assistance.

It is important to remember that these above **exceptions** are to be interpreted in a narrow fashion. Each individual's medical history and occupational risks cannot be known to others, including their co-workers and friends. As such, each individual is personally responsible to comply with this order and reliance upon the behavior of other individuals does not excuse compliance.

- 7. **Copies of Order.** Copies of this Order shall promptly be made available at <https://www.yuba.org/coronavirus/> and <https://www.suttercounty.org/doc/government/depts/cao/em/coronavirus> and provided to any member of the public requesting a copy of this Order.
- 8. **Severability.** If any provision of this Order or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, 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.

**IT IS SO ORDERED:**



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Phuong Vu, MD, MHS, FACP

Bi-County Public Health Officer for the Counties of Sutter and Yuba