



A THIRD PROCLAMATION

PURSUANT TO THE DECLARATION OF A STATE OF EMERGENCY CORONAVIRUS DISEASE 2019 (COVID-19) REQUIRING THE WEARING OF FACE MASKS IN COUNTY-OPERATED FACILITIES

WHEREAS, the World Health Organization declared the Coronavirus Disease 2019 (“COVID-19”) a global pandemic on March 11, 2020; and

WHEREAS, the Governor of the State of North Carolina declared a State of Emergency on March 10, 2020 to coordinate the State’s response and protective actions to address the COVID-19 public health emergency and to provide for the health, safety, and welfare of residents and visitors; and

WHEREAS, the Governor subsequently issued Executive Orders 117 – 147, instituting various restrictions and measures to mitigate and slow the spread of COVID-19, of which the last Order included the requirement to wear face coverings in certain settings and conditions and encouraged local governments to enact policies regarding the same as those applicable to certain State government agencies (“Executive Order 147”); and

WHEREAS, the Iredell County State of Emergency was declared on March 17, 2020 (“Original Declaration”) following its first presumptive positive case of COVID-19 on March 16, 2020, and the Original Declaration remains in effect; and

WHEREAS, as of June 26, 2020, the total presumptive positive cases in Iredell County increased 110% from 325 on June 1, 2020 to 681 on June 26, 2020, and further, the County experienced the highest one-day spike this same day with 59 presumptive positive cases, indicating substantial community transmission requiring an amendment to the Iredell County State of Emergency Declaration to require the wearing of face masks in County-operated facilities on June 30, 2020; and

WHEREAS, the Iredell County State of Emergency Declaration requiring the wearing of face masks in County-operated facilities was terminated on May 14, 2021 due to the decreased number of COVID-19 cases and hospitalizations; and

WHEREAS, as of August 24, 2021, the total presumptive positive cases in Iredell County experienced an increase over 16 times from a 7-day rolling average of 6.57 on July 5, 2021 to 107.71 on August 23, 2021, and further, the County experienced the highest number of Iredell County Residents hospitalized at 78 exceeding the January 2020 high of 77 and Iredell County has been classified as a High Transmission County by the Centers of Disease Control; and

WHEREAS, Iredell County employs 1,469 people, who provide necessary and vital services to its residents, and many of these services require engaging with and being in close contact with the general public who are receiving County services and visiting County-operated facilities; and

WHEREAS, as a result of the local emergency, declared March 17, 2020, and the increased community transmission through this day, I maintain my determination that there is and continues to be an imminent threat of, or existing conditions have caused or will cause, widespread or severe damage, injury, or loss of life or property; and

WHEREAS, on August 12, 2021 the Iredell County Board of Health requested that Iredell County implement universal masking as soon as possible in an effort to implement every COVID-19 mitigation strategy possible to slow the spread of the Delta variant in Iredell County; and

WHEREAS, I have consulted with Iredell County Health Director and the President & Chief Executive Officer of the Iredell Health System, as well as reviewed the guidance from the Centers for Disease Control and Prevention and the North Carolina Department of Health and Human Services regarding the use of face coverings, which recommend the use of face coverings to help decrease disease transmission by reducing the spread of respiratory droplets through speaking, coughing, sneezing, and the like; and

WHEREAS, it is the desire of the Iredell County Board of Commissioners to take measures to protect its employees from the increasing community transmission of the Coronavirus, particularly in the performance of their duties and provision of services to the general public, and to protect the public when obtaining such services; and

WHEREAS, it is necessary to impose the restrictions herein to maintain the health, safety and welfare of the employees of Iredell County in order to continue to provide required services to our citizens, as well as protecting the public visiting County-operated facilities,

NOW, THEREFORE, pursuant to the authority vested in me as the Chairman of the Iredell County Board of Commissioners under Article 1A of Chapter 166A of the North Carolina General Statutes and Sections 2.72, 10.5-4 and 10.5-5 of the Iredell County Code of Ordinances:

Section 1. The State of Emergency declared March 17, 2020 remains in effect.

Section 2. I hereby authorize the County Manager to implement the following restrictions in County-operated facilities:

- a. All visitors to **County-operated facilities**, unless otherwise excluded or an exception applies as provided herein, must wear a Face Covering. Face coverings shall be worn inside buildings or offices wherein County services are provided; face coverings shall be worn outdoors at County-operated facilities where social distancing (a distance of six feet) cannot be maintained. This requirement does not apply to fairgrounds, parks and outdoor recreation facilities.

The County Manager, Register of Deeds, and Sheriff may establish additional and/or specific procedures to affect these restrictions with particularity as to applicability, exceptions, and enforcement procedures based on unique conditions of their respective facilities.

- b. Unless otherwise excluded or excepted herein, Iredell County Employees shall wear Face Coverings at work when:
 - i. Interacting with the public inside County-operated facilities; and
 - ii. Interacting with the public outdoors at County-operated facilities where social distancing of six feet cannot be maintained; and
 - iii. Unable to maintain social distancing of six feet from co-workers, or in a shared workspace (without internal walls or separation) or common area, such as hallways or breakrooms.

The County Manager, Register of Deeds, and Sheriff may establish additional and/or specific procedures to affect these restrictions with particularity as to applicability, exceptions, and enforcement procedures based on unique conditions of their respective departments.

- c. "Face Covering" shall have the same meaning as in Executive Order 147, "a covering of the nose and mouth that is secured to the head with ties, straps, or loops over the ears or is simply wrapped around the lower face. A Face Covering can be made of a variety of synthetic and natural fabrics, including cotton, silk, or linen. Ideally, a Face Covering has two (2) or more layers. A Face Covering may be factory-made, sewn by hand, or can be improvised from household items such as scarfs, bandanas, t-shirts, sweatshirts, or towels. These Face Coverings are not intended for use by healthcare providers in the care of patients." It may also include a face shield that covers the nose and mouth as a reasonable accommodation. Please refer to the National Institute for Occupational Safety and Health (NIOSH) for a list of other approved masks. As referenced and defined in Executive Order 147, Surgical Masks and N95 meet the Face Covering requirement, but the public is encouraged to reserve such items for healthcare providers and medical first responders.
- d. Exceptions to the wearing of Face Coverings shall include the same as those provided in Executive Order 147 in addition to others listed herein, and as such, Face Coverings do not need to be worn by any person who:
 - i. Should not wear a Face Covering due to a medical or behavioral condition or disability (including but not limited to, any person who has trouble breathing, or is unconscious or incapacitated, or is otherwise unable to put on or remove the Face Covering without assistance);
 - ii. Is under eleven (11) years of age;
 - iii. Is actively eating or drinking;
 - iv. Is strenuously exercising;
 - v. Is seeking to communicate with someone who is hearing-impaired in a way that required the mouth to be visible;
 - vi. Is giving a speech or participating in a meeting for a broadcast or to an audience where social distancing of six feet can be maintained;
 - vii. Is working at home or is in a personal vehicle;
 - viii. Is temporarily removing his or her Face Covering to secure government or medical services or for identification purposes;
 - ix. Would be at risk from wearing a Face Covering at work, as determined by local, state or federal regulations or workplace safety guidelines;
 - x. Has found that his or her Face Covering is impeding visibility to operate equipment or a vehicle;
 - xi. Is a child whose parent, guardian, or responsible person has been unable to place the Face Covering safely on the child's face;
 - xii. Is participating in a meeting for a broadcast or to an audience where social distancing of six feet can be maintained; and
 - xiii. Is alone in a County-owned vehicle; and
 - xiv. Is alone in a self-contained office.

(collectively, "Exceptions")
- e. No person will be denied services where unable to wear a Face Covering as a result of one or more of the Exceptions; County employees will take measures to make reasonable accommodations in

such instances, which may include, but are not limited to curbside delivery of services, services provided in a separate area of the facility, or separate facility, where social distancing and preventative measures can be taken, and telephonic and/or electronic meetings.

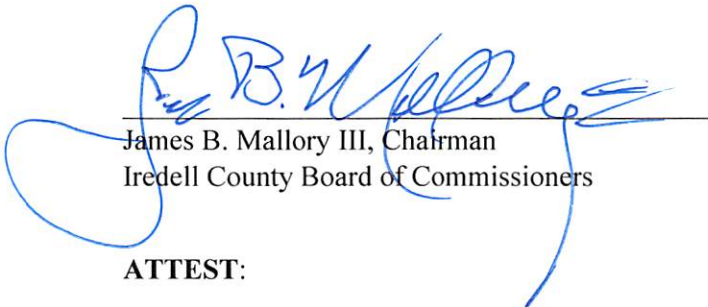
- f. The County shall post signage at the entrances to County-operated facilities at which Face Coverings shall be worn.
- g. The County shall provide at no charge one mask for personal use by visitors and members of the public seeking services who do not have a mask.
- h. Visitors to County-operated facilities, to which no Exception applies, and who refuse to wear a Face Covering when requested to do so, may be asked to leave the facility by the facility manager pursuant to Section 10.5-4 of the Iredell County Code of Ordinances. As provided therein, it shall be unlawful for any person to fail to leave any property or facility after having been asked to leave. Such violation is punishable under Section 1.7 of the Iredell County Code of Ordinances.

Section 3. The requirements established in this Third Proclamation shall be in addition to any provided in the Iredell County State of Emergency, and are intended to supplement any requirements established by the State of North Carolina through Executive Orders 116 – 147.

Section 4. I hereby order this Third Proclamation: (a) to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) to be filed with the Clerk to the Iredell County Board of Commissioners and (c) to be distributed to others as necessary to ensure property implementation of this Third Proclamation.

Section 5. This proclamation shall take effect on August 27, 2021 at 8 a.m. and shall remain in effect until modified or rescinded.

DECLARED this the 26 day of August, 2021 at 2 p.m.



James B. Mallory III, Chairman
Iredell County Board of Commissioners

ATTEST:



Amy Anderson, Clerk to the Board