



Trempealeau County Health Department



Public Health
Prevent. Promote. Protect.

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HEALTH ADVISORY NO. 001 TREMPEALEAU COUNTY HEALTH DEPARTMENT

WHEREAS, Trempealeau County is in the midst of a pandemic that has been growing at a concerning rate; and **WHEREAS**, through contact tracing and reporting the County has undertaken, together with information from other agencies, the County has identified characteristics of establishments and locations as being particularly susceptible to the spread of COVID-19; and

WHEREAS, establishments and locations particularly susceptible to the spread of COVID-19 are those with the following characteristics: places where multiple households gather in crowded spaces, in close proximity with one another, or in poorly ventilated spaces, and/or where individuals engage in activities that increase viral particles in the air such as loud speaking, shouting, singing, or physical exertion; and

WHEREAS, without a current vaccine or more effective means of treating the disease, the only tools we have to slow the spread of the disease is to stay apart and wear a mask when we cannot stay apart; and

WHEREAS, without proper measures to slow the spread of COVID-19, Trempealeau County will continue to suffer from increased illness and vulnerability from an overwhelmed health care system; and

WHEREAS, our region's number of positive cases and hospitalized COVID-19 patients has continued to increase at an alarming rate; and

WHEREAS, based on information from the Centers for Disease Control and input from state and local public health officials, medical professionals, and business leaders, face coverings, social distancing and limiting the size of mass gatherings is necessary to protect persons throughout the State of Wisconsin from COVID-19 (<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>); and

WHEREAS, pursuant to Wis. Stat. §252.03, the local health officer: (i) shall take all measures necessary to prevent, suppress and control communicable diseases; (ii) may do what is reasonable and necessary for the prevention and suppression of disease; and (iii) may forbid public gatherings when deemed necessary to control outbreaks or epidemics; and

WHEREAS, the local health officer, the Trempealeau County Director of Public Health, deems the issuance of this Advisory and the measures described herein to be reasonable and necessary to prevent, suppress and control the spread of COVID-19 in Trempealeau County; and

WHEREAS, pursuant to Wis. Admin. Code ch. DHS 145.06(6) the local health officer has authority to "direct persons who own or supervise real or physical property..., which present a threat of transmission of any communicable disease...to do what is reasonable and necessary to abate the threat of transmission"; and

WHEREAS, this Advisory does not establish a stand-alone enforcement mechanism or process and, instead, relies upon the goodwill of the citizens, residents, and establishments in Trempealeau County to review and implement the measures set forth below to prevent, suppress, abate, and control the spread of COVID-19; and

WHEREAS, in the event a particular person(s) or establishment(s) fails or refuses to follow the measures set forth below, the local health officer may issue such person(s) or establishment(s) a specific directive, pursuant to Wis. Admin. Code ch. DHS 145.06(4), ordering compliance with the measures set forth below, as applicable; and

WHEREAS, in the event a particular person(s) or establishment(s) fails or refuses to follow a specific directive ordering compliance with the measures set forth below (issued following a determination of failure or refusal to

follow this Advisory), the local health officer and Trempealeau County may petition a court for an order imposing compliance with such specific directive pursuant to Wis. Admin. Code ch. DHS 145.06(5);

NOW, THEREFORE BE ADVISED, that while all ongoing health recommendations remain of significant importance to reduce the spread of COVID-19, the following health recommendations are critical to suppress the further spread of the disease:

ADVISORY

Face Covering Required. Every individual in Trempealeau County, age five (5) and older, shall wear a face covering when:

1. In any enclosed building where other people, except for members of the person's own household or living unit, are present;
2. In line to enter any enclosed building;
3. Driving or riding in any vehicle where other people, except for members of the person's own household or living unit, are present;
4. Outdoors at a public place where 6 foot physical distancing cannot be maintained.

Face coverings are strongly recommended in all other settings, including outdoors when it is not possible to maintain physical distancing.

Face covering means a piece of cloth or other material that is worn to cover the nose and mouth completely. A face covering includes but is not limited to a bandana, a cloth face mask, a disposable or paper mask, a neck gaiter, or a religious face covering. A face covering does not include face shields, mesh masks, masks with holes or openings, or masks with vents.

Children between the ages of two (2) and five (5) are encouraged to wear a face covering when physical distancing is not possible. Children under the age of two (2) should never wear a face covering.

Exceptions. Individuals who are otherwise required to wear a face covering may remove the face covering in the following situations:

1. While eating or drinking;
2. When communicating with an individual who is deaf or hard of hearing and communication cannot be achieved through other means;
3. While obtaining a service that requires the temporary removal of the face covering, such as dental services or healthcare;
4. While sleeping;
5. While swimming or on duty as a lifeguard;
6. When engaging in work where wearing a face covering would create a risk to the individual, as determined by government safety guidelines;
7. When necessary to confirm the individual's identity, including when entering a financial institution;
8. When federal or state law or regulations prohibit wearing a face covering.

The following individuals are exempt from the face covering requirement under of this Order:

1. Children under the age of 5;
2. Individuals who are unconscious, incapacitated, or otherwise unable to remove the face covering without assistance;
3. Individuals with medical conditions, intellectual or developmental disabilities, mental health conditions, or other sensory sensitivities that prevent the individual from wearing a face covering.

BE FURTHER ADVISED that pursuant to Wis. Admin. Code ch. DHS 145.06, the Health Department may issue a directive to a particular person(s) or establishment(s) if there is credible evidence demonstrating that the above guidelines are not being followed; and

BE FURTHER ADVISED that the failure to follow a directive issued as indicated in the foregoing paragraph may result in the local health officer and Trempealeau County petitioning a court for enforcement pursuant to Wis. Admin. Code ch. 145.06(5).

STATEMENT ON ENFORCEMENT AND APPLICABILITY

This advisory is not intended and shall not be independently enforceable. Trempealeau County Health Department will take complaints and investigate persons and establishments subject to the restrictions set forth above that are alleged to be violating the above measures. As indicated above, violations of this Advisory may result in the issuance of a directive requiring compliance and thereafter an enforcement petition under Wis. Admin. Code ch. DHS 145.06.

All reasonable attempts will be undertaken to secure full and voluntary compliance with the above measures.

THIS ADVISORY GOES INTO EFFECT BEGINNING NOVEMBER 21, 2020 AND SHALL REMAIN IN EFFECT FOR A PERIOD OF 60 DAYS UNLESS OTHERWISE MODIFIED BY THE TREMPALEAU COUNTY HEALTH DEPARTMENT.

BY:



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Trempealeau County Health Department