



**AMENDMENT TO THE DECLARATION OF A
LOCAL STATE OF EMERGENCY IN JACKSON COUNTY
REQUIRING FACE COVERINGS IN
COUNTY OWNED AND OPERATED FACILITIES**

WHEREAS, The Chair of the Board of the Jackson County Commissioners declared the existence of a state of emergency in Jackson county pursuant to North Carolina General Statute 1665A-22 on March 16, 2020 and issued Supplemental and Superseding Declaration of a Local State of Emergency on March 23, 2020, March 30, 2020, May 7, 2020, June 26, 2020, and on May 17, 2021; and

WHEREAS, in responding to the COVID-19 pandemic and for the purpose of protecting the health, safety, and welfare of the people of North Carolina, the Governor of North Carolina has issued Executive Order Nos. 116-122, 124-125, 129-131, 133-136, 138-144, 146-153, 155-157, 161-165, 169-173, 176-177, 180-181, 183-185, 188-193, 195, 197-198, 200, 204-207, 209-212, 215-217, 219-221, and 224; and

WHEREAS, COVID-19 Variants continue to spread throughout the nation and Jackson County; and

WHEREAS, COVID-19 positive test rates are increasing both nationwide and in Jackson County and hospitalizations due to Covid-19 have increased substantially in Jackson County; and

WHEREAS, the CDC and the North Carolina Department of Health and Human Services have issued guidance calling for all people, including those who are vaccinated, to wear masks in indoor spaces when they are around people they do not live with in order to reduce the spread of COVID-19; and

WHEREAS, Jackson County is committed to protecting the health and safety of County employees by mitigating the spread of COVID-19 and its related variants in the workplace; and

WHEREAS, face coverings can decrease the spread of respiratory droplets from people, and evidence has grown, showing in numerous recent studies that the use of face coverings decreases the spread of COVID-19 within populations; and

NOW THEREFORE, pursuant to the authority vested in me as the Chairman of the Board of Commissioners of Jackson County under Article 1A of Chapter 166A of the North Carolina General Statutes and the Emergency Management Ordinance for the County of Jackson I hereby declare:

1. Jackson County remains under a State of Emergency as declared on March 16, 2020 and as declared in a Superseding Declaration of a Local State of Emergency on May 7, 2020, and as supplemented on June 26, 2020. Jackson County remains subject to all of the Governor's Executive Orders.
2. As set forth in the Governor's Executive Orders and in accordance with guidance from the Jackson County Health Director it is ordered that anyone entering the interior public space of a facility housing Jackson County operations must wear a Face Covering when they are or may be within six (6) feet of another person. This includes but is not limited to public spaces such as lobbies, hallways, and waiting areas where members of the public may be present. Clarification of public space to be made by the Jackson County Manager.
3. Exceptions. Face Coverings do not need to be worn by a person who:
 - a. Should not wear a Face Covering due to any 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);
 - b. Is under two (2) years of age;
 - c. Is actively eating or drinking;
 - d. Is strenuously exercising;
 - e. Is seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible;
 - f. Is speaking for a broadcast or to an audience.
 - g. Is temporarily removing his or her Face Covering to secure government or medical services or for identification purposes;
 - h. Would be at risk from wearing a Face Covering at work, as determined by local, state, or federal regulations or workplace safety guidelines;
 - i. Has found that his or her Face Covering is impeding visibility to operate equipment or a vehicle; or
 - j. Is a child whose parent, guardian, or responsible person has been unable to place the Face Covering safely on the child's face; or
 - k. Is working in a facility housing Jackson County operations and protected by an intervening barrier such as a plastic or glass shield or is working in interior office or working space not open to the public.
4. "Face Covering" means 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. "Surgical Mask" means American Society for Testing and Materials ("ASTM") Level 1, 2 or 3 approved procedural and surgical masks. An N95 respirator approved by the National Institute for Occupational Safety and Health ("NIOSH") (or a respirator from another country allowed by the Occupational Safety & Health Administration, the Food & Drug Administration, or the CDC) is not recommended for general public use or use in public

settings, as it should be reserved for healthcare providers and other medical first responders in a health care setting. However, if worn, these respirators would meet both the Face Covering and Surgical Mask requirements of this Executive Order. A face shield that covers the nose and mouth also meets the Face Covering requirements of this Order.

This Declaration is in addition to the Executive Orders referenced above and should any provision hereof be declared invalid or unconstitutional by any court of any competent jurisdiction or superseded by Court Order, such declaration shall not affect the validity of this Declaration that as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

I hereby order this declaration: (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 Clerk to the Jackson County Board of Commissioners and (c) to be posted on the County's website (d) to be sent to the Department of Public Safety's WebEOC critical incident management system (e) to be distributed to others as necessary to ensure proper implementation of this declaration.

All of the terms and conditions of that said Local State of Emergency declared on March 16, 2020 and the Superseding Declaration of a Local State of Emergency declared on May 7, 2020 and June 26, 2020 remain in full force and effect.

This Amendment to the Declaration of a Local State of Emergency in Jackson County Requiring Face Coverings in County Owned and Operated Facilities shall begin on August 30, 2021 at 8:00am and shall remain in effect unless terminated or modified as long as the Jackson County Local State of Emergency remains in force and effect.

Adopted this the 14th day of August, 2021 at 5:00pm.



JACKSON COUNTY BOARD OF COMMISSIONERS

By: Brian Thomas McMahhan
BRIAN THOMAS MCMAHAN, Chairman

Attest:

Angela M. Winchester
ANGELA M. WINCHESTER, Clerk to the Board