

**Mobile County Health Department  
Order of the Health Officer**

**No. 03-2020**

**Coronavirus COVID-19 (2019-nCoV)**

**REQUIRING THE WEARING OF FACE COVERINGS  
IN PUBLIC PLACES**

**ENTERED July 3, 2020**

**WHEREAS:**

- Coronavirus Disease 2019 (COVID-19) has been detected throughout Alabama.
- The appearance of COVID-19 in the State poses the potential widespread exposure of an infectious agent that poses a significant risk of substantial harm to a large number of people.
- The State Board of Health has designated COVID-19 to be a disease of epidemic potential, a threat to the health and welfare of the public, or otherwise of public health importance.
- On March 13, 2020, on the recommendation of the State Health Officer, Scott Harris, the Governor of the State of Alabama, Kay Ivey, declared a state public health emergency exists in the State of Alabama.
- Since March 13, 2020, the State Health Officer has issued several orders related to the suspension of public gatherings.
- Mobile County continues to experience widespread community transmission of COVID-19 and a high number of hospitalizations related to COVID-19.
- Social distancing and related measures remain necessary in Mobile County to prevent the spread of COVID-19.
- The Mobile County Health Officer believes that a face covering order applicable county-wide would be in the best interest of the public health of Mobile County.
- COVID-19 infection is usually spread to others via the respiratory route, and this can occur even in the absence of symptoms. Face coverings help prevent the spread of COVID-19 and help protect those who work or interact in public places because they protect those around the wearer from potential exposure.
- The Mobile County Health Officer has the authority to “institute immediate measures to prevent the spread” of notifiable diseases under Ala. Code § 22-3-5(2) and believes that a face covering order constitutes such measures.
- The State Health Officer has given his approval to the Mobile County Health Officer to issue this Order.

NOW, THEREFORE, THESE PREMISES CONSIDERED, it is ordered that the following *Face Covering* Order be implemented in unincorporated, non-policed jurisdictions in Mobile County effective Friday, July 3, 2020, at 5:00 p.m.:

## **SECTION 1**

**Definitions.** The definitions used in this Order are as follows:

1. **Face Covering / Mask:** A device to cover the nose and mouth of a person to impede the spread of saliva or other fluids during speaking, coughing, sneezing, or other intentional or involuntary action. Medical-grade masks are not required and are, in fact, discouraged for use under this Order, as they are in short supply and should generally be reserved for high-risk first responders and healthcare workers or those coming into direct contact with suspected COVID-19 patients. Coverings may be fashioned from scarves, bandanas, or other suitable fabrics. The face covering must cover the mouth and nose of the wearer. This face covering shall not be a costume/Mardi Gras type mask.
2. **Public Places.** Any place other than an individual's home or personal vehicle that is generally open or available to the public, including retail stores and transportation services.
3. **Social Distancing:** Maintaining at all times physical separation between individuals of not less than six (6) feet.
4. **Vulnerable Individuals:** Elderly individuals or individuals with serious underlying health conditions, including high blood pressure, chronic lung disease, diabetes, obesity, asthma and those whose immune system is compromised such as by chemotherapy for cancer and other conditions requiring such therapy.

## **SECTION 2**

Face coverings shall be worn at all times by persons in public places in the County of Mobile, except that persons engaging in businesses and activities regulated by the Order of the State Health Officer Suspending Certain Public Gatherings due to Risk of Infection by COVID-19, as amended June 30, 2020 and further amended, (the June 30 Order) (<https://www.alabamapublichealth.gov/legal/assets/order-adph-cov-gatherings-063020.pdf>), shall comply with the facial covering and social distancing requirements of the June 30, 2020 Order with respect to those activities listed therein for which face coverings are required.

## **SECTION 3**

### **ADDITIONAL EXCEPTIONS:**

Face coverings are not required for:

1. Outdoor activities in parks and other open spaces, provided social distancing is maintained. This exception does not apply to outdoor activities in parking lots, shopping malls, congested sidewalks, or other populated areas.
2. Children ten (10) years of age and under.
3. Persons for whom wearing a face covering poses a substantial mental or physical

health, safety, or security risk such as persons who have trouble breathing or are unconscious, incapacitated or otherwise unable to remove the cover without assistance.

**SECTION 4**  
**DURATION**

This Order shall remain in full force and effect until Friday, July 31, 2020 at 5:00 p.m.

**SECTION 5**

This order does not apply within the police jurisdiction of an incorporated municipality in Mobile County, Alabama.

**SECTION 6:**  
**PENALTY**

Persons who fail to comply with this Order shall be guilty of a misdemeanor and upon conviction, shall be punishable by a fine of not less than \$25.00 nor more than \$500.00 (Ala. Code 1975; §22-2-14).

**SECTION 7:**  
**PREEMPTION**

To the extent this Order conflicts with any order previously issued by the State Health Officer concerning COVID-19 mitigation measures, the Orders of the State Health Officer supersedes and preempt the conflicting provisions of this Order.

**SECTION 8:**  
**CONFLICT**

If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions or application of this Order.

Dated this the 02 day of July 2020.



Bernard H. Eichold II, M.D., Dr. P.H., F.A.C. P.  
Mobile County Health Officer