



# Mendocino County

## Legislation Details (With Text)

**File #:** 20-0627      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Agenda Ready

**File created:** 7/6/2020      **In control:** County Counsel

**On agenda:** 7/8/2020      **Final action:**

**Title:** Discussion and Possible Action Including Adoption of an Urgency Ordinance Amending Ordinance No. 4461, Regarding Administrative Penalties for COVID-19 Related Violations, and Establishing an Infraction Violation Regarding COVID-19 Related Facial Covering Requirements (Sponsor: County Counsel)

**Sponsors:** County Counsel

**Indexes:**

**Code sections:**

**Attachments:** 1. FINAL SIGNED - Urgency Ordinance 4464, 2. FINAL Urgency Ordinance-Admin. Penalties for COVID-19 Related Violations 7.8.pdf, 3. Version 2. Urgency Ordinance-Admin. Penalties for COVID-19 Related Violations - Redline, 4. Version 2. Urgency Ordinance-Admin. Penalties for COVID-19 Related Violations, 5. Version 1 - Urgency Ordinance-Admin. Penalties for COVID-19 Related Violations - 7.6.20 Redline, 6. Version 1- Urgency Ordinance-Admin. Penalties for COVID-19 Related Violations, 7. HV Case Status Report 07-05-1330 hours, 8. 07-01-20 Dunlap Correspondence, 9. 07-05-20 Stein Correspondence, 10. 07-06-20 Stark Correspondence, 11. 07-06-20 Johanna Correspondence, 12. 07-06-20 SIU Stats, 13. 07-06-20 Sheriff Memo, 14. 07-07-20 Mangini Correspondence, 15. 07-07-20 Bumbo Correspondence, 16. 07-07-20 Diamondstone Correspondence, 17. 07-07-20 Bieber Correspondence, 18. 07-07-20 Roberts Correspondence, 19. 07-07-20 Arnold Correspondence, 20. 07-07-20 York Correspondence, 21. 07-07-20 Wigginton Correspondence, 22. 07-07-20 Kreger Correspondence, 23. 07-07-20 Andersen Correspondence, 24. 07-08-20 Abell Correspondence

Date	Ver.	Action By	Action	Result
7/8/2020	1	Board of Supervisors		

**To:** Board of Supervisors

**From:** County Counsel and Sheriff-Coroner

**Meeting Date:** July 8, 2020

**Department Contact:** Christian Curtis

**Phone:** 234-6885

**Department Contact:** Matthew Kendall

**Phone:** 463-4086

**Item Type:** Regular Agenda

**Time Allocated for Item:** 15 min.

**Agenda Title:**

Discussion and Possible Action Including Adoption of an Urgency Ordinance Amending Ordinance No. 4461, Regarding Administrative Penalties for COVID-19 Related Violations, and Establishing an Infraction Violation Regarding COVID-19 Related Facial Covering Requirements (Sponsor: County Counsel)

**Recommended Action/Motion:**

Adopt Urgency Ordinance amending Ordinance No. 4461, regarding administrative penalties for COVID-19 related violations, and establishing an infraction violation regarding COVID-19 related facial covering requirements; and authorize Chair to sign same.

**Previous Board/Board Committee Actions:**

On March 31, 2020, the Board of Supervisors adopted Ordinance No. 4461, which established administrative penalties for violations of the County Health Officer's Orders.

**Summary of Request:**

The Board previously adopted Ordinance No. 4461 in order to allow violations of the Public Health Officer's orders to be enforced through an administrative citation process. Although State law and the Governor's Executive Orders already made these orders legally binding, the creation of an administrative citation process allowed an additional method of enforcement. Since that time, however, new facial coverings orders have been issued at both the State and local level, which have presented a different set of enforcement challenges.

This ordinance addresses the challenges in enforcing facial covering requirements by establishing a separate facial covering requirement punishable as an infraction. Although similar to the requirements in current State and Local orders, this ordinance differs in that it provides slightly more narrow exceptions and creates a penalty only after a person has been informed by an enforcement officer of the requirement to wear a facial covering but willfully or negligently fails to do so. The Sheriff's Office believes that this additional tool will help in addressing the practical challenges inherent in ensuring enforcement of facial covering requirements.

This ordinance also makes a number of smaller changes requested by various departments involved in enforcement, including elimination of the 24-hour notice period of non-commercial violations and allowing the designation of enforcement officers to be made by the Chief Executive Officer in addition to the Public Health Officer.

**Alternative Action/Motion:**

Decline to adopt the proposed ordinance.

**Supervisory District:** All

**vote requirement:** 4/5ths

**Supplemental Information Available Online At:** N/A

**Fiscal Details:**

**source of funding:** N/A

**current f/y cost:** N/A

**annual recurring cost:** N/A

**budget clarification:** N/A

**budgeted in current f/y:** N/A

**if no, please describe:**

**revenue agreement:** N/A

**Agreement/Resolution/Ordinance Approved by County Counsel:** Yes

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**CEO Liaison:** Executive Office

**CEO Review:** Choose an item.

**CEO Comments:**

**FOR COB USE ONLY**

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Executed By: Atlas Pearson, Deputy Clerk I

Date: JULY 9, 2020

Final Status: Approved with Modification

Executed Item Type: Ordinance Number: 4464

