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## **HEALTH ADVISORY NO. 1**

### **DOOR COUNTY PUBLIC HEALTH**

#### **RECITALS**

**WHEREAS**, Door County is in the midst of a pandemic that has been growing at a concerning rate, and is listed at a critically high activity level and as a critical burden [See: <https://www.dhs.wisconsin.gov/covid-19/county.htm>]; and

**WHEREAS**, through the contact tracing and reporting Door County has undertaken, together with review of additional information, 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 vaccine or more effective means of treating the disease, the tools available to slow the spread of COVID-19 include stay at home as much as possible, if you must go out wear a mask and stay 6 feet away from people, wash hands frequently, avoid socializing in person with people outside of your household, and avoid participating in large gatherings; and

**WHEREAS**, outbreaks of COVID-19 in Door County have occurred as a result of large and small gatherings of extended family and /or friends, public facing businesses and services and/or at bars/restaurants, long term care facilities, or healthcare facilities, and such outbreaks have put significant strain on local health care providers, hospitals, local small businesses, larger industrial employers, health and human service employees, public health contact tracing capacity, schools and the economy.

**WHEREAS**, without measures to slow the spread of COVID-19, particularly in regard to people at increased risk for severe illness and other people (e.g., those living in rural communities) who might need to take extra precautions against COVID-19 [See: <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/index.html> and <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/other-at-risk-populations/rural-communities.htm>] Door County will suffer from more unnecessary illness, vulnerability from an overwhelmed health care system [See: <https://www.wha.org/Covid-19Update>] and insecurity from an unstable economy; and

**WHEREAS**, our region’s average number of hospitalized COVID-19 patients has continued to increase and the average number of individuals hospitalized with COVID-19 has remained at or above capacity for the local hospitals [See: <https://www.wha.org/Covid-19Update>]; 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, physical distancing and limiting the size of gatherings is necessary to protect persons throughout the State of Wisconsin, from COVID-19 [See: <https://www.cdc.gov/coronavirus/2019-nCoV/index.html>]; and

**WHEREAS**, pursuant to § 252.03, Wis. Stats. and Ch. 38, Door County Code 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 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 Door County; and

**WHEREAS**, pursuant to § DHS 145.06(6), Wis. Adm. Code and Ch. 38, Door County Code 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 Door 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 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 Door County may petition a court for an order imposing compliance with such specific directive pursuant to § DHS 145.06(5), Wis. Adm. Code and Ch. 38, Door County Code;

**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: 1). Stay at home, as much as possible. 2). All individuals should take precautions when leaving their homes to ensure their safety, the safety of the members of their household, and the safety of the public.3). If you must go out wear a mask and maintain physical distancing of six (6) feet between individuals who are not members of the same household, 3). wash hands frequently, 4). Avoid any in person gatherings with people outside of your household, and 5). Avoid participating in any large gatherings.

**ADVISORY**

**BE FURTHER ADVISED** that pursuant to § DHS 145.06, Wis. Adm. Code and Ch. 38, Door County Code the local health officer / Health and Human Services 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 Door County petitioning a court for enforcement pursuant to § 145.06(5), Wis. Adm. Code and Ch. 38, Door County Code.

**STATEMENT ON ENFORCEMENT AND APPLICABILITY**

THIS ADVISORY IS NOT INTENDED AND SHALL NOT BE INDEPENDENTLY ENFORCEABLE. The local health officer / Door County Health and Human Services Department will take complaints and may 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 § DHS 145.06, Wis. Adm. Code and Ch. 38, Door County Code.

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

Dated this 20<sup>th</sup> day of November, 2020.

BY:  \_\_\_\_\_  
Susan Powers, Health Officer / Public Health Manager  
Door County Department of Health and Human Services