

**ORDER OF THE BAYFIELD COUNTY
PUBLIC HEALTH DEPARTMENT:**

**ORDER OF THE PUBLIC HEALTH OFFICER OF
BAYFIELD COUNTY IMPOSING A
COUNTYWIDE RESTRICTION ON PUBLIC GATHERINGS
TO PREVENT THE SPREAD OF COVID-19**

DATE OF ORDER: Friday, September 4, 2020

This order goes into effect

Saturday, September 5, 2020, at 12:01 am and expires

Thursday, December 4, 2020, at 12:59 pm.

Please read this Public Health Order carefully. Violation of or failure to comply with this Order is punishable by fine per Bayfield County Ordinance 2020-07, of not less than \$200 and not more than \$500 for each violation.

WHEREAS, Public Health is the science and art of protecting and improving the health of people and their communities. Ensuring health security is the fundamental duty and responsibility of government at all levels – federal, state and local; and

WHEREAS, on March 19, 2020, Bayfield County declared an emergency relating to the COVID-19 pandemic; and

WHEREAS, all 50 states in the United States, a substantial number of tribal governments as well as the Federal Government have declared an emergency relating to the COVID-19 pandemic;

WHEREAS, on September 3, 2020, Red Cliff Tribal Council approved a resolution directing Red Cliff Reservation residents to stay at home due to additional positive cases associated with a large off-reservation gathering in the community affecting public health and safety; and

WHEREAS, Covid-19 is a highly contagious virus, spread easily by airborne, droplet or contact transmission, from often asymptomatic hosts, to multiple recipients. Although this virus is the most deadly or dangerous to the elderly, and to those with underlying chronic health conditions, there is now solid evidence that otherwise healthy people with even mild Covid-19 cases are suffering from unusually high rates of significant heart, lung and neurologic damage. Otherwise healthy people also die from the disease; and



Bayfield County Health Department

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*Sara Wartman, BSN, RN, CLS
Health Director/Health Officer*

WHEREAS, thousands of large gatherings nationwide have resulted in large outbreaks of Covid-19 infections; and

WHEREAS, according to the United States Centers for Disease Control and Prevention (CDC), the *more people* an individual interacts with at a gathering and the longer that interaction lasts, the higher the potential risk of becoming infected with COVID-19 and COVID-19 spreading. There is a higher risk of COVID-19 spreading with larger in-person gatherings where it is difficult for individuals to remain spaced at least 6 feet apart; and,

WHEREAS, on July 17, 2020, Ashland and Bayfield County Public Health jointly issued an Emergency Advisory strongly discouraging any large events or gatherings; and

WHEREAS, since issuing this Emergency Order, we have continued to see incidences of large gatherings in Bayfield County that exceed what is determined to be a reasonable number of attendees, despite strong recommendations against large gatherings; and

WHEREAS, as over the past 30 days, we have seen our number of Bayfield County COVID-19 cases more than double; and

WHEREAS, many new positive cases for COVID-19 in Bayfield County are directly related to large gatherings; and

WHEREAS, many COVID-19 infected individuals have absolutely no symptoms or only mild symptoms for which they never seek medical attention. Additionally, a significant number of Bayfield County residents have barriers to accessing healthcare services including no or limited transportation, underinsured or uninsured, poverty, and/or no medical home, which influences the level of testing available for sick individuals. Therefore, the actual number of infected and exposed individuals is grossly underestimated by local testing; and

WHEREAS, Bayfield County is home to a significant population considered medically vulnerable and at increased risk for severe illness from COVID-19; this includes older adults (i.e. 65 years of age and older) and child or adult with conditions such as cancer, chronic kidney disease, chronic obstructive pulmonary disease, immunocompromised state, obesity, serious heart conditions, or type II diabetes mellitus; and

WHEREAS, Bayfield County is considered a one hundred percent rural county, and there are several demographic, environmental, economic and social factors that put rural residents at higher risk of death to COVID-19 from these public health conditions. Rural areas have higher rates of pre-existing and underlying health conditions, are more likely to work in low wage jobs without the ability to work remotely, and have a limited healthcare infrastructure; and



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WHEREAS, the Red Cliff Band of Lake Superior Chippewa reside in the northernmost part of Bayfield County, and nearly ten percent of Bayfield County residents are American Indian. There exist many socioeconomic factors that put American Indian residents at increased risk for contracting COVID-19 and having more severe health consequences; and

WHEREAS, the state of our emergency services and healthcare infrastructure of Bayfield County is limited and easily strained even prior to the COVID-19 pandemic. There is no hospital in Bayfield County to accommodate increases in COVID-19 cases when neighboring hospitals see a surge in COVID-19 cases regionally. Furthermore, local ambulance and fire services rely heavily on volunteers—many of whom are retired, older adults—and any local outbreak jeopardizes the health of our volunteer emergency responders and threatens public safety by limiting the capacity to safely and effectively respond; and

WHEREAS, this Order comes after the release of substantial guidance from the Wisconsin Department of Health Services, the Centers for Disease Control and Prevention, the World Health Organization, and other public health officials throughout the United States and around the world; and

WHEREAS, it is the local Health Officer's statutory responsibility to do what is reasonable and necessary to prevent, suppress and control communicable diseases and to forbid public gatherings when deemed necessary;

NOW, THEREFORE, pursuant to Wisconsin Statute Section 252.03(2), the Public Health Officer of Bayfield County Orders the following:

THE PUBLIC HEALTH OFFICER OF BAYFIELD COUNTY ORDERS THE FOLLOWING:

1. Effective as of 12:01 am on Saturday, September 5, 2020, and continuing for ninety (90) days until Thursday, December 4, 2020, 11:59 pm, Public Gatherings, as defined below, are hereby prohibited in Bayfield County, Wisconsin.

2. DEFINITIONS:

For purposes of this Order, a "Public Gathering" is a planned or unplanned event, private or public, indoors or outdoors, that brings together or is likely to bring together individuals in a space, where the individuals (non-household family units) who are present are unable to maintain 6 feet apart from one another for more than 10 minutes.

Under no circumstances may there be gatherings in excess of 100 individuals within the same room, or for an organized or unorganized event.

This includes, but is not limited to, activities or events such as gatherings at beaches, a concert, festival, meeting, training, conference, performance, show, or sporting event.

3. EXEMPTIONS

The locations listed below are exempt from this order provided that it is consistent with their daily operations and functional purpose and so long as guidelines from the CDC are implemented.

Exemptions apply to:

- (i) Places of business for the purpose of manufacturing or creating essential goods or services in which the number of employees would exceed 100;
- (ii) Public, private and charter schools;
- (iii) Polling places;
- (iv) Childcare locations (including those that operate within a facility that is otherwise prohibited);
- (v) Hotels and motels, as long as the lodging requirements pursuant to ATCP 72 and COVID-19 Hospitality/Lodging recommendations from Wisconsin Economic Development Corporation are followed;
- (vi) Campgrounds, as long as the campground requirements pursuant to ATCP 79 and COVID-19 Outdoor Recreation recommendations from Wisconsin Economic Development Corporation are followed;
- (vii) Retail food establishments (i.e. grocery stores) where large numbers of people are present but are generally not within arm's length of one another for more than ten (10) minutes;
- (viii) Correctional facilities;
- (ix) Government facilities for which the Health Officer has no jurisdiction;
- (x) Shelter facilities, including day centers, for individuals and families;
- (xi) Churches and places of religious worship;
 - a. Public health strongly encourages religious gatherings far less than 100 congregants.
 - b. All church and religious entities are encouraged to keep religious or spiritual gatherings as small as possible and maintain physical distancing over 6' between attendees whenever possible.
- (xii) Residential buildings;
- (xiii) Marinas;
- (xiv) Medical facilities, providers, pharmacies, and mass immunization or testing clinics;
- (xv) Nursing homes and Community-based residential facilities, as long as the guidelines listed below are followed:
 - a. Restrict all visitation except for compassionate care situations, such as end of life situations;
 - b. Restrict all volunteers and non-essential Healthcare Personnel (HCP);
 - c. Cancel all off-location group activities;
 - d. Implement active screening of residents and HCP for fever and respiratory symptoms.



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This exemption does not apply to meeting facilities, gymnasiums, conference rooms, event spaces or banquet halls within these locations.

Furthermore, the Bayfield County Health Director may approve specific mass gatherings when a COVID-19 Prevention Plan is on-file with Public Health that is based upon current CDC guidelines.

4. VIOLATIONS

Individuals attending or organizing a gathering in violation of this order may be subject to penalties under Bayfield County Ordinance Title 5, Chapter 9.

5. PURPOSE & RATIONALE

This Order is issued based on evidence of increasing transmission of COVID-19 within Bayfield County, scientific evidence regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and best practices as currently known and available to protect members of the public from avoidable risk of serious illness or death resulting from exposure to COVID-19. Although most people who contract COVID-19 do not become seriously ill, people with mild symptoms and asymptomatic people with COVID-19 place all vulnerable members of their family, their coworkers, their neighbors, at risk for life threatening disease. Also, previously thought to be a benign disease in otherwise healthy people, there is a growing body of evidence that even among those who have experienced a mild case of COVID-19, there are very high rates of long lasting heart, lung and/or neurologic disease.

Furthermore, this Order will reduce the likelihood that many people will be exposed to COVID-19 at a single event and will thereby slow the spread of COVID-19 within Bayfield County. By reducing the spread of COVID-19, this Order will help preserve critical and limited healthcare capacity that is available to residents in Bayfield County.

This Order is issued to prevent circumstances often present in public gatherings that may accelerate the spread of COVID-19, such as: the increased likelihood that public gatherings will attract people from broad geographic areas who could be infected; the prolonged time period in which large numbers of people are in close proximity and could be exposed to COVID-19; and the difficulty in tracing exposure when large numbers of people attend a single event.

Additionally, Bayfield County families are suffering from the economic hardship which efforts to prevent COVID-19 spread have caused. Bayfield County families and children desperately need schools to be able to safely reopen. Failing to control the spread of the virus will only prolong the economic hardship by prolonging inability to open schools. Virtual learning burdens fall heavily on parents, making efforts to return to normal productivity in their work life extremely difficult.



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6. TERMS OF UNDERSTANDING

Voluntary cancelation, closure or limitations on the size of gathering beyond the requirements of this order are permitted and encouraged.

The intent of this order is to limit non-essential gatherings and reduce community transmission of COVID-19 while enabling essential services to continue, to protect our school-age children as they return to traditional, in-person school or a combination of in-person and virtual school attendance, to protect our elderly population and medically vulnerable, and to be protective of the long-term viability of our economy in Bayfield County. In consideration of the anticipated peak of COVID-19 cases in northern Wisconsin, ninety (90) days has been determined as an appropriate timeframe. The Public Health Officer will continue to assess this quickly evolving situation and may modify this Public Health Order to be more or less restrictive of Public Gatherings, or issue additional Orders, related to COVID-19 or cancel this and other orders.

Dated this 4th day of September 2020

A handwritten signature in black ink, appearing to read "Sara Wartman", written over a horizontal line.

Sara Wartman, Health Director/Health Officer
Bayfield County Health Department