



# NEW HANOVER COUNTY

## HEALTH & HUMAN SERVICES

1650 Greenfield Street, Wilmington, NC 28401

Health | P: (910) 798-3500 | F: (910) 798-7834 | NHCgov.com

Social Services | P: (910) 798-3500 | F: (910) 798-7824 | NHCgov.com

**Donna Fayko, M.Ed.**, Director

**David G. Howard, MPH**, Director Public Health | **Tonya Jackson, MBA**, Director Social Services

### NOTICE TO ABATE PUBLIC HEALTH HAZARD

The New Hanover County Public Health Director, pursuant to the provisions of the North Carolina General Statute 130A-19, 130A-20, and 130A-41, hereby gives notice to:

All Residents and Visitors to New Hanover County; that:

1. COVID-19 is a Public Health Hazard: Based on evidence documenting the significant and urgent danger to the health of residents and visitors from the rapidly rising incidence of COVID-19 cases, percent positive results from reported COVID-19 testing, and hospitalizations of county and regional residents with COVID-19 disease, COVID-19 is found to be a public health hazard to every resident and visitor to New Hanover County;
2. It is necessary to abate said hazard as follows: Wearing of a face covering over the nose and mouth while in indoor public spaces, to include offices and workplaces, business establishments (including private clubs), public transportation facilities and vehicles, and any place the public is invited or allowed to assemble.
3. Exceptions outlined in Appendix A.
4. Upon issuance of this notice, abatement of said hazard is required beginning Friday, August 20 at 5:00 PM;
5. This order will be on-going and shall not expire until such time a determination is made by the Health and Human Services Board regarding a public health Rule requiring face coverings for residents and visitors to New Hanover County, or until such time the percent of COVID-19 tests of New Hanover residents resulting positive reaches and remains at 5% or below for a period determined to have controlled transmission as to substantially protect public health, if this occurs before a public health rule is enacted.

This the 17th day of August, 2021

  
David Howard, Health Director  
New Hanover County Health and Human Services  
1650 Greenfield Street  
Wilmington NC 28401  
(910) 798-6500

**Served by Public Notice**

## Appendix A:

**Exceptions.** Face Coverings do not need to be worn by someone who:

- (1) 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);
- (2) Is under five (5) years of age and a parent, guardian, or responsible person has been unable to place and maintain a face covering safely on the child's face.
- (3) Is actively eating or drinking;
- (4) Is seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible;
- (5) Is giving a speech or performance for a broadcast, or to an audience, where they maintain a distance of at least 20 feet from the audience;
- (6) Is working at home or is in a personal vehicle;
- (7) Is temporarily removing their face covering for identification purposes to secure government or medical services;
- (8) Would be at risk from wearing a face covering at work, as determined by local, state, or federal regulations or workplace safety guidelines;
- (9) Has found that their face covering is impeding visibility to operate equipment or a vehicle;
- (10) Is alone in an enclosed space, such as a room, office or vehicle.
- (11) Is participating in worship, religious, spiritual gatherings, funeral ceremonies, wedding ceremonies, and other activities constituting the exercise of First Amendment rights, therefore are exempt from all requirements of this Rule, notwithstanding any other provision of this Rule.
- (12) Children under two (2) years of age should not wear a face covering.

Anyone who declines to wear a face covering for these reasons should not be required to produce documentation or any other proof of a condition. Everyone is asked to tell the truth and-if they are healthy and able to wear a face covering-to wear a Face Covering so that they do not put other people at risk of serious illness and death.