



**CITY OF FISHERS HEALTH DEPARTMENT
PUBLIC HEALTH ORDER 05-2020**

WHEREAS, due to recent increases in COVID-19 both locally and nationally, as well as in the collective interest of keeping our community as open as possible during the COVID-19 pandemic, on or around July 20, 2020, the Health Officer for the City of Fishers, Hamilton County, Indiana (“Fishers”) issued Public Health Order 01-2020 (“Health Order 1”), generally requiring all people in Fishers who are 5 years of age or older, to wear a face covering to prevent the spread of COVID-19, all as further specified by Health Order 1;

WHEREAS, on or around September 3, 2020, the Health Officer issued Public Health Order 02-2020, which extended Health Order 1 for an additional thirty (30) days and provided further clarification regarding face coverings (“Health Order 2”);

WHEREAS, on or around September 24, 2020, Governor Holcomb issued Executive Order 20-43 (“EO 20-43”), which provided, among other items, that all individuals, businesses, entities, and counties in the State would (i) be permitted to transition to the State’s directives regarding “Stage 5”, and (ii) continue to adhere to the State’s face covering requirements, as further defined in EO 20-43, through October 17, 2020;

WHEREAS, on or around September 24, 2020, Governor Holcomb issued Executive Order 20-44 (“EO 20-44”), which extended the Governor’s declaration of a public health disaster emergency through November 1, 2020;

WHEREAS, on or around October 2, 2020, the Health Officer issued Public Health Order 03-2020 (“Health Order 3”), which further extended Health Order 1 to coincide with the Governor’s extended facemask mandate, as prescribed in EO 20-43, through October 17, 2020;


WHEREAS, on or around October 15, 2020, Governor Holcomb issued Executive Order 20-46 (“EO 20-46”), which extended all directives in EO 20-43 through November 14, 2020;

WHEREAS, on or around October 17, 2020, the Health Officer issued Public Health Order 04-2020 (“Health Order 4”), which further extended Health Order 1 through November 14, 2020, to coincide with the Governor’s extended directives;



FISHERS HEALTH DEPARTMENT

 fishers.in.us/HealthDepartment

 (317)567.5045

WHEREAS, on or around November 13, 2020, the Governor Holcomb issued Executive Order 20-48 (“20-48”), which among other items, reinstated the Governor’s facemask mandate through December 12, 2020; and

WHEREAS, to mitigate the spread of COVID-19 throughout Fishers and to protect the public health, welfare, and safety of our community, the Health Officer now desires to issue Public Health Order 06-2020 (“Health Order 6” or this “Order”), to further extend Health Order 1 through December 12, 2020, to coincide with the Governor’s extended directives.

NOW, THEREFORE, under the authority vested in me as Health Officer for the City of Fishers, Hamilton County, Indiana, I HEREBY ORDER the following, effective November 14, 2020 at 12:00 AM:

Section 1. Continuation of Face Covering Mandate: Every individual in Fishers will continue to adhere to the directives of Health Order 1 until 11:59 p.m. on November 14, 2020. Face shields are not considered adequate face covering for prevention of the spread of COVID-19 infection. They can be used with a face covering for added protection. Otherwise they should be reserved for circumstances in which visual communication is critical.


Section 2. Special Requirements for K-12 Educational Institutions. The Governor’s directives with respect to “Special Requirements for K-12 Educational Institutions” (§8, EO 20-43) shall be followed with the following exceptions:

- a. Age. This Order applies to all individuals 5 years of age and older, and therefore mandates all K-12 students to wear face coverings, in addition to all faculty, staff, vendors, contractors, volunteers, and visitors to the educational institution.
- b. No Classroom Setting Exemption. This Order does not provide exemption for students or teachers to remove their face covering if a certain classroom configuration can be achieved. Accordingly, all K-12 students and teachers must always wear their face coverings in the classroom, unless otherwise exempted in accordance with §2, Health Order 1. At the direction of the instructor, a student may be permitted to remove his or her mask on an intermittent and temporary basis.



**FISHERS
HEALTH DEPARTMENT**

 fishers.in.us/HealthDepartment

 (317)567.5045

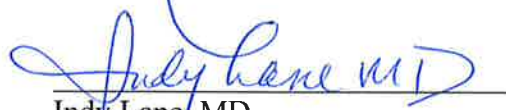
Section 3. Special Requirements for Restaurants, Bars, and Retail Food Establishments. Masks shall be worn at all times while indoors except when eating or drinking.

Section 4. The invalidity, illegality, or unenforceability of any one or more of the terms and conditions of this Order shall not affect the validity, legality, or enforceability of the remaining terms and conditions hereof. If any provision of this Order or application to any person or circumstances shall be determined by any court of competent jurisdiction to be invalid and unenforceable to any extent, the remainder of this Order or the application of such provision to such person or circumstances, other than those as to which it is so determined invalid or unenforceable, shall not be affected thereby, and each provision hereof shall be valid and shall be enforced to the fullest extent permitted by law.

Section 5. This Order is issued pursuant to Ind. Code §§ 16-20-1 *et seq.*, 16-20-4 *et seq.*, and 16-41-9 *et seq.*, and remains in effect until December 12, 2020, unless otherwise rescinded or extended by a subsequent public health. This Order is supplemental to and should be construed in conjunction with all Executive Orders issued by Governor Holcomb.

SO ORDERED, this 13th day of November, 2020.

FISHERS HEALTH DEPARTMENT,


Indy Lane, MD
Chief Medical Director

This instrument prepared by Christopher P. Greisl, City Attorney, One Municipal Drive, Fishers, IN 46038.