

EXECUTIVE ORDER NO. 6

**AMENDING EXECUTIVE ORDER NO. 4
LOCAL COVID-19 EMERGENCY DECLARATION AND PLAN FOR THE
CITY OF HUNTINGTON, INDIANA**

WHEREAS, the World Health Organization has declared COVID-19 a global pandemic; and

WHEREAS, the President of the United States and the Governor of the State of Indiana have declared the COVID-19 pandemic a Public Health Emergency (“Emergency”); and

WHEREAS, the Indiana State Department of Health (“ISDH”) has confirmed both community transmission of, and deaths related to, COVID-19 in Indiana and Huntington County; and

WHEREAS, for the foregoing reasons, and for those reasons and on the legal authority recited in it, Mayor Richard Strick issued Executive Order No. 4 on November 24, 2020; and

WHEREAS, on November 24, 2020, the Common Council of the City of Huntington adopted its Resolution 16-R-20 extending Executive Order No. 4 for the duration of the Emergency; and

WHEREAS, on February 5, 2021, Mayor Richard Strick issued his Executive Order Number 5 which lifted and reduced some restrictions in that Executive Order No. 4; and

WHEREAS, on March 31, 2021, Governor Eric Holcomb issued his Executive Order No. 21-09 lifting and removing several state-wide COVID-related restrictions while allowing that local ordinances, directives, and orders may be made or remain more restrictive; and

WHEREAS, the Governor’s Executive Order No. 21-09, the Mayor’s Executive Order No. 4, the Common Council’s Resolution 16-R-20, and the Mayor’s Executive Order Number 5 are each incorporated herein by reference; and

WHEREAS, in addition to the foregoing, Mayor Richard Strick has received information from federal, state, and local healthcare officials sufficient to conclude that some of the restrictions in Executive Order No. 4 may be removed or modified.

NOW, THEREFORE, I, Richard Strick, by virtue of the authority vested in me as Mayor of the City of Huntington, Indiana in accordance with the authority listed and incorporated herein, the Governor’s Executive Orders as they exist and are amended from time to time, Indiana Code Section 10-14-3-22, and all other applicable federal, state, and local laws, rules, orders, and regulations related to the Emergency, do hereby order, and declare that Executive Order No. 4 is amended as follows:

- A. The following numbered paragraphs of Executive Order No. 4 are hereby removed from that Executive Order No. 4:
 2. Blue Zone
 3. Yellow Zone
 4. Orange Zone

B. The following numbered paragraphs are hereby added to that Executive Order No. 4:

2. (a) Progress has been made in the effort to limit the spread of COVID-19. According to the Huntington County Health Officer this progress is being made mostly because of two factors: (i) local adherence to public health and safety measures including masking and (ii) the increased number of vaccinations being administered locally.

(b) At the end of March, approximately 20% of the local population has received at least its first vaccine. Access to vaccinations has just been increased to those 16 and older on April 1, 2021.

(c) Face coverings decrease the number of air-borne virus droplets being expelled by the wearer and decrease the number of air-borne virus droplets being inhaled. Studies have determined that reducing the number of air-borne virus droplets helps reduce transmission of the disease. Using face coverings to reduce transmission is a cost-effective action to employ while members of the public are waiting for and obtaining vaccinations.

(d) Information received from federal, state, and local health officials indicate that in order to allow time for more members of the community to receive vaccinations and for the school year to conclude, the requirement to wear a face covering should remain in place until at least May 31, 2021.

3. In accordance with the foregoing:

(a) Face Coverings: A “face covering” means a cloth, preferably with two layers of material, which covers the nose and mouth and is secured to the head with ties, straps, or loops over the ears or is simply wrapped around the lower face.

(b) Face Shields: A “face shield” is a mask, typically made of clear plastic, which covers the nose and mouth.

(c) Every individual within the City of Huntington, Indiana shall wear a face covering over the nose and mouth when inside all City government buildings, including but not limited to the City Building, City Services Building, and other City offices or facilities throughout the City.

(d) Every individual within the City of Huntington Indiana shall wear a face covering over the nose and mouth when:

(i) inside a business, public building, or other indoor place open to the public. This does not extend, however, to private offices, private workspaces, or private meetings; and

(ii) using public transportation or while in a taxi, private car service, or ridesharing vehicle;

unless an exemption listed below applies or when in a private residence.

(e) The following individuals are exempt from this directive to wear a face covering but are strongly encouraged to do so if practicable and without undue risk, or alternatively, are strongly encouraged to wear a face shield:

- (i) children under two (2) years of age should not wear a face covering because of the risk of suffocation;
- (ii) children who are over the age of two (2) years and under the age of eight (8) years unless otherwise required by a directive in this Executive Order;
- (iii) any person with a medical condition, mental health condition or disability which prevents wearing a face covering;
- (iv) any person who is deaf or hard of hearing, or communicating with a person who is deaf or hard of hearing, where the ability to see the mouth is essential for communication;
- (v) any person for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines;
- (vi) any person while consuming food or drink, or while seated at a restaurant or other establishment to eat or drink;
- (vii) any person while exercising or engaging in sports activity;
- (viii) any person who is in a swimming pool, lake, or similar body of water;
- (ix) any person while driving alone or with passengers who are part of the same household as the driver;
- (x) any person obtaining a service which requires temporary removal of the face covering for security surveillance, screening, or a need for specific access to the face, such as while visiting a bank or while obtaining a health-related or personal care service involving the face, however the removal of the face covering must be temporary and limited only to the extent necessary to obtain the service;
- (xi) any person, upon request, as part of a law enforcement investigatory stop or investigation or court-related proceeding;
- (xii) any person who is incarcerated;
- (xiii) any person who is experiencing homelessness;
- (xiv) any person while giving a speech for a broadcast or to an audience; or
- (xv) any person attending or engaged in a religious service.

4. Unless circumstances indicate a different course of action, beginning June 1, 2021, the face coverings requirements above shall be revised to a face coverings advisory.

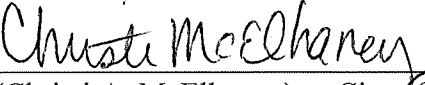
- C. This Order only amends those specific portions of Executive Order No. 4. No other provisions of that Executive Order No. 4 are affected hereby.
- D. This Executive Order will be filed with the City Clerk-Treasurer pursuant to Indiana Code Section 10-14-3-29(a) and Section 72.51 of the City of Huntington, Indiana Code of Ordinances.
- E. If any provision of this Executive Order, or its application to any person or circumstances, is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are hereby declared to be severable.

This Order shall be effective immediately.

Dated: April 6, 2021.

By  As Mayor
(Richard L. Strick) City of Huntington, Indiana

Attest:

By  As Clerk-Treasurer
(Christi A. McElhaney) City of Huntington, Indiana

(SEAL)