

## Ordinance 2020-33

# Monroe County BOARD OF COMMISSIONERS Executive Order To Enforce Monroe County Public Health Order and Regulation

Come now the Monroe County Board of Commissioners (“Commissioners”) who, through Monroe County Code 305, put in place a penalty for failing to comply with Monroe County Health Board Regulations. The Monroe County Health Board issued a Regulation to take effect on July 22, 2020, regarding mask use, a copy of which is attached hereto and incorporated herein as Exhibit A; and state the following:

**WHEREAS**, in order to maintain the public’s health during the COVID-19 health emergency, on July 17, 2020, the Monroe County Health Officer issued a Health Order concerning the use of Masks by the public, a copy of which is attached as Exhibit B; and

**WHEREAS**, both the Health Officer Order and the Health Board Regulations allows for law enforcement officers, including the Sheriff’s Department, to enforce the regulations; and,

**WHEREAS**, the Commissioners fully support the Health Officer and Health Boards actions and wish to slow the spread of COVID-19 so that the community can continue progress towards recovery from the Statewide shutdown; and,

**WHEREAS**, Indiana Code 36-2-2-15 (d) states that the County Sheriff shall execute orders of the Monroe County Board of Commissioners, upon request; and

**WHEREAS**, the Commissioners request, direct, and order the enforcement of this Executive Order and Regulation and Chapter 305 of the Monroe County Code by the Monroe County Sheriff.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA, AS FOLLOWS:**

Section 1. Chapter 305 of the Monroe County Code

Through the authority granted to the Monroe County Commissioners (“Commissioners”) and the Monroe County Sheriff (“Sheriff”) by various provisions of state and local law, including but not limited to Indiana Codes 36-2-2 et seq. and 36-2-13 et seq., and Monroe County Code Chapter 305, the Commissioners request, direct, and order the Monroe County Sheriff to execute the Order and Regulation by enforcing this Order, during the course of their duty.

Section 2. Commissioners’ Intent

It is the Commissioners intent to keep Monroe County residents and visitors safe and healthy, while continue progress towards recovery from the statewide shutdown. In addition, the Commissioners intent enforcement of the Health Order and Regulation be done while responding to calls for other issues, and that the Sheriff’s department role would be first an education and offering mask or other face covering, only under refusal that any violation be issue, and that those violation be issued in the amount recommended by the Health Officer and Health Board.

Section 3. Effective Date and Severability

This Ordinance takes effect upon passage by Monroe County Board of Commissioners. Any subsequent legal or administrative action which may be necessary for the furtherance of this Ordinance is hereby authorized. Should any provision of this Ordinance be found unenforceable or invalid, the remaining portions remain in effect.

**Ordinance 2020-29 is hereby approved this 22nd day of July 2020, by the Board of Commissioners of Monroe County, Indiana.**

"AYES"

"NAYS"

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Julie Thomas, President

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Julie Thomas, President

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Lee Jones, Vice President

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Lee Jones, Vice President

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Penny Githens, Member

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Penny Githens, Member

ATTEST: \_\_\_\_\_, Catherine Smith, Auditor