



NEWS

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For Immediate Release

Fines Now Possible for Violating Health Orders, Including Refusing to Wear Face Covering

Supervisors adopt administrative penalties for individuals, businesses

Redwood City – Individuals who violate health orders, including refusing to wear a face covering in San Mateo County and commercial entities who allow these violations now risk incurring fines after the San Mateo County Board of Supervisors today adopted an urgency ordinance allowing the new penalties immediately.

The adopted penalty structure draws distinctions between individuals and non-commercial entities, and commercial entities where violations jeopardize the health of both employees and customers. Individuals can receive a \$100 fine for the first violation, \$200 for the second and \$500 for additional violations with the same year. Commercial entities risk a minimum fine of \$250 and a maximum of \$3,000 per violation depending on the gravity of the health risk, prior warnings and any good faith efforts to comply. Enforcement officers must personally observe an individual's violation but can also receive a credible report for a business.

Last month, the Board adopted a resolution urging residents to comply with the state and county health orders requiring a face covering and the County ramped up its outreach efforts, particularly in hard to reach and low-income communities. At the time, Board members expressed their views that the misdemeanor punishment of fines and jail times associated with violating a health order could be too punitive and encouraged education instead.

But in the weeks since, the County has seen an uptick in cases that could be linked to social gatherings and individuals not covering their nose and mouth. Supervisors David Canepa and Warren Slocum, who jointly introduced the ordinance, said they still prefer education as a first step before imposing fines but that the public needs to understand that wearing a face covering must be non-negotiable.

“If you don't wear your face mask, then you should be fined. This ordinance decriminalizes violations of the health order essentially but at the same time gives us an added tool to enforce compliance of the state's face covering and social distancing mandates,” Canepa said. “If we want to return to normal and save lives then we must wear face masks, it's that simple. But since

many continue to thumb their noses at or do not understand these mandates, we must step up our outreach and enforcement efforts and let people know if you violate the law there will be consequences.”

San Mateo County now joins Contra Costa, Marin, Mendocino, Napa and Yolo counties in adopting an administrative penalty structure. Slocum said there was no time to wait.

“Just this weekend, San Mateo County had to close additional businesses due to being on the state’s COVID-19 Monitoring List more than three days. Our case counts continue to rise, our Latino and low-income communities are bearing the brunt and a vaccine is still not in reach. We can’t know when this virus will be defeated but what we do know is a key step to stemming its spread — wearing a face covering,” Slocum said.

Enforcement officers — individuals designated by the County or cities, including those with public health or code enforcement responsibilities — can issue the citations, unlike misdemeanors, which can only be enforced by law enforcement. Any cited individual or entity can dispute the violation and fine.

Read the full Board memo and ordinance: <https://bit.ly/3fqAX43>

Information about the County of San Mateo’s response to COVID-19 is at www.smcgov.org.

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