

The Mercury News

Coronavirus: Not wearing a mask or keeping a distance can get you fined in Contra Costa



MARTINEZ, CA – MARCH 20: Contra Costa County Board of Supervisors Chair Candace Andersen addresses to the media on the first death from COVID-19 in the Contra Costa County during a press conference at Contra Costa Health Services in Martinez, Calif., on Friday, March 20, 2020. (Ray Chavez/Bay Area News Group)

By **ANNIE SCIACCA** | asciacca@bayareanewsgroup.com | Bay Area News Group
PUBLISHED: July 28, 2020 at 2:10 p.m. | UPDATED: July 28, 2020 at 5:18 p.m.

Violating a public health order in Contra Costa County that aims to curb the spread of the coronavirus could cost you a fine.

The Board of Supervisors unanimously approved an ordinance Tuesday that allows city and county officials to cite people who don't wear masks, fail to keep a distance of at least six feet, gather in large groups or commit other violations, as well as businesses that ignore rules.

The fines will cost an individual \$100 for a first offense, \$200 for a second one and \$500 for each additional one after that within a year that the public health

order is in effect. For businesses, a first infraction will run \$250, the second one \$500 and each one after that \$1,000.

Before issuing a fine, an enforcement officer — which could be the county health services director, the sheriff, the director of the Department of Conservation and Development or their “designees” or others designated by a City Council or city manager — can issue a “notice of violation” and give a person or business up to two days to correct the offense. The enforcement officer also can immediately fine someone and skip the notice.

“We’re not doing it to make money, we’re not doing this to control people,” Supervisor Diane Burgis said. “We’re trying to get control over this disease and get our economy back. We need people to cooperate, to wear their masks. ... We need all municipalities to come together so we can tackle this and move on.”

Napa and Marin counties approved similar orders in the last couple weeks, though their fines are stiffer than Contra Costa’s.

Napa County has authorized fines as high as \$5,000 for businesses and Marin County up to \$10,000.

Some Contra Costa residents who called into Tuesday’s meeting supported the ordinance.

“This is like a wildfire,” one Antioch caller said. “Mask wearing and social distancing is essential. Let’s have this so we can all be protected. I don’t want to get sick and neither do you.”

Others railed against the ordinance for impeding their freedom, waving off the 108 confirmed COVID-19 deaths in the county as a small number.

At least 7,304 people in the county have so far tested positive for the contagious disease and 105 are in hospitals. The virus has hit low-income communities of color the hardest, Health Services Director Anna Roth said.

Contra Costa County let businesses reopen in June, but as the average rate of those testing positive rose above 8%, the county and state ordered businesses to either close down again or hold off on opening. The positive-test rate is now 7.5%, but the county remains on the state’s watchlist.

Supervisor John Gioia shot back at critics of the ordinance, including those who stated that a cure for COVID-19 has been found.

“Unfortunately the president of this country has set the wrong example in leading people to believe the opposite of what is true about this virus,” Gioia said. “That has had effects down at the local level.”

And he admonished those who have protested against wearing masks or following other public health guidelines to keep others safe.

“It’s not just about you,” he said, noting how a long time ago people had also complained about cigarette smoking in public places. “I think as a society we’ve come to realize there is the freedom of the other people to be free from your smoke and your health hazards. To protect all of us, we each have some personal responsibilities.”

To residents who urged the county to provide more education instead of issuing fines, Supervisor Karen Mitchoff declared, “We’ve been doing that for four months and all we’ve got is more cases.”

Assistant Sheriff John Lowden noted that deputies have been encouraging people to comply with public health orders and will continue to do so.

“But for those who choose not to comply, we do have options,” Lowden added. “This allows us to proceed with those options if necessary.”

As for those who stated that only a “small percentage” of Contra Costa County residents have died — many of them people in nursing homes and other long-term care facilities — Burgis said most of them did so alone without loved ones by their side.

“I want all of the people that I represent to not have to deal with that kind of situation,” she said.

###