

CITY OF FREMONT, NEBRASKA  
COMMUNITY DIRECTED HEALTH MEASURE #3  
January 28, 2021

**WHEREAS**, The Novel Coronavirus (COVID-19, also known as severe acute respiratory syndrome coronavirus 2, or "SARS-Cov-2") has dramatically impacted the citizens of Fremont, Nebraska; and

**WHEREAS**, Pursuant to Nebraska Revised Statute Section 16-238 and Fremont Municipal Code Chapter 4, Article 1, Section 4-101, the Board of Health is authorized to promulgate rules and regulations concerning infections and contagious diseases in the city; and

**WHEREAS**, The Chief Medical Officer and Director of Public Health for the State of Nebraska, Gary Anthon, MD, issued Directed Health Measure Order 2020-3RHD-015 on November 24, 2020 concerning COVID-19, which includes Dodge County; and

**WHEREAS**, The Fremont Board of Health makes the following findings:

We have received information from the Center for Disease Control and Prevention (CDC), the Nebraska Department of Health and Human Services (DHHS), and the Three Rivers Public Health Department that the general public is at risk to exposure to COVID-19.

We find that Community Directed Health Measures exist to effectively prevent, limit or slow the spread of communicable disease in the community.

We further find that COVID-19 presents a risk of death to any person; and that the exposure is wide-spread and poses a significant risk of harm to people in the community; and that there is a particular subset of the population that is more vulnerable to the threat and thus at increased risk.

In assessing the nature of the risk presented, we further find that the threat from COVID-19 is eminent and that any delay in the imposition of a Community Directed Health Measure significantly jeopardizes the ability to prevent or limit the transmission of COVID-19 and poses unacceptable risks to the community.

That hospital capacity and health resources including health care personnel hours and/or medical supplies, such as personal protective equipment, are being depleted by elective surgeries and elective procedures and that a shortage of hospital capacity or health care resources will hinder efforts of health care personnel and health care facilities to treat persons who test positive for COVID-19.

That a delay in the imposition of an effective Health Measure would significantly jeopardize the ability to prevent or limit the transmission of COVID-19 or pose unacceptable risks to any person or persons.

**NOW THEREFORE BE IT RESOLVED**, that based on conditions in the City of Fremont, Community Directive Health Measures are hereby ordered for the City of Fremont effective 12:01 AM, February 1, 2021 and continuing through 11:59 PM, April 1, 2021; unless renewed, extended, or terminated by subsequent order, that all persons in the City of Fremont are ordered to comply with all of the Nebraska Department of Health and Human Services Health Directive Measures as well as the following Community Directive Health Measure:

Require people age 5 or older to wear a face covering over the mouth and nose while indoors in premises open to the general public, except face coverings will not be required for:

People seeking medical, federal, state, or county services; or

People who cannot otherwise wear a face covering because of a medical condition, a mental health condition, or a disability that makes it unreasonable for the individual to wear a face covering; or

People sitting at a bar or restaurant or while immediately consuming food or beverages, or obtaining a service or purchasing goods or services that requires the temporary removal of the face covering; or

People officiating at religious services or providing a speech, lecture, or broadcast to an audience so long as a minimum of six feet or more of distance from other people is maintained; or

People who are alone in an office, room, vehicle, or equipment cab; or

People communicating with someone who is deaf, hard of hearing or has a mental or physical health condition that makes communication difficult wearing a face covering; or


People who are swimming or showering (where the face covering will get wet), exercising at a gym or similar facility or playing in a sporting event where the level of exertion makes it difficult to wear a face covering, or while playing a musical instrument; or

People asked to remove a face covering to verify identity for lawful purposes; or

Employees at their workplace where wearing a face covering would create a safety hazard, employees working at a workstation with a plexiglass barrier, or those engaged in an occupation where the employer prevents them from wearing of a face covering.

Nothing in this directive shall prohibit the owner or person in charge of a premises that is open to the general public from requiring a person to wear a face covering during any of the circumstances enumerated above or from implementing a more restrictive face covering policy.

To the extent necessary, the Mayor requests that the Chief of Police ensure compliance with and enforcement of this Community Directed Health Measure pursuant to Fremont Municipal Code Chapter 6, Article 6, Section 6-501, any person violating this order may be subject to a Misdemeanor for each offense.



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Mayor Joey Spellerberg,  
Chairman, Fremont Board of Health

Date: January 28, 2021