

# IN THE MUNICIPAL COURT OF FAIRBORN OHIO

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FAIRBORN MUNICIPAL COURT  
2022 AUG 12 PM 3:35

## ADMINISTRATIVE ENTRY AND ORDER

FAIRBORN GREENE COUNTY  
MELISSA A. LITTERAL  
CLERK OF COURTS

This Administrative Entry and Order is made upon this Court's own motion, and for good cause shown, in the interest of the health, welfare, and safety of the general public, and of this Court's employees. Administrative Judge Beth W. Cappelli, makes the following findings of fact:

WHEREAS, on March 9, 2020, Ohio Governor Mike DeWine issued Executive Order 2020-01D "Declaring a State of Emergency" in the State of Ohio; and

WHEREAS on March 11, 2020, the World Health Organization officially declared COVID-19 to be a global pandemic requiring "urgent and aggressive action" to control the spread of the virus; and

WHEREAS on March 13, 2020, the President of the United States declared a national emergency to provide federal funding to fight the COVID-19 pandemic and empowered the Secretary of Health and Human Services to waive certain laws and regulations to ensure the virus can be contained and patients treated; and

WHEREAS the Centers for Disease Control and Prevention (CDC) has recommended Americans wear cloth face coverings in public to help slow the spread of COVID-19. That recommendation was made based on studies that show a significant proportion of people with COVID-19 lack symptoms and can transmit the virus to others in close proximity, through speaking, coughing, sneezing, or other means; and

WHEREAS, on July 27, 2021, the CDC recommended that to maximize protection from the Delta variant of COVID-19 and prevent possibly spreading it to others, fully vaccinated individuals should wear a mask indoors in public if in an area of substantial or high transmission. Individuals who are not vaccinated should continue to wear a mask as previously recommended. Further, if around someone who has COVID-19, one should get tested within 3-5 days after exposure, even without symptoms. A mask should be worn indoors in public for 14 days following exposure, or until the test result is negative. The individual should isolate for 10 days if the test result is positive.

WHEREAS, as of February 22, 2022, the CDC recommended that individuals review COVID-19 Community Level and decide what prevention steps to take based upon the latest data. If community levels were low the recommendation was to wear a mask based upon personal preference, informed by personal level of risk. If community levels are medium, immunocompromised individuals were urged to talk to health care providers about additional precautions, such as wearing masks or respirators indoors in public. If the community levels are high, individuals should wear a well-fitting mask indoors in public, regardless of vaccination status or individual risk.

On March 3, 2022, the CDC released that more than 90% of the U.S. population is in a location with low or medium COVID-19 Community Level.

Further, as of March 10, 2022, the CDC released that more than 98% of the U.S. population is in a location with low or medium COVID-19 Community Level.

WHEREAS, as of March 9, 2022, only employees and patrons who are not fully vaccinated were required to wear a mask or facial covering while in the Courthouse. Hearings will continue to be held using remote technology in certain instances at the discretion of the Court. The Bond Schedule filed July 1, 2021, continues to remain in effect. Fairborn Municipal Court will continue to enforce physical distancing within the court.

WHEREAS, as of July 12, 2022, Greene County Public Health (GCPH) announced that Greene County has been raised to a “high” “community risk level for Covid-19 according to the Center for Disease Control and Prevention (CDC). The COVID-19 community level is classified as low, medium, or high. When making decisions about community prevention strategies and individual preventive behaviors in addition to vaccination, health officials and people should consider the COVID-19 Community Level in the county.

THEREFORE, as of July 13, 2022, the Court will continue to follow the recommendations from Greene County Public Health (GCPH) and the Center for Disease Control and Prevention (CDC). When the community level for Greene County increases from “**Medium**” to “**High**” all staff and visitors will be required to wear a mask in the interest of the health, welfare, and safety of the public and court employees regardless of vaccination status.

- All individuals are required to wear face coverings within the Courthouse unless one of the following apply:
  - The face covering is not advisable for health purposes;
  - The person is sitting alone in an enclosed space; or
  - There is a practical reason a face covering cannot be worn by a person

If any exceptions apply to an employee, written justification must be provided upon request.

If not specifically mentioned, the Court will use discretion to determine if a matter needs addressed in order to protect an individual’s health, safety, housing, or prevent other imminent, serious harm, that cannot be remedied otherwise. The Court shall ensure the orderly and efficient administration of justice while continuously assessing the situation to determine if additional precautions are necessary. This Administrative Entry and Order supersedes the previous Administrative Orders promulgated in response to the COVID-19 pandemic.

WHEREAS, as of August 12, 2022, the court will continue to follow the updated guidance released on August 11, 2022, from the Center for Disease Control and Prevention (CDC) as well as guidance from Greene County Public Health (GCPH) as follows.

- Continuing to promote the importance of being up to date with vaccination to protect people against serious illness, hospitalization, and death.
- Recommending that instead of quarantining if you were exposed to COVID-19, you wear a high-quality mask for 10 days and get tested on day 5.
- Reiterating that regardless of vaccination status, you should isolate from others when you have COVID-19.
  - You should also isolate if you are sick and suspect that you have COVID-19 but do not yet have test results.
    - If your results are positive, follow CDC's full isolation recommendations.
    - If your results are negative, you can end your isolation.
- Recommending that if you test positive for COVID-19, you stay home for at least 5 days and isolate from others in your home. You are likely most infectious during these first 5 days. Wear a high-quality mask when you must be around others at home and in public.
  - If after 5 days you are fever-free for 24 hours without the use of medication, and your symptoms are improving, or you never had symptoms, you may end isolation after day 5.
  - Regardless of when you end isolation, avoid being around people who are more likely to get very sick from COVID-19 until at least day 11.
  - You should wear a high-quality mask through day 10.
- Emphasizing that physical distance is just one component of how to protect yourself and others. It is important to consider the risk in a particular setting, including local COVID-19 Community Levels and the important role of ventilation, when assessing the need to maintain physical distance.

**IT IS SO ORDERED.**

  
Beth W. Cappelli, Judge