



# Allegheny County Council

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## Legislation Text

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Motion of the Council of Allegheny County urging the Allegheny County Health Department to consider the implementation of mask mandates for indoor gatherings within Allegheny County at any time(s) at which the County's COVID-19/SARS-CoV-2 transmission rate becomes "moderate" (as defined by the Centers for Disease Control), and strongly encouraging County residents and employers to facilitate vaccination to the greatest extent possible.

**WHEREAS**, the Centers for Disease Control (CDC) clearly and eloquently summarized many of the benefits of masking in their publication *The Science of Masking to Control COVID-19*, CDC, 11/16/20 (attached); and

**WHEREAS**, among the findings made by the CDC are the following:

- Infection is spread primarily through exposure to respiratory droplets exhaled by infected people when they breathe, talk, cough, sneeze, or sing.
  - a. Most of these droplets are  $<10\ \mu\text{m}$ , often referred to as aerosols.
  - b. The amount of these fine droplets and particles increases with volume of speech (e.g., loud talking, shouting) and respiratory exertion (e.g., exercise).
- 40-45% of infected people are estimated to never develop symptoms, and among people who do develop symptomatic illness:
  - a. Transmission risk peaks in the days just before symptom onset (presymptomatic infection) and for a few days thereafter.
  - b. Accordingly, the number of infections transmitted peaks when virus levels peak.
- Most SARS-CoV-2 infections are spread by people without symptoms.
  - a. CDC and others estimate that more than 50% of all infections are transmitted from people who are not exhibiting symptoms.
  - b. This means, at least half of new infections come from people likely unaware they are infectious to others.
- Cloth masks provide source control, by containing exhaled droplets.

- a. Cloth masks block most large (>20-30  $\mu\text{m}$ ) exhaled respiratory droplets.
  - b. Multi-layer cloth masks substantially block respiratory droplets <1-10  $\mu\text{m}$  - Comprise the greatest fraction of exhaled respiratory droplets.
  - c. Reductions in exhaled aerosols overall when cloth masks are used are as high as 50-70%.
  - d. Some cloth masks perform on par with surgical masks for exhaled aerosols.
- Cloth masks also filter inhaled droplets. Although their performance filtering inhaled small droplets is not as good as their performance blocking exhaled small droplets, improvements possible with more layers and/or multiple materials.
  - Source control is substantial, but there is also measurable and meaningful personal protection with the use of cloth masks.
    - a. Masking reduces the wearers' viral exposure.
    - b. Cloth masks are comparable to surgical masks when used together for community control (i.e., when combined for both source control and personal protection).
  - Epidemiologic studies tend to indicate that masking does have a positive effect, and those studies that do not indicate a positive effect do not appear to be valid in the COVID-19 context.
  - Statistics indicate jurisdictional declines in new diagnoses associated with organizational/political leadership directives for universal masking.
    - a. Seven published reports examined changes in new diagnoses or deaths with mask mandates: (1) Massachusetts General Brigham (MGB) Integrated Health Care System, (2) Jena city, Germany, (3) Arizona state, United States, (4&5) 15 states and District of Columbia, United States (two analyses), (6) Canada, national, and (7) United States, national.
    - b. All observed reductions in new COVID-19 diagnoses or deaths following recommendations for universal masking.
    - c. Masking mandates in 15 states led to 2% decline in rate of new diagnoses by 21 days, and the rate of decline steadily increased with time after mandate, doubling by 21 days.
    - d. Mandatory masking prevented both infections and deaths, and could avert more lockdowns.
    - e. With a 15% increase in masking, estimated potential GDP savings of \$1 trillion (or 5% of the U.S. GDP).

- At the country level, declines in deaths were associated with the timing of universal masking adoption or mandates. From date of first diagnosis to the date on which masking was mandated or otherwise universally adopted in 200 countries (including the U.S.) through May 9, 2020, during each week without masks, mortality increased by 59%.
- Cloth masks reduce community exposure to SARS-CoV-2.
- Cloth masks offer both source control and personal protection. This relationship is likely complementary and possibly synergistic. Community benefits derive from the combination of these effects, and individual benefits increases with increasing community mask use.
- Both infected and uninfected individuals wearing masks provides the most protection.
- Universal masking policies can help avert the need for shutdowns, especially if combined with other non-pharmaceutical interventions such as social distancing, hand hygiene, and adequate ventilation; and

**WHEREAS**, the CDC categorizes community transmission risks for COVID-19 in tiers, based upon the percentage of positive nucleic acid amplification tests in the past 7 days, with “moderate” transmission indicated for positive test rates of 5.00% to 7.99%, “substantial” transmission indicated for positive test rates of 8.00% to 9.99%, and “high” transmission indicated for positive test rates of over 10.00%; and

**WHEREAS**, Allegheny County has, via Executive order, mandated that all employees of the Executive branch of the County government be fully vaccinated against COVID-19 no later than December 1, 2021; and

**WHEREAS**, it is the judgment of Council that this vaccination mandate serves to protect the health and safety of both County employees and the general public who rely upon County services and with whom County employees interact; and

**WHEREAS**, it is further the judgment of Council that similar vaccination mandates, if implemented by employers throughout the County, and/or comprehensive vaccination of as many County residents as possible as a matter of their own choice would provide the most effective and broad-based protection from the deleterious effects of COVID-19 for all County residents, and would mitigate the rate of transmission of the disease to the greatest extent possible; and

**WHEREAS**, Council additionally finds that a Countywide mask mandate, when/if imposed under conditions indicating that the County is approaching “substantial” transmission as defined by the CDC, while less effective

than comprehensive vaccination, would constitute a comparatively minimal burden on the County's residents and visitors while significantly improving the safety of those individuals and abating the potential for more draconian measures should the transmission rate reach moderate or higher levels; and

**WHEREAS**, it is the judgment of Council that the Allegheny County Health Department bears an affirmatively obligation under Commonwealth law to act to remove dangers to the public health, insofar as the plain language of the Local Health Administration Law mandates that the Department "shall prevent or remove conditions which constitute a menace to public health," (16 P.S. §12010(c)), and that the creation of a mask mandate should transmission rates reach moderate or higher levels lies squarely within the Department's statutory obligations and authority;

***The Council of the County of Allegheny therefore hereby moves as follows:***

Allegheny County Council hereby urges the Allegheny County Health Department to consider the imposition of a Countywide mask mandate for indoor gatherings within the County, at any time(s) at which the Countywide percentage of positive nucleic acid amplification tests in the past 7 days reaches or exceeds 5.00%. In order to minimize the potential need for and/or potential duration of such a Countywide mask mandate, Council further encourages employers throughout the County to consider implementation of vaccination requirements and/or incentives for their employees, and strongly recommends that all County residents who are eligible become fully vaccinated at their earliest possible opportunity.