

No. \_\_\_\_\_

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# In the Supreme Court of Wisconsin

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BRYANT STEMPSKI,  
PETITIONER,

V.

JANEL HEINRICH, DANE COUNTY, CITY OF MADISON, AND  
PUBLIC HEALTH OF MADISON & DANE COUNTY,  
RESPONDENTS.

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## EMERGENCY PETITION FOR AN ORIGINAL ACTION AND APPENDIX

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## ISSUES PRESENTED

1. Whether a local health official has the authority to issue a countywide mask mandate under Wis. Stat. § 252.03 as interpreted by *James v. Heinrich*, 2021 WI 58, 960 N.W.2d 350.

2. If state law authorizes such a mask mandate, whether the laws purporting to authorize the “Face Covering Emergency Order,” constitute an unlawful delegation of legislative power to an executive official.

## INTRODUCTION

1. Dane County and the City of Madison have granted near limitless legislative power to their local health officer to do whatever she deems “reasonable and necessary” to combat the COVID-19 pandemic, without any duration or oversight from the county board or city council. She seized this power in May 2020 and has since ruled the city and county by decree, claiming that Wis. Stat. § 252.03 authorizes her unprecedented orders.

2. She is wrong. This Court has already trimmed the seemingly broad language in that statute by ruling against the very same health officer when she tried to shut down private schools just before they were set to reopen almost exactly one year ago. *James v. Heinrich*, No. 2020AP1419 (Aug. 25, 2020). This Court then confirmed that original

decision sixty days ago in *James v. Heinrich*, 2021 WI 58, 960 N.W.2d 350, holding that Wis. Stat. § 252.03 only confers a “series of discrete powers” upon health officials, and if the power is not “specifically conferred,” then “that power is not authorized.” *Id.* at ¶18 (citations omitted).

3. Yet, the same health officer has now attempted to wield nearly limitless powers just before schools are set to reopen, again disrupting private schools, churches, and local businesses. On Tuesday, August 17, 2021, Respondent Janel Heinrich released an order requiring face coverings for all individuals, age two and older<sup>1</sup>, in any enclosed space open to the public. The Face Covering Emergency Order (the “Order”) is set to go into effect at 12:01 a.m. Thursday, August 19. *See* App. 4—6.<sup>2</sup> The Order will impact every school (public and private), every business open to the public, and every church in the County. Again, as before, Respondent Heinrich relied on the language in Wis. Stat. § 252.03 to “do what is reasonable and necessary,” and related local ordinances.

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<sup>1</sup> The odds of parents being able to require two-year olds to keep masks on seem extremely low. Winning the Powerball lottery is probably more likely.

<sup>2</sup> Citations to the Appendix will be “App. \_\_.” A copy of the Order is attached, but is also available here: [publichealthmdc.com/documents/2021-08-17\\_Order\\_17.pdf](https://publichealthmdc.com/documents/2021-08-17_Order_17.pdf). An order like this is subject to judicial notice under Wis. Stat. § 902.01.

4. Contrary to Respondent Heinrich’s claims, Wis. Stat. § 252.03 doesn’t provide her with “an open-ended grant of authority.” *James*, 2021 WI 58, ¶21. “What is reasonable and necessary cannot be reasonably read to encompass anything and everything.” *Id.* at ¶22. Moreover, “[n]othing in the text of the statute confers upon local health officers the power to close schools,” *James*, 2021 WI 58, ¶22, or issue a countywide mask mandate.

5. Even if this statute could be read contrary to *James* and authorize a specific power not mentioned (i.e. mandatory masking of all individuals two years old and older), then this case would present a serious non-delegation problem. The Dane County board has adopted an ordinance purporting to preemptively make enforceable any order that its local health officer adopts. The City of Madison, likewise, has interpreted a generic “health nuisance” ordinance to do the same thing. These ordinances blatantly violate the non-delegation doctrine, as this Court has already recognized in *Wisconsin Legislature v. Palm*, where it emphasized that endowing an unelected administrative official with the power to unilaterally “defin[e] the elements” of new, prohibited conduct and to “create [ ] penalties” for that conduct would pose a non-delegation problem. 2020 WI 42, ¶¶ 36–40, 391 Wis. 2d 497, 942 N.W.2d 497; *see id.*

¶ 251 (Hagedorn, J., dissenting) (noting that the proper target of a non-delegation challenge would be the enforcement mechanism).

6. Petitioner here challenges two things. First, he challenges the Order because it is not authorized by Wis. Stat. § 252.03. Second, if the Order is in fact authorized by Wis. Stat. § 252.03, then the operative statute and local ordinances are an unlawful delegation of power.

7. This case warrants this Court's original jurisdiction not only to remedy the immediate harms from the abuse of power in the most recent order, but also because, with respect to Petitioner's non-delegation challenge to the underlying ordinances, only this Court can provide clarity on how the non-delegation doctrine functions generally and, more specifically, how it applies at the local level.

8. Petitioner respectfully asks this Court to issue a temporary injunction prohibiting enforcement of the Order, and then to issue a briefing schedule that will allow more fulsome analysis of the non-delegation doctrine.

## **PARTIES**

9. Petitioner Bryant Stempski is a resident of the City of Sun Prairie, Wisconsin, which is within Dane County. Stempski is a Dane County and State of Wisconsin taxpayer. As someone who lives, works,

shops, worships, and sends his children to private school in Dane County, it is undisputed that Stempski is subject to the Order. *See* App. 1.

10. Respondent Dane County is a county in the State of Wisconsin, established pursuant to Wis. Stat. §§ 2.01, 59.01. Dane County maintains and enforces the ordinance challenged herein as a violation of the non-delegation doctrine. Dane County Ordinance § 46.40; *see* Wis. Stat. § 59.02. Dane County's principal office is located at 210 Martin Luther King Jr. Blvd., Room 426, in the City of Madison, Wisconsin.<sup>3</sup>

11. Respondent City of Madison is a city in the State of Wisconsin. The City of Madison maintains and enforces the ordinance challenged herein as a violation of the non-delegation doctrine. Madison City Ordinance § 7.05(6). The City of Madison's principal office is located at 215 Martin Luther King Jr. Blvd., in the City of Madison, Wisconsin.<sup>4</sup>

12. Respondent Janel Heinrich is the Public Health Officer and Director of Public Health of Madison & Dane County, and is named in

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<sup>3</sup> Dane County's ordinances are publicly available at this website: [countyofdane.com/ordinances](http://countyofdane.com/ordinances). County ordinances are subject to judicial notice under Wis. Stat. § 902.03.

<sup>4</sup> The City of Madison's ordinances are publicly available at this website: [library.municode.com/wi/madison/codes/code\\_of\\_ordinances](http://library.municode.com/wi/madison/codes/code_of_ordinances). Municipal ordinances are subject to judicial notice under Wis. Stat. § 902.03.

her official capacity. Respondent Heinrich maintains her principal office at 210 Martin Luther King Jr. Blvd., Room 507, in the City of Madison, Wisconsin. Respondent Heinrich issued the Order, which is the subject of this Petition.

13. Respondent Public Health of Madison & Dane County (PHMDC) is a city-county health department serving the City of Madison and the rest of Dane County. Respondent PHMDC maintains its principal office at 210 Martin Luther King Jr. Blvd., Room 507, in the City of Madison, Wisconsin. Respondent PHMDC is the entity responsible for administering the Order, which is partially the subject of this Petition.

### **STATEMENT OF FACTS**

14. On August 17, 2021, PHMDC announced the issuance of a new health order requiring face coverings. App. 3. In announcing this new order, PHMDC stated that the order “requires that everyone age 2 and older wear a face covering or mask when in in any enclosed building where other people, except for members of the person’s own household or living unit, could be present.”<sup>5</sup>

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<sup>5</sup> See PHMDC Website, “New Public Health Order Issued for Dane County Requiring Face Coverings Indoors,” (Aug. 17, 2021), available at: <https://www.publichealthmdc.com/news/new-public-health-order-issued-for-dane-county-requiring-face-coverings-indoors>.

15. Under the terms of the order, “[e]very individual, age two (2) or older, shall wear a face covering when: In any enclosed space open to the public whether other people, except for members of the person’s own household or living unit are present.” App. 5.

16. The order contains several exceptions, including while “eating or drinking,” “communicating with an individual who is deaf,” “obtaining . . . dental services,” “sleeping,” and “swimming.” App. 5. Moreover, children under the age of two, individuals who are unconscious, and individuals with medical conditions are not required to wear a mask. App. 6. Otherwise, all individuals within the limits of Dane County must wear a mask when in an “enclosed space open to the public.” App. 5.

17. Places subject to the order “must develop and implement a written protective measure police and procedure,” ensure that employees are “provided with and wear face coverings at all times,” and “post a sign.” App. 6.

18. The Order is effective Thursday, August 19, 2021 at 12:01 a.m. and “shall remain in effect until September 16, 2021 at 12:01 a.m.” App. 6.

19. Petitioner Bryant Stempski is a Dane County and State of Wisconsin taxpayers and, by bringing this petition for an original action,



objects to his taxes being used for unconstitutional purposes. *See Fabick v. Evers*, 2021 WI 28, ¶ 11, 396 Wis. 2d 231, 956 N.W.2d 856 (“expenditure of taxpayer funds gives Fabick a legally protected interest to challenge the Governor's emergency declarations”). Moreover, it is undisputed that as a resident of Dane County, Stempski is subject to the order, especially since he lives, works, shops, and worships in Dane County. App. 1. It is also undisputed that Respondents have spent, and will spend, tax dollars on the development, implementation, and enforcement of the Order.

### **STATEMENT OF RELIEF SOUGHT**

20. As to the Order, Petitioner seeks an immediate, temporary injunction of the Order during the pendency of this original action, and then a permanent injunction following the conclusion of this matter. Petitioner also seeks a declaration that the Order exceeds the powers granted to Respondents by Wis. Stat. § 252.03.

21. In the alternative, Petitioner seeks a declaration that Dane County Ordinance § 46.40(2), Madison Ordinance § 7.06(5), and/or Wis. Stat. § 252.03, violate the non-delegation doctrine by preemptively making enforceable any order that the Dane County health officer deems “reasonable and necessary” to combat the COVID-19 pandemic, with no duration, limit, or oversight by the Dane County board or Madison

common council and without sufficient substantive guidance. Petitioner also seeks a declaration that any orders issued in reliance on those ordinances (and/or statute) are unenforceable, as well as a permanent injunction against Respondents from seeking to enforce any orders issued in reliance on those ordinances.

22. Petitioner respectfully asks this Court to do as it did in *James v. Heinrich* one year ago—to issue a temporary injunction, and then to issue a briefing schedule that will allow a more fulsome analysis of the authority in Wis. Stat. § 252.03 and the non-delegation doctrine.

### **REASONS WHY THIS COURT SHOULD TAKE JURISDICTION**

23. There are multiple compelling reasons for this Court to grant jurisdiction over this action.

24. First, and most immediately, the Order imposes a draconian face-mask requirement on every individual, age 2 or older, within the County wishing to venture into an enclosed space open to the public. The Order also requires compliance from every other such “place” within the County, imposing upon any “place” the requirement to create a policy, provide masks to employees, and post signage from the County.

25. This Court has found in five cases that similar abuses of executive authority related to COVID-19 warranted this Court’s original action jurisdiction due to the significance of the issues and the need for

prompt resolution. *Wisconsin Legislature v. Evers*, 2020AP608-OA; *Wisconsin Legislature v. Palm*, 2020 WI 42; *Jefferson v. Dane County*, 2020 WI 90, 394 Wis. 2d 602, 951 N.W.2d 556; *WCRIS v. Heinrich*, 2021 WI 58, 960 N.W.2d 350; *Fabick v. Evers*, 2021 WI 28.

26. Furthermore, with respect to Petitioner’s challenge to the underlying ordinances and statute, only this Court can reinvigorate the substantive requirements of the non-delegation doctrine. While this Court previously applied substantive limits to delegations of power by legislative bodies, *see, e.g., State v. Burdge*, 95 Wis. 390, 70 N.W. 347, 350 (1897), this Court’s more recent cases have “shifted the focus away from the nature of the power delegated through scrutiny of the delegating standard’s language and more toward the [procedural] safeguards surrounding the delegated power.” *Gilbert v. State, Med. Examining Bd.*, 119 Wis. 2d 168, 185, 349 N.W.2d 68 (1984); *Panzer v. Doyle*, 2004 WI 52, ¶ 54, 271 Wis. 2d 295, 680 N.W.2d 666.

27. The United States Supreme Court is poised to reconsider a substantive reinvigoration of the non-delegation doctrine, and this Court should do so as well as a matter of Wisconsin law. In *Gundy v. United States*, \_\_\_ U.S. \_\_\_, 139 S. Ct. 2116 (2019), four of the eight sitting Justices openly called for a reevaluation of the non-delegation doctrine, and Justice Kavanaugh (who did not participate in *Gundy*) subsequently

wrote that “Justice Gorsuch’s thoughtful *Gundy* opinion raised important points that may warrant further consideration in future cases.” *Paul v. United States*, 140 S.Ct. 342 (2019) (Statement of Kavanaugh, J., respecting denial of writ of certiorari) (collecting cases).

28. Dane County Ordinance § 46.40(2) and Madison Ordinance § 7.06(5) (as the City of Madison interprets it) not only violate the non-delegation doctrine by lacking any procedural safeguards, but also by relying on wholly insufficient substantive grounds (“whatever is reasonable and necessary”) to support enforceable orders, an argument that only this Court could accept given this Court’s prior precedents.

29. This case also presents an opportunity for this Court to clarify how the non-delegation doctrine applies at the local level.

30. While, as noted above, that result appears to be dictated by this Court’s prior precedents (as well as various constitutional and statutory provisions), those precedents are very old and preceded this Court’s “shift[ ] ... away” from its prior delegation framework.

31. Given the ongoing and evolving nature of the pandemic, it is also important that the question of the degree to which county boards and city councils can delegate their policy-making role to their local health officers is resolved as efficiently as possible. *Petition of Heil*, 230 Wis. 428, 284 N.W. 42, 50 (1938) (original jurisdiction appropriate where

“the questions presented are of such importance as under the circumstances to call for [a] speedy and authoritative determination by this court in the first instance”).

32. This Court exercised its original jurisdiction in analogous circumstances, recognizing the statewide importance of ensuring that sweeping government actions to combat COVID-19 do not go unchecked but instead receive review this Court. *See Wisconsin Legislature v. Palm*, 2020 WI 42.

33. Finally, and as shown in the accompanying memorandum, the questions in this case are legal—they relate to the interpretation of the state constitution and the Wisconsin Statutes. This Court will not need to resolve any factual disputes better suited for a circuit court’s attention. *See, e.g. State ex rel. Kleczka v. Conta*, 82 Wis. 2d 679, 683, 264 N.W.2d 539 (1978) (disposition via original action was appropriate insofar as “no fact-finding procedure [was] necessary”).

## CONCLUSION

34. For the foregoing reasons, the Petitioner respectfully requests that this Court grant this Emergency Petition for an Original Action, immediately enjoin Respondents from enforcing the Order, declare the relevant county and city ordinances unconstitutional, declare

Wis. Stat. § 252.03 unconstitutional, and permanently enjoin  
Respondents from acting thereunder.

DATED this 18th day of August, 2021.

Respectfully Submitted,

WISCONSIN INSTITUTE FOR LAW AND LIBERTY, INC.

A handwritten signature in black ink, appearing to read "Rick Esenberg", written over a horizontal line.

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## PETITIONER’S APPENDIX

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IN THE SUPREME COURT OF WISCONSIN

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BRYANT STEMPSKI,

Petitioner,

v.

JANEL HEINRICH ET AL.,

Respondents.

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**AFFIDAVIT OF BRYANT E. STEMPSKI**

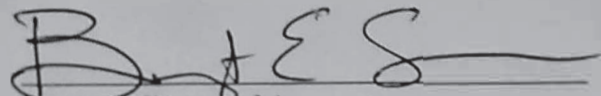
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I, Bryant E. Stempski, swear or affirm that the following is true and correct based on my own personal knowledge:

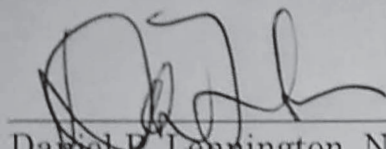
1. I am a resident of Dane County, Wisconsin, and reside within the City of Sun Prairie.
2. I pay taxes to Dane County and the State of Wisconsin.
3. I live, work, shop, worship, and send my children to private school in Dane County, where they are currently not required to wear a mask.
4. I intend to go to enclosed spaces open to the public in Dane County where other people are present on and after August 19, 2021, and therefore am subject to the Face Covering Emergency Order, a true copy of which is attached, along with Dane County's press release from their website.



Dated: August 18, 2021

  
Bryant Stempski

Subscribed and sworn before me on August 18, 2021.



Daniel P. Lennington, Notary Public  
My Commission is Permanent



# New Public Health Order Issued for Dane County Requiring Face Coverings Indoors

Tuesday, August 17, 2021 - 10:28am

Effective on Thursday, August 19, 2021 at 12:01am, Public Health Madison & Dane County is issuing a [Face Covering Emergency Order PDF](https://publichealthmdc.com/documents/2021-08-17_Order_17.pdf) ([https://publichealthmdc.com/documents/2021-08-17\\_Order\\_17.pdf](https://publichealthmdc.com/documents/2021-08-17_Order_17.pdf)), which requires that everyone age 2 and older wear a face covering or mask when in any enclosed building where other people, except for members of the person's own household or living unit, could be present. This requirement applies to all of Dane County.

"We still believe vaccines are our best tool to protect our community," said Janel Heinrich, Director of Public Health Madison & Dane County. "But as cases continue to increase, requiring face coverings is an easy added layer of protection to further help keep people safe, including our youngest children not yet eligible to be vaccinated."

On July 27, Public Health issued a mask advisory (<https://www.publichealthmdc.com/news/public-health-issues-new-mask-recommendations-k-12-school-guidelines>), strongly encouraging everyone, regardless of vaccination status, wear a mask indoors in response to [updated CDC guidance](https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/about-face-coverings.html) (<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/about-face-coverings.html>) regarding use of masks. On July 19, our 7-day average number of cases was 19, and on August 12, the 7-day average increased by 382% to 91.6.

"Public Health has updated policies and recommendations throughout the pandemic based on current local conditions and the latest scientific data," said City of Madison Mayor, Satya Rhodes-Conway. "As virus spread is fueled by the prevalence of the delta variant, it is clear that we need to use all of our tools to keep our community safe; and that means getting vaccinated and wearing masks."

The delta variant is a naturally occurring mutation of the SARS CoV-2 virus, the virus that causes COVID-19. Data show that the delta variant is more contagious and spreads more easily than the original COVID-19 virus, including among people that are vaccinated. Public Health also strongly recommends wearing a face covering at private gatherings or crowded outdoor settings.

"With our kids heading back to school and hospitals in other parts of the country overwhelmed with COVID-19 cases, moving from a mask recommendation to a requirement is a common sense step to prevent disease spread and protect the kids in our community who can't get vaccinated yet," said Dane County Executive Joe Parisi.

Public Health asks that businesses post signs reminding customers and staff of the face covering requirement. The order will be in effect until September 16, 2021 at 12:01 a.m. View [Face Covering Emergency Order PDF](https://publichealthmdc.com/documents/2021-08-17_Order_17.pdf) ([https://publichealthmdc.com/documents/2021-08-17\\_Order\\_17.pdf](https://publichealthmdc.com/documents/2021-08-17_Order_17.pdf)) for additional information.

As more contagious variants continue circulating in Dane County, [getting your vaccine \(https://www.publichealthmdc.com/coronavirus/covid-19-vaccine\)](https://www.publichealthmdc.com/coronavirus/covid-19-vaccine) is more important now than ever. The vaccines provide good protection against severe outcomes and the sooner people get vaccinated against COVID-19, the less opportunity we give the virus to continue mutating.

"Vaccination continues to be our best path out of the pandemic," said Jerry Halverson, MD, Chair of the Board of Health. "As variants create new challenges for our county moving forward, now is the time we must bring it home and get vaccinated."

For more information about the COVID-19 in Dane County and the latest public health order, visit [publichealthmdc.com/coronavirus](https://www.publichealthmdc.com/coronavirus) (<https://www.publichealthmdc.com/coronavirus>). You can also follow @publichealthmdc on Facebook (<https://www.facebook.com/publichealthmdc>), Twitter (<https://twitter.com/PublicHealthMDC>), and Instagram (<https://www.instagram.com/publichealthmdc/>).

## Contacts

Communications Team, (608) 243-0482, [communications@publichealthmdc.com](mailto:communications@publichealthmdc.com) (<mailto:communications@publichealthmdc.com>)

## **ORDER OF PUBLIC HEALTH MADISON & DANE COUNTY**

**DATE OF ORDER:** August 17, 2021  
Goes into effect August 19, 2021 at 12:01 a.m.

### **FACE COVERING EMERGENCY ORDER**

Reducing the spread of illness, preventing severe outcomes, and death are foundational public health goals of managing the pandemic. Due to the prevalent spread of the Delta variant of COVID-19, the Centers for Disease Control and Prevention (CDC) released guidance which indicated individuals in areas with a substantial or high transmission rate of COVID-19 should wear face coverings whenever they are indoors in public places. Madison and Dane County have a high transmission rate of COVID-19. While Dane County has a high vaccination rate, evidence has emerged from the CDC and locally that fully vaccinated people who do become infected with the Delta variant can be infectious and can spread the virus to others. The rate of cases in Dane County has risen rapidly since the Delta variant became dominant; on July 19, our 7-day average number of cases was 19, and on August 12, the 7-day average increased by 382% to 91.6.

Vaccines are still highly effective in preventing severe outcomes from COVID, even with the Delta variant, and are also still effective, but less so, in preventing infection. Considering the high transmissibility of the Delta variant, masking, distancing, and ventilation remain key prevention tools. In order to prevent more severe outcomes and to protect those who are unable to be vaccinated, such as children under the age of 12, and those for whom vaccination may be less effective, such as people who are immunocompromised, face coverings will be required in most indoor situations in Dane County.

Based upon the foregoing, I, Janel Heinrich, Public Health Officer of Madison and Dane County, by the authority vested in me by the Laws of the State, including, but not limited to, Wis. Stats. Secs. 252.03(1), (2) and (4), order the following as necessary to prevent, suppress, and control the spread of COVID-19:

- 1. Face Coverings.** Face covering means a piece of cloth or other material that is worn to cover the nose and mouth completely. A face covering must be secured to the head with ties, ear loops, or elastic bands that go behind the head and must fit snugly but comfortably against the side of the face. Cloth face coverings must be made with two or more layers of breathable fabric that is tightly woven (i.e., fabrics that do not let light pass through when held up to a light source). A face covering does not include bandanas, single layer neck gaiters, face shields, goggles, scarves, ski masks, balaclavas, shirt or sweater collars pulled up over the mouth and nose, or masks with slits, exhalation valves, or punctures.
  - a. Face Covering Required.** Every individual, age two (2) and older, shall wear a face covering when:
    - i. In any enclosed space open to the public where other people, except for members of the person's own household or living unit are present.
    - ii. Driving or riding in any form of public transportation.
  - b. Exceptions.** Individuals who are otherwise required to wear a face covering may remove the face covering in the following situations:
    - i. While eating or drinking.
    - ii. When communicating with an individual who is deaf or hard of hearing and communication cannot be achieved through other means.
    - iii. While obtaining a service that requires the temporary removal of the face covering, such as dental services.
    - iv. While sleeping.
    - v. While swimming or on duty as a lifeguard.
    - vi. When engaging in work where wearing a face covering would create a risk to the individual, as determined by government safety guidelines.
    - vii. When necessary to confirm the individual's identity, including when entering a financial institution.
    - viii. When federal or state law or regulations permit the removal of a face covering.
  - c.** The following individuals are exempt from the face covering requirement in Section 1.a. of this Order:

- i. Children under the age of two (2).
  - ii. Individuals who are unconscious, incapacitated, or otherwise unable to remove the face covering without assistance.
  - iii. Individuals with medical conditions, intellectual or developmental disabilities, mental health conditions, or other sensory sensitivities that prevent the individual from wearing a face covering.
2. All places subject to this Order must develop and implement a written protective measure policy and procedure that ensures employees are provided with and wear face coverings at all times when required under Section 1 of this Order.
3. All places subject to this Order must post a sign in a visible location that notifies the public that face coverings are required upon entering the property. Residential properties (e.g., apartment buildings and condominiums) that have shared common indoor spaces (e.g., mailrooms, lobbies, hallways) open to the public are also required to post a sign in a visible location that notifies the public that face coverings are required upon entering the property. If preferred, PHMDC 's "Face Covering" sign is available for use at <https://publichealthmdc.com/coronavirus/recommendations-and-guidance#business>.
4. If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.
5. This Order shall become effective Thursday, August 19, 2021 at 12:01 a.m. This Order shall remain in effect until September 16, 2021 at 12:01 a.m.

IT IS SO ORDERED.



Janel Heinrich  
Health Officer, Public Health Madison & Dane County