



Written by [C. Mitchell Shaw](#) on January 19, 2022

## Mask Mandate Fails in New Hanover County, N.C., Because It's Unenforceable

WILMINGTON, NORTH CAROLINA — The New Hanover County Board of Commissioners, which succeeded in passing a mask mandate in September but failed to enforce it due to public refusal, attempted to pass another mask mandate Tuesday. This time, the mandate failed to pass since a large number of Wilmingtonians have signaled that they will simply do what they did last time: refuse to comply.

Wilmington is a moderately sized coastal city tucked in-between the Atlantic Ocean and the Cape Fear River, with a population of just over 120,000. The major attractions in the city are the beach, the southeasternmost part of the [Intracoastal Waterway](#), a charming downtown area with a great [Riverwalk](#) overlooking Cape Fear, and the University of North Carolina Wilmington (UNCW) campus. In pre-COVID days, Wilmington enjoyed a thriving local business scene with mom and pop places peppering the coastal landscape.

Heavy-handed government responses to the Wuhan Flu changed the local business scene, with more than a few long-time local attractions shuttered forever. Businesses that had been in Wilmington for 20 or 30 years and had survived waves of economic ups and downs folded during the COVID lockdowns. When people can't go out to shop and eat, small businesses can't survive.

Many Wilmingtonians seemed to have had enough. They refused to play along anymore. When this writer moved back to Wilmington (after many years away) in March of 2021, Governor Roy Cooper's statewide mask mandate was in place. But with the exception of [Mayfaire](#) (one of those homogenized community-in-a-box town centers that is just like every other one, where an affluent liberal can park his Prius and walk from his overpriced apartment to his favorite overpriced Big Box stores while sipping his overpriced latte), very few businesses enforced Cooper's mandate.

One of the first signs of this that this writer noticed was a literal sign. A local, independently owned grocery store had a large sign in the entrance to the store that read something along the lines of, "Due to Governor Cooper's mandate, all customers are required to wear a mask while shopping unless they are exempt. If you enter without a mask, we will assume you meet one or more of the exemptions listed in Governor Cooper's mandate."

When Copper's mandate was lifted, Wilmingtonians continued to do what they had been doing. Those



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who wore masks, wore masks; those who didn't, didn't.

Then, in September, the New Hanover County Board of Commissioners [passed its own mandate over public outcry](#). That mandate made it a misdemeanor to shop or dine (or do just about anything else) without a mask. It also allowed the closure of businesses that did not enforce the mandate.

Again, outside of Mayfaire, it was largely ignored. The public sentiment was so against the mandate that this writer often saw patrons in the state-owned liquor store shopping without wearing masks. More than once, I saw employees (*state employees*) ignoring the mandate by manning the counter or stocking shelves without a mask.

The mandate expired just before the holidays, and on Tuesday, the Board of Commissioners decided to try again. But whereas the September mandate drew a unanimous vote from members of the board, this time, only half of the board voted for a new mandate.

As local ABC affiliate WWAY [reported](#):

The New Hanover County Health and Human Services Board met Tuesday morning to discuss whether to reinstate the county's face covering policy for indoor places.

During the two-hour meeting, the Board evaluated current COVID-19 metrics and trends, data compared to last year's numbers, and other statistical analysis pertaining to the ongoing pandemic.

A number of people participated in the public hearing portion of the meeting offering reasons for and against reinstating the face covering policy.

Health Board member and County Commissioner Jonathan Barfield made a motion not to reinstate a mask mandate.

Board members then voted 5-5 with half voting in favor of reinstating a mask mandate and the other half voting against.

With the split vote, no mask mandate is in place in New Hanover County.

But the reason for the mandate's failure this time around was made clear by Barfield, who said, "Enforcing something where many are going to protest to not do, and then putting a burden on stores and restaurants to enforce that, is really a challenge for them," adding, "It's easy to sit here and make that decision and say 'we want you to do this'. But then on the other end, again those employees that are facing harassment from folks that are coming in, it's really a challenge for them."

Perhaps Barfield thinks that refusing to wear a germ-infested piece of cloth — through which it is difficult to breathe — is "harassment." In reality, "harassment" is having an employee at a non-government business act as the enforcement arm of government and yell at you to "put on a mask or leave!" (Yes, Mayfaire, I'm looking at you.)

The takeaway from this new round of attempting to mandate that non-sick people wear masks is simple: By refusing to comply — by being "ungovernable" by tyranny — Wilmingtonians showed their "leaders" how to follow. After all, it is the people, not their public "servants" who are in charge. Such lessons go a long way to getting the horse back in front of the cart and restoring the proper order.



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