PUBLIC HEALTH EMERGENCY ORDER

WHEREAS, the novel coronavirus disease (COVID-19) is considered an infectious, highly contagious communicable and dangerous disease; declared on March 11, 2020 to be a worldwide pandemic by the World Health Organization,

WHEREAS, on March 13 the President of the United States declared the outbreak of COVID-19 in the United States constitutes a national emergency and the Governor of the State of Missouri declared a state of emergency within the State of Missouri; and

WHEREAS, as of March 31, 2020, the COVID-19 virus has been confirmed in multiple cases in Johnson County, Missouri with multiple deaths in the State of Missouri; demonstrating community spread with the number of cases escalating; and

WHEREAS, the Health Department wishes to employ all means available under the law to protect public life, health, safety and property to limit the development, contraction and spread of COVID-19 creating this emergency; and

WHEREAS, pursuant to Chapter 192, RSMo the Johnson County Community Health Services Board of Trustees and the Public Health Officer are authorized to take certain actions to enhance public health and prevent and mitigate the introduction of communicable diseases into the County.

NOW, THEREFORE, BE IT ORDERED BY THE JOHNSON COUNTY COMMUNITY HEALTH SERVICES BOARD OF TRUSTEES AND THE PUBLIC HEALTH OFFICER, AS FOLLOWS:

That the COVID-19 pandemic previously declared to be a public health emergency for Johnson County remains so.

By enacting this Order it is the express intent to ensure that the maximum number of people stay at home to slow the spread of the COVID-19 virus within Johnson County while enabling essential services to continue. All provisions of this Order shall be interpreted to effectuate this intent.

1. Stay at home or place of residence.

All individuals currently living in Johnson County are ordered to stay at home or in their place of residence except as allowed in this Order. All persons may leave their homes or place of residence only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses, as defined below.

To the extent that individuals are using shared space or outdoor spaces when outside their residence, they must at all times and as much as reasonably possible must adhere to social distancing requirements.
2. **Non-essential Business and Other Non-essential Operations Must Cease.**

All businesses and operations within Johnson County, except as defined below or exempted by force of law or Order, are required to cease all in person activities. All businesses are allowed to maintain the value of inventory and infrastructure, provide security, process payroll or employee benefits, or facilitate employees working remotely. Businesses may continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home).

All places of public amusement, whether indoors or outdoors, including but not limited to carnivals, water parks, museums, arcades, fairs, children’s play centers, playgrounds, funplexes, bowling alleys, movie and other theaters, concert and music halls, country clubs, golf clubs (with the exception of playing golf with no shared equipment by participants and driving ranges where Social Distancing Requirements are strictly followed and enforced), social clubs and athletic clubs shall be closed to the public. An exception shall exist for outdoor parks and trails where no shared equipment is utilized by the patrons.

For purposes of this Order, individuals may leave their residence for Essential Travel only to perform Essential Activities, as defined below, which are specifically related to health and safety, the procurement of necessary supplies and services, for outdoor activity, for certain types of work and to care for others. When engaging in outdoor activity, individuals must comply with Social Distancing Requirements.

3. **EXEMPTIONS.**

All 911 call center employees, fire personnel, corrections personnel, healthcare employees, hazardous material responders from government or the private sector, workers maintaining digital systems infrastructure supporting law enforcement and emergency services operations, first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement personnel, school personnel operating at the direction of administrator designation, and people designated by the applicable governing authority are necessary in the performance of Essential Government Functions are exempt from this Order to the extent such people are performing these functions. Further, nothing in this Order shall prohibit any individual from performing or accessing Essential Government Functions.

4. **Definitions.** For the purposes of this Order, these terms are defined as follows:

A. **“Essential Activities”** means activities that are necessary for a person to:

1. Act or perform tasks essential to any person’s health and safety, or to the health and safety of their family, household members, or pets, including but not limited to obtaining medical supplies or medication, visiting a healthcare professional, obtaining supplies to work from home, or laundering clothing;

2. Obtain necessary services or supplies for themselves and their family, household members, or pets or to deliver necessary services or supplies to others including but no limited to canned foods, dry goods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation and essential operation of residences;

3. Engage in outdoor activity (including walking, hiking, running or biking) to the extent reasonably consistent with Social Distancing Requirements;

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4. Provide essential products and services to a residence, an Essential Business, or to a business to maintain Minimum Basic Operations;

5. Provide necessary care for a family member, close personal acquaintance, or pet in another household.

6. Engage in Essential Travel;

7. Businesses that perform construction services while continuing to maintain Social Distancing Requirements;

8. Churches, religious services and other spiritual practices but only to the extent consistent with compliance with Social Distancing Requirements with participants limited to on-line only.

9. Essential Activities do not include weddings, funerals, wakes, memorial services, or similar gatherings; however, outdoor services consisting of immediate family are permitted to the extent that the participants comply with Social Distancing Requirements.

B. "Essential Businesses" means any for-profit, not-for-profit, or educational entity regardless of its corporate or entity structure includes the following:

1. Healthcare Operations;

2. Essential Infrastructure;

3. Essential Government Functions;

4. Grocery stores, farmers' markets, farm and produce stands, supermarkets, food banks and pantries, convenience stores, or other establishments engaged in the retail sale of providing canned food, dry goods, fruits, vegetables, pet supply, meats, fish, poultry or any household consumer products such as cleaning and personal care products; including but not limited to stores that sell groceries and also sell other non-grocery products, and products necessary to maintain the safety, sanitation and essential operation of residences.

5. Businesses that engage in food cultivation including farming, livestock and fishing;

6. Human and animal food processing workers;

7. Businesses that provide food, shelter, social services, or other necessities of life for economically disadvantaged or people otherwise in need of social services;

8. Newspapers, radio and television stations, other media services;

9. Gas stations, auto supply, auto repair and related facilities;

10. Banks, financial institutions, brokers, businesses that process payroll for any other business, and businesses that process financial transactions;

11. Trash collection and disposal;
12. Hardware stores;

13. Hotels, motels, however, dine-in service at on-site restaurants is not permitted;

14. Plumbers, electricians, exterminators, cemetery workers and lawn service workers who provide services that are necessary to maintaining the safety, sanitation, communication and essential operations of residences, Healthcare operations, Essential Government Services, Essential Activities, or other Essential Businesses;

15. Businesses that provide mailing and shipping services including post office boxes,

16. Educational institutions, including public and private K-12 schools, colleges and universities for the purpose of facilitating distance learning or performing essential functions related to distance learning and provision of other services related to student welfare, including but not limited to food provision and delivery, provided that Social Distancing Requirements are maintained to the greatest extent possible;

17. Laundromats, dry cleaners and laundry service providers;

18. Funeral homes, crematoriums, cremation, burial, mortuary services and cemeteries;

19. Railroads and rail systems;

20. Restaurants and other facilities that prepare and serve food and drink; however, only curbside, drive-through and delivery are allowed. Schools and other entities that provide free food services to students or members of the public may continue to do so under this Order on the condition that food is provided on an outdoor pick-up and take away basis only. Schools and other entities that provide food services under this exception shall not permit the food or drink to be consumed at the site where it was provided, or at any other gathering site.

21. Businesses that supply products needed for people to work from home;

22. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;

23. Businesses that ship or deliver groceries, food, goods or services directly to residences;

24. Businesses that provide personal and transportation services including airlines, taxis and other transportation services for Essential Activities and other purposes expressly authorized in this Order, as well as transportation maintenance services such as mechanics to keep transportation services operational;

25. Home based care and residential facilities and shelters for seniors, adults or children;

26. Professional services such as legal, accounting and insurance services, when necessary to assist in compliance with legally mandated activities;
27. All manufacturing and corresponding supply chains, including aerospace, agriculture, and related support businesses.

28. Businesses or independent providers that provide childcare or other dependent services but only to the extent that they provide services that enable employees exempted in this Order to work. To the extent possible, childcare facilities should operate as follows:
   a. Childcare should be carried out in stable groups of ten (10) or fewer persons including caregivers ("stable" means that the same children remain in the same group each day);
   b. Children should not change from one group to another during the same day;
   c. If more than one group of children is cared for at one facility, each group shall be in a separate room and the groups shall not mix with each other; and
   d. Childcare providers should remain solely with one group of children in the same day.

C. "Essential Government Functions" means all services needed to ensure the continuing operation of federal, state or local government departments, offices, agencies, officials, political subdivisions, essential court functions, and any other government functions necessary to provide health safety and welfare of the public. This includes personnel traveling to and from official duty at a federal military installation to perform essential duties in support of national security. All Essential Government Functions should be performed in compliance with Social Distancing Requirements as defined in this section.

D. "Essential Infrastructure" includes but is not limited to public works construction, construction of housing, housing construction maintenance and repair, airport operations, water, sewer, gas, electrical, oil refining, railroad and rail systems, roads and highways, public transportation, solid waste collection and removal, internet and telecommunications systems (including providing essential infrastructure for computing services, business infrastructure, communications and web-based services), provided that they carry out these services and they work in compliance with Social Distancing Requirements to the extent possible.

E. "Essential Travel" means travel that is necessary to serve any of the following purposes:

1. Travel related to Essential Activities, Essential Government Functions, Essential Infrastructure, Essential Travel, Essential Businesses, Minimum Basic Operations or Healthcare Operations;
2. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable or high risk people;
3. Travel to an Essential Business to purchase goods or services from an Essential Business;
4. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals and any other related services;
5. Travel to return to a place of Residence from outside the jurisdiction;
6. Travel required by court order;
7. Travel required by directions from law enforcement personnel with authority; and
8. Travel required for non-residents to return to their place of Residence outside of the County.

F. "Healthcare Operations" shall include hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services
providers, mental health providers, or any related and/or ancillary healthcare services. Healthcare Operations also includes veterinary care and all healthcare services provided to animals. This definition shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. However, Healthcare Services does not include fitness and exercise gyms or similar facilities;

G. “Minimum Basic Operations” means the minimum necessary activities to maintain the value of a business’s inventory and facilities, provide security, process payroll and employee benefits, or to facilitate employees of the business being able to continue to work remotely from their residences.

H. “Social Distancing Requirements” means the recommendations of the CDC which include maintaining at least six foot physical distance from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer with at least 60% alcohol, covering coughs and sneezes with something other than hands, regularly cleaning high touch surfaces and not shaking hands.

I. Regulated Activities. The following restrictions are imposed:

a. Individuals may leave their home or place of residence only to undertake Essential Activities or to provide any services or perform any work necessary to the operations and maintenance of Essential Business, Essential Infrastructure, Healthcare Operations, Minimum Basic Operations, or other enumerated exempted categories as prescribed by County Order or prevailing law.

b. Individuals at high risk of severe illness from COVID-19 and those who are sick are urged to stay in their residence except as necessary to seek medical care and to obtain provision of essential life items.

c. Individuals shall not visit nursing homes, long term care facilities, retirement homes or assisted living facilities unless to provide critical assistance.

J. School Operations means any institution of elementary or secondary education, including but not limited to public, chartered, private or parochial institutions. School Operations does not include a requirement that school buildings be closed if needed to house individuals, distribute food or clothing, provide medical care or any other services deemed necessary to protect the life and property of Johnson County residents and other critical resources.

Due to the unique characteristics and risks associated with transmission dynamics, the likely spread of the disease based on factors of social distancing, the clinical severity of COVID-19, the lack of vaccine or antivirals as treatment options, the crowd density, the inability to ensure social distancing and to prevent close contact among groups, in-person classroom based School Operations are prohibited in Johnson County, Missouri during the duration of this Order.

5. Enforcement

Violation of any provision of this Order constitutes an imminent threat, creates an immediate menace to the public health, and shall be considered a violation of Section 192.320 RSMo which is a Class A Misdemeanor punishable by fine, imprisonment or both. Parents/Guardians are responsible for the behavior of their dependent juvenile’s behavior under this Order.
6. No Conflict with State Order

This Public Health Emergency Order shall not be construed nor operate to conflict with any applicable order issued by the Missouri Governor and/or the Director of the Missouri Department of Health and Senior Services.

7. Effective Date and Time

This Order will begin at 12:01 p.m. Wednesday, April 1st, 2020 and expire on 11:59 p.m. on Thursday, April 30th, 2020 unless and until it is extended, rescinded, superceded or amended in writing.

IT IS SO ORDERED THIS 31st DAY OF MARCH, 2020.

[Signature]
Corrine Burgin, Chairperson

[Signature]
Mary Thau, Administrator