

PUBLIC HEALTH EMERGENCY ORDER

WHEREAS, the existence and spread of the COVID-19 virus has resulted in the declaration of a worldwide pandemic, and it is appropriate and necessary to take quick action to reduce the possibility of exposure to COVID-19 and to reduce the spread of COVID-19; and

WHEREAS, the COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets produced when an infected person coughs or sneezes; and

WHEREAS, Bates County's close proximity to the Kansas City Metro where multiple cases of the COVID-19 virus have been confirmed involving multiple fatalities; and

WHEREAS, a gathering of individuals without necessary mitigation for the spread of infection may pose a risk of the spread of infectious disease; and

WHEREAS, the County 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, I, Jody Welston, Director of Public Health for the Bates County Health Center and Health Officer for the County of Bates do find the aforementioned conditions constitute a threat to the health, safety and welfare of the residents of Bates County, and creates a public health emergency situation within the meaning of Chapter 192 of the Revised Statutes of Missouri and Division 20, Chapter 20 of the MO Code of State Regulations;

WHEREAS, pursuant to Chapter 192, RSMo the Bates County Health Center Director is authorized to take certain actions to enhance public health and prevent and mitigate the entrance of communicable diseases into the County.

NOW, THEREFORE, BE IT ORDERED BY THE DIRECTOR OF PUBLIC HEALTH FOR BATES COUNTY and HEALTH OFFICER FOR THE COUNTY OF BATES, THE FOLLOWING IS HEREBY ORDERED:

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

I. Stay At Home

- A. Individuals may leave their residences or place of rest only to perform "Essential Activities," as defined infra. People at high risk of severe illness from COVID-19 are urged to stay in their residence or place of rest except as necessary to seek

medical care and to obtain provision of essential life items. All individuals shall exercise social distancing requirements at all times.

II. Non-Essential Business and Other Non-Essential Operations Must Cease

- A. All businesses and other operations in Bates County, except as defined infra or exempted by force of law or Order, are required to cease all in-person operations. Non-essential businesses and other operations may continue operations consisting exclusively of employees, contractors, or other agents of businesses performing activities at their own residences or places of rest.

III. Definitions and Exemptions

- A. Definitions. For purposes of this section, the following terms will have the meaning ascribed to them:
 - 1. “Essential Activities,” shall mean:
 - i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), or close personal acquaintances, such as, by way of example only and without limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home;
 - ii. To obtain necessary services or supplies for themselves and their family or household members, or close personal acquaintances, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;
 - iii. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, biking, walking, hiking, or running;
 - iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically

permitted in this Order, including Minimum Basic Operations, as defined infra, at Non-Essential Businesses; and

- v. To care for a family member, close personal acquaintance, or pet in another household.
- vi. To seek shelter from a severe thunderstorm and/or tornado to the extent necessary to preserve safety and ensuring they return to their place of resident or place of rest as soon as possible.
- vii. Essential Activities do not include family gatherings outside of those that live within the residence or place of rest, weddings, funerals, wakes, memorial services, or similar gatherings, however, outdoor memorial services consisting of immediate family are permitted to the extent that the participants comply with Social Distancing Requirements.

2. “Essential Businesses” means any for-profit, non-profit, or educational entities, regardless its corporate or entity structure and includes:

- i. Healthcare Operations and Essential Infrastructure;
- ii. Grocery stores, farmers’ markets, farm and produce stands, markets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and persons;
- iii. Food cultivation, including farming, livestock, and fishing;
- iv. Human and animal food processing facility workers;
- v. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- vi. Newspapers, television, radio, and other media services;
- vii. Gas stations and auto-supply, auto-repair, and related facilities;
- viii. Banks and related financial institutions;

- ix. Hardware stores;
- x. Plumbers, electricians, exterminators, cemetery workers, undertakers, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
- xi. Businesses providing mailing and shipping services, including post office boxes;
- xii. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions related to distance learning and provision of other services related student welfare, including but not limited to food provision and delivery, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
- xiii. Laundromats, dry cleaners, and laundry service providers;
- xiv. Railroads and rail systems;
- xv. Restaurants and other facilities that prepare and serve food and drink, but only for delivery, drive-through, curbside pick-up or take-out which MUST be limited to the numbers entering the building at one time. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on an outdoor pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food or drink to be consumed at the site where it is provided, or at any other gathering site;
- xvi. Businesses that supply products needed for people to work from home;
- xvii. Businesses that supply other essential businesses with the support or supplies necessary to operate;
- xviii. Businesses that ship or deliver groceries, food, goods or services directly to residences;

- xix. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order, as well as transportation maintenance services such as mechanics necessary to keep transportation services operational;
- xx. Home-based care for seniors, adults, or children;
- xxi. Residential facilities and shelters for seniors, adults, and children;
- xxii. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;
- xxiii. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities should operate under the following conditions:
 - 1. Childcare should be carried out in stable groups, preferably with 10 or fewer (“stable” means that the same 10 or fewer children are in the same group each day);
 - 2. Children should not change from one group to another;
 - 3. If more than one group of children is cared for at one facility, each group should be in a separate room. Groups should not mix with each other; and
 - 4. Childcare providers should remain solely with one group of children;
- xxiv. Blood services operations which includes blood drives, manufacturing and distribution activities.

3. “Essential Infrastructure,” shall mean to include, but not be limited to, public works construction, construction of housing, 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 the provision of essential infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.

4. “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 exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.

 5. “Minimum Basic Operations” includes the following, provided that employees comply with Social Distancing Requirements as defined in this Section, to the extent possible, while carrying out such operations:
 - i. The minimum necessary activities to maintain the value of the business’s inventory and facilities, ensure security, process payroll and employee benefits, or for related functions; and
 - ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences, place of rest, or elsewhere.

 6. “Social Distancing Requirements” includes maintaining at least six-foot physical distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, regularly cleaning/disinfecting high-touch surfaces, and not shaking hands.
- B. Regulated Activities. To the fullest extent allowed by law, the following restrictions are imposed:
1. Individuals may leave their residence or place of rest 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 and Minimum Basic Operations.

2. 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.
 3. Individuals shall not visit nursing homes, long-term care facilities, retirement homes, or assisted living homes unless to provide critical assistance.
- C. Exemptions. All first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement personnel, and school personnel operating at the direction of administrator designation, and others working for or to support Essential Businesses are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing “Essential Governmental Functions.” Essential Government Functions means all services needed to ensure the continuing operation of any government agencies, including schools, and provide for the health, safety and welfare of the public. All Essential Governmental Functions should be performed in compliance with Social Distancing Requirements as defined this Section, to the extent possible.

IV. School Operations

- A. For purposes of this section, “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 Bates Countians and other critical resources.
- B. That due to 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 from taking place in Bates County, Missouri, during the duration of this Order.

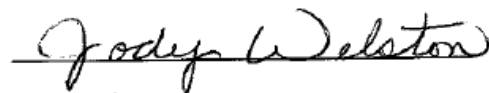
V. No Conflict with State Order

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 Center of Health and Senior Services.

VI Effective Date and Time; Repealer

This Order will begin at 12:01 a.m. Monday, March 30th and expire on 11:59 p.m. on Friday, April 24, 2020 unless and until it is extended, rescinded, superseded, or amended in writing. Upon its effective date and time, all previous orders are repealed.

IT IS SO ORDERED THIS 27th DAY OF MARCH, 2020.



Jody Welston

Bates County Health Center Director