

**Order of the Columbia/Boone County
Public Health and Human Services Director**

Boone County Order No. 2020-07C

**Notice and Issuance of Rules and Regulations regarding Gatherings in
Boone County – Reopening Plan – Phase 2, Step 3**

**JURISDICTIONAL NOTE – These Rules and Regulations apply to all areas
within Boone County outside the city limits of the City of Columbia.**

Facts

1. The United States Center for Disease Control and Prevention has reported that a novel (new) coronavirus that was first detected in China and has now been detected in more than 100 locations internationally, including in the United States.
2. The virus has been named “SARS-CoV-2” and the disease it causes has been named “coronavirus disease 2019” (“COVID-19”).
3. COVID-19 is a highly contagious disease that has been spreading rapidly worldwide since approximately December 2019.
4. On March 13, 2020, the President of the United States declared the COVID-19 outbreak a national emergency and the Governor of Missouri declared a state of emergency in Missouri.
5. As of June 16, 2020, in the United States the SARS-CoV-2 virus has been responsible for over 2.1 million cases of COVID-19 resulting in over 116,000 deaths.
6. The United States Centers for Disease Control and Prevention (“CDC”) has warned against large gatherings of people:
“Large events and mass gatherings can contribute to the spread of COVID-19 in the United States via travelers who attend these events and introduce the virus to new communities. Examples of large events and mass gatherings include conferences, festivals, parades, concerts, sporting events, weddings, and other types of assemblies.”
<https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/mass-gatherings-ready-for-covid-19.html>.
7. In addition, the CDC has urged restriction on the size of any gathering consistent with local conditions.
8. The CDC has raised particular concern about the health and susceptibility of high-risk individuals. <https://www.cdc.gov/coronavirus/2019-ncov/downloads/community-mitigation-strategy.pdf>.

9. COVID-19 has now been detected in the State of Missouri and Boone County, with local conditions expected to include an increase of infections consistent with national trends unless significant containment efforts successfully limit the local spread of the virus.

10. Case investigation and contact tracing conducted by the local health department is an integral part of a multipronged approach to contain the spread of the virus.

11. Ensuring adequate healthcare resources exist within the community to promptly identify, isolate, and care for individuals exposed to COVID-19 and respond to any anticipated surge in required healthcare services due to COVID-19 while maintaining adequate care for other patients is critical to the health, safety, and well-being of the public.

12. The Health Director, as the Local Health Authority, has issued prior Orders that have resulted in a decline of the number of COVID-19 cases in Boone County. At this time it is appropriate to cautiously continue to reopen Boone County in a manner that will be flexible and responsive to the capacity of local resources and on the data on the status of COVID-19 cases in Boone County.

Legal Basis of Rules and Regulations

13. The Columbia/Boone County Public Health and Human Services (PHHS) Director is the “local health authority” as contemplated in 19 CSR 20-20.010 of the Code of State Regulations, incorporated by reference in Boone County’s Code of Health Regulations, Chapter 8.

14. Boone County’s Code of Health Regulations, and the terms of this Order, apply to all areas of Boone County except those areas within the corporate limits of the City of Columbia. See RSMo Secs. 192.300 and 192.310.

15. Pursuant to 19 CSR 20-20.050, the local health authority is empowered to order quarantines, isolations, and closings of schools and places of public and private assembly in order to protect the public health.

NOW, THEREFORE, based on the foregoing facts and the authority that exists under federal, state and local law, I declare that SARS-CoV-2 and COVID-19 are contagious diseases that are or may become epidemic in the County and enact the following regulations for Boone County as Boone County’s Reopening Plan – Phase 2, Step 3 notice of which is hereby given.

Rules and Regulations

Section 1.01 Purpose and construction of rules and regulations.

The purpose of the rules and regulations contained herein is to contain the spread of SARS-CoV-2 and COVID-19. The rules and regulations established herein are remedial in nature and should be interpreted consistent with the intended purpose. By enacting this Order it is the express intent to ensure that the community continues to take steps to reopen and recover while still implementing measures to check the spread of disease and protect High Risk Individuals.

This Order supersedes and replaces all prior orders and shall be **effective at 12:00 a.m. on June 23, 2020 and will expire on July 20, 2020 unless extended, rescinded, or modified prior to such expiration.**

Section 1.02 High Risk Individuals.

“High Risk Individual” means a person who is any one of the following:

- (a) over sixty-five (65) years of age;
- (b) living in a nursing home or long-term care facility; or
- (c) has an underlying medical condition identified by the CDC as placing the individual at high risk, including chronic lung disease, moderate to severe asthma, heart disease, immunocompromised condition, severe obesity (body mass index of 40 or higher), diabetes, chronic kidney disease or undergoing dialysis, liver disease.

Section 1.03 Social Distancing Requirements.

“Social Distancing Requirements” means the social distancing recommendations of the CDC which include maintaining at least six-foot (6 ft.) social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer with more than sixty percent alcohol, covering coughs or sneezes with something other than hands, regularly cleaning high-touch surfaces, and not shaking hands, or as otherwise defined by order of the Director. In addition, individuals should avoid shared items whenever possible and if items must be shared it shall be disinfected between uses. Customer-employee contact shall be limited to one employee per customer or group of customers to the greatest extent possible. Wearing cloth face coverings is recommended in public settings where other social distancing measures are difficult to maintain.

Section 1.04 Businesses and Other Institutions Open to the Public.

All businesses and institutions not otherwise addressed in this Order may operate provided they maintain Social Distancing Requirements and disinfect common areas regularly. For purposes of this section, businesses and institutions open to the public include general retail, grocery stores, places of worship, financial institutions, car dealerships, etc.

A business or institution shall be deemed “open to the public” if it is a private club or organization that provides or sells memberships to the general public for use by its members (ex. – country clubs, fraternal organizations, social clubs, gyms, fitness centers, etc.).

Any large group gathering or event held at a business or institution open to the public is limited to fifty percent (50%) of the authorized occupancy or a maximum of one hundred (100) people, whichever is less; provided Social Distancing Requirements are maintained. A request for an exception or waiver to the occupancy limitation for large group gatherings or events may be approved by the Health Director pursuant to Section 1.17.

Section 1.05 Businesses and Other Institutions Not Open to the Public.

All businesses and institutions that are not open to the general public and are not otherwise addressed in this Order may operate provided they maintain Social Distancing Requirements to the greatest extent possible and maintain a disinfection plan for all common use areas. This section applies to any privately owned business not otherwise addressed in this Order where visitor access to the business is restricted or by appointment only. For purposes of this section, businesses and other institutions not open to the public include general manufacturing, professional offices, insurance offices, construction trades, etc.

Section 1.06 Restaurants and bars.

Restaurants and bars are permitted to be open with no occupancy limitations; provided, however, Social Distancing Requirements between groups of patrons shall be observed. With the exception of carry-out services, there shall be no standing bar, counter, or buffet service. A request for an exception or waiver to the “no standing bar, counter, or buffet service” requirement may be approved by the Health Director pursuant to Section 1.17.

Section 1.07 Entertainment venues.

Entertainment venues shall include nightclubs, movie theaters, bowling alleys, dance halls, child entertainment facilities, and similar businesses. A nightclub

shall be defined as an entertainment venue or bar that usually operates late into the night and is generally distinguished from regular bars, pubs or taverns due to having limited tables or no tables, limited or no food service, or by the inclusion of a stage, one or more dance floor areas and/or a DJ booth or other sound system where music or other types of entertainment are utilized for the entertainment of patrons.

In places where the Social Distancing Requirements are difficult to maintain, such as child entertainment facilities and arcades, capacity shall be limited to fifty (50) children with the total capacity limited to one hundred 100 individuals, provided an Operational Plan meeting the minimum requirements set forth in Section 1.17 is submitted and approved by the Health Director. A plan for frequent disinfection should be in place.

Entertainment venues are permitted to be open subject to an occupancy limitation of a maximum of one hundred (100) people, provided an Operational Plan meeting the minimum requirements set forth in Section 1.17 is submitted and approved by the Health Director, and Social Distancing Requirements are maintained. A request for exception or waiver to the occupancy limitation for entertainment venues may be approved by the Health Director pursuant to Section 1.17.

Section 1.08 Childcare services and day camps.

Childcare, day camps, and other dependent services can provide childcare for working families provided they limit the number of participants in any single group to a maximum of fifty (50) children, take reasonable actions to comply with Social Distancing Requirements, and provided further that:

- (a) Childcare must comply with the Missouri Department of Health and Senior Services regulations (including but not limited to the maximum number of students permitted in any classroom);
- (b) Childcare and day camps must be carried out in stable groups ("Stable" means the same group of children are, to the greatest extent possible, in the same group each day);
- (c) Children shall not change from one group to the other on the same day;
- (d) If more than one group of children is cared for at one facility, each

group shall be in a separate room and groups shall not mix with each other;

(e) Childcare and day camp providers shall remain solely with one group of children in the same day, and providers shall remain separated at all times (no breaks or off time together).

A request for an exception or waiver to the occupancy limitation for childcare services and day camps may be approved by the Health Director pursuant to Section 1.17.

Section 1.09 **Businesses providing personal care services.**

Personal care services shall include hair salons, nail salons, massage businesses, estheticians, and similar businesses. All businesses providing personal care services shall maintain Social Distancing Requirements to the greatest extent possible. All such businesses shall require employees to wear a mask or cloth face covering while providing services for which physical distancing is not possible. All such businesses shall also require customers, to the extent possible while receiving the service, to wear a mask or cloth face covering.

These services may be performed with fifty (50) or fewer people in a single location or a maximum of fifty percent (50%) occupancy for the location, whichever is less, including both employees and customers in the calculation. A request for an exception or waiver to the occupancy limitation for businesses providing personal care services may be approved by the Health Director pursuant to Section 1.17.

Section 1.10 **Pools.**

Pools must provide a plan for disinfection and monitoring to the Columbia/Boone County Department of Public Health & Human Services prior to reopening. Once that plan is approved, the following restrictions shall apply:

(a) Pools monitored with an attendant may be open and all present must maintain Social Distancing Requirements. It is the attendant's responsibility to ensure that Social Distancing Requirements are maintained.

(b) Pools not monitored by an attendant cannot have more than fifty (50) people at the pool at any one time.

A request for an exception or waiver to the occupancy limitation for pools may be approved by the Health Director pursuant to Section 1.17.

Section 1.11 Sports and Sporting Events.

Non-contact, limited contact, and contact sports and activities are permitted with a limitation that such activities be conducted in stable groups of fifty (50) participants. The spectator area for any sport is limited to fifty percent (50%) of the occupancy based on the applicable fire code or one hundred (100) people maximum, whichever is less. Social Distancing Requirements must be met for all spectators. A request for an exception or waiver to the occupancy limitation for sports and sporting events may be approved by the Health Director pursuant to Section 1.17.

Such provisions shall not apply to any facilities owned or operated by the University of Missouri, which is an instrumentality of the state and governed by a Board of Curators appointed by the Governor with the advice and consent of the Missouri Senate.

Section 1.12 Playgrounds, Parks, Trails, and spraygrounds.

These facilities are permitted to be open without any limitations other than those provided by other applicable laws, rules, and regulations. Patrons shall maintain Social Distancing Requirements and shall be cognizant of the need to wash hands before and after use.

Section 1.13 Limitation on other public gatherings.

All other intentional gatherings or gathering places not specifically referenced in this Order are limited to one hundred (100) people, including both public and private gatherings. Social Distancing Requirements must be observed at all other intentional gatherings. A request for an exception or waiver to the occupancy limitation for public gatherings may be approved by the Health Director pursuant to Section 1.17.

Section 1.14 Limitation for High-Risk Individuals.

High Risk Individuals are encouraged to continue to stay at home and not interact with others except for vital activities and should continue to engage in physical distancing to the greatest extent possible. High Risk Individuals who are able to work from home are encouraged to continue to work from home to the greatest extent possible.

Section 1.15 Limitation for Long-Term Care Facilities.

Long-term care facilities must maintain high levels of infection prevention and control effectors and should, at a minimum, follow the guidance and the recommendations of the Centers for Medicare and Medicaid Services related to reopening of facilities. See <https://www.cms.gov/files/document/qso-20-30-nh.pdf> .

Section 1.16 Work from Home Encouraged.

All employees who are able to work from home should continue to work from home to the greatest extent possible.

Section 1.17 Businesses, Entities, Large Venues or Public Gatherings with Unique Circumstances may seek Waiver or Approval for Specific Plans.

Any business, entity, large venue, or public gathering facing unique circumstances not specifically addressed in this Order or seeking to accommodate in excess of the limitations specified in this Order may submit a proposed Operational Plan for review and conditional approval by the Health Director, or authorized designee. Operational Plans should describe the nature of the activity conducted on the premises and emphasize how the business or entity will meet Social Distancing Requirements, disinfect common touch spots, identify patrons for contact tracing in the event of an outbreak, and/or otherwise take steps to reduce the spread of COVID-19 while carrying out the described activities on the premises.

Section 1.18 Exemptions.

The following are exempt from the restrictions in this Order:

- (a) Cafeterias, commissaries, and restaurants located within hospitals, nursing homes, or similar facilities;
- (b) Adult detention facilities and juvenile justice facilities, or similar facilities;
- (c) Food banks;
- (d) Crisis shelters or similar institutions;

(e) Facilities owned or operated by the University of Missouri.

Section 1.19 Enforcement.

Violation of or failure to comply with this Order is a Class A misdemeanor punishable by up to one-year in jail, up to a \$1,000 fine, or both such jail time and fine. See RSMo Sec. 192.320. Each day constitutes a separate violation.

Section 1.20 Savings clause.

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.

So Ordered.



Stephanie Browning
Director, Columbia/Boone County
Department of Public Health and Human
Services



Date

