



**Public Health**  
Prevent. Promote. Protect.

Shawnee County Health Department

**Shawnee County Health Department**  
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## EMERGENCY ORDER OF LOCAL HEALTH OFFICER

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Emergency Public Health Order issued on this 5th day of March 2021, effective at 12:01 a.m. March 6, 2021, to mitigate the spread of the Coronavirus (COVID-19) in Shawnee County, Kansas, pursuant to the authority provided in K.S.A. 65-119 and K.S.A. 65-202 and other applicable laws or regulations.

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WHEREAS, pursuant to K.S.A. 65-202, the Local Health Officer shall use all known measures to prevent the spread of any infectious, contagious or communicable disease, and;

WHEREAS, the Local Health Officer is authorized and required, pursuant to K.S.A. 65-119 to immediately exercise and maintain a supervision over cases of any infectious or contagious disease during its continuance, and see that all such cases are properly cared for and that the provisions of the Kansas public health laws as to isolation, restriction of communication, quarantine and disinfection are duly enforced; and

WHEREAS, the Local Health Officer is appointed by the Board of County Commissioners and is authorized to prohibit public gatherings when necessary for the control of any and all infectious or contagious diseases, pursuant to K.S.A. 65-119; and

WHEREAS, on the 18th day of March 2020, the Board of County Commissioners of Shawnee County, Kansas found that a disaster had occurred, or the threat thereof was imminent within Shawnee County, Kansas as a result of the Coronavirus pandemic (COVID-19) and the confirmed outbreak and person-to-person spread of COVID-19 in the United States, Kansas, multiple counties surrounding Shawnee County. That disaster declaration has been extended to June 30, 2021 as per Resolution 2020-82; and

WHEREAS, on the 22<sup>nd</sup> day of May 2020, the Ad Astra 2.0 order issued by Kansas Governor Laura Kelly went into effect. The plan states "...the State will set the regulatory baseline for Kansas local governments in each phase of this framework, allowing local governments to retain the ability to impose additional restrictions that are in the best interest of the health of their residents;" and

WHEREAS, on the 26<sup>th</sup> day of May, 2020, Kansas Governor Laura Kelly announced that the Ad Astra order will no longer have the force and effect of law and that Counties would thenceforth be responsible for issuing any further public health orders to manage the outbreak in their local jurisdictions; and

WHEREAS, on the 6<sup>th</sup> day of July, 2020, the Board of County Commissioners of Shawnee County passed Resolution 2020-44 regarding the use of face masks and face coverings in Shawnee County effective July 9, 2020, and this Order shall be read in conjunction with and in addition to the requirements in Shawnee County Resolution 2020-44; and

WHEREAS, COVID-19 has resulted in 15,382 reported positive cases, 970 probable cases, and 344 deaths of Shawnee County residents. COVID-19 is a respiratory disease that continues to mutate into several types of variants which spread easily from person to person and may result in serious illness or death; and

WHEREAS, such conditions endanger health, safety and welfare of persons and property within the border of Shawnee County, Kansas; and

WHEREAS, to reduce spread of COVID-19, the United States Centers for Disease Control and Prevention (CDC), the Kansas Department of Health and Environment (KDHE) and the Shawnee County Local Health Officer, all recommend implementation of community mitigation strategies to increase containment of the virus, including cancellation of large gatherings and social distancing in smaller gatherings; and

WHEREAS, the worldwide pandemic of COVID-19 and the resulting outbreak in Kansas, and counties surrounding Shawnee County continue to threaten the life and health of our citizens and visitors as well as the economy and remains a public disaster affecting life, health, property and the public peace; and

WHEREAS, in general, public gatherings lead to heightened risks of person-to-person transmission and it is estimated that each COVID-19 positive patient could infect multiple other people; and

NOW THEREFORE, the following local requirements have been adopted and where indicated are mandatory and legally required in order for certain businesses to safely open and serve the public. Any business or entity that does not operate in accord with these requirements is subject to closure by an Order of the Shawnee County Health Officer:

**Table 1- The following are Restrictions and Requirements for Shawnee County:**

<b>Required Throughout</b>	<ul style="list-style-type: none"><li>• The requirements for wearing Face Masks/Coverings are found in Shawnee County Resolution 2020-44, <a href="http://www.snco.us/hd/Document/resolution_2020_44.pdf">http://www.snco.us/hd/Document/resolution_2020_44.pdf</a>.</li><li>• Masks are an essential strategy to mitigating the spread of COVID-19 and should be the final mitigation strategy removed.</li></ul>
<b>Definition: Social Distancing</b>	<ul style="list-style-type: none"><li>• Social distancing as used in this order means keeping at least 6 feet of space between individuals.</li></ul>
<b>Definition: Mass Gathering Limits</b>	<ul style="list-style-type: none"><li>• Mass gathering as used in this order means any planned or spontaneous, public or private event or convening that will bring together or is likely to bring together more than 25 people at the same time, where social distancing cannot be maintained.</li><li>• Mass gatherings for <b>indoor</b> events shall be limited to no more than 500 participants or 75 percent of the total capacity (whichever is smaller) after social distancing and mass gathering rules are applied (i.e., groups of more than 25 people must be separated by 6 feet or more, for a total number of attendees no greater than 500).</li><li>• Mass gatherings for <b>outdoor</b> events shall be limited to no more than 1000 participants. Social distancing and mass gathering rules still apply (i.e., groups of more than 25 people must be separated by 6 feet or more, for a total number of attendees no greater than 1000).</li><li>• Organizations planning events that are expected to exceed mass gathering rules should submit a written plan to <a href="mailto:covid19info@snco.us">covid19info@snco.us</a>. The written plan</li></ul>

	<p>will be reviewed by the COVID-19 Incident Response Team and overall approval will be made by the Shawnee County Health Officer.</p>
<p><b>Definition: Bar</b></p>	<ul style="list-style-type: none"> <li>• For the purpose of this order, a bar is an establishment that is licensed for consumption of alcoholic beverages inside the establishment, may or may not serve food, and derives 30 percent or more of its revenues from the sale of alcohol (excluding revenues from the sale of alcohol for consumption off premises). Night clubs are also considered bars.</li> </ul>
<p><b>Definitions: Restaurant</b></p>	<ul style="list-style-type: none"> <li>• For the purpose of this order, a restaurant is an establishment that is licensed for food consumption inside the establishment, may or may not serve alcoholic beverages, and derives less than 30 percent of its revenues from the sale of alcohol.</li> </ul>
<p><b>Restaurants, Bars and Night Clubs</b></p>	<ul style="list-style-type: none"> <li>• No restrictions on operating hours.</li> <li>• Shall conduct routine cleaning and sanitation throughout the day, and deep cleaning once a day.</li> <li>• All establishments are subject to limits of mass gatherings and social distancing. Parties sitting at the same table cannot exceed 8 individuals.</li> <li>• A distance of at least 6 feet shall be provided between tables, or when that is not feasible a transparent plastic shield shall divide booths or tables closer than 6 feet.</li> <li>• They shall monitor waiting lines outside their doors and assure that social distancing requirements are followed. This requirement does not apply if the business operates only through a phone or online reservation system.</li> <li>• They shall monitor their customers and invite them to either follow the requirements in this and other public health orders or leave the establishment.</li> <li>• Consumption of food and beverages shall only take place when seated at a table or counter.</li> <li>• Consumption of food and beverages at a counter/bar is allowed; if social distancing measures are taken into account (6 feet between seats) including the use of Plexiglas barriers between seats.</li> <li>• People with symptoms shall not enter or be allowed to remain in the premises.</li> <li>• Hand sanitizing stations shall be put in conspicuous areas for the ready accessibility for both staff and customers.</li> <li>• Live music, disk jockey, karaoke and other performers may be allowed, provided that the performers are separated by at least 10 feet from any customers or areas in which customers may be present or transit. If karaoke is being performed additional cleaning and sanitizing measures must be taken.</li> <li>• Party buses (including but not limited to party ride, limo bus, limousine bus, party van, or luxury bus), organized charity rides and other events or venues aimed at bringing several individuals together for the purpose of entertainment or visiting multiple establishments (including but not limited to bars night clubs) can only operate if the size of the group is 25 people or less.</li> <li>• Performances for which social distancing cannot be maintained (for example when the performer and the customer must come in close proximity or have physical contact with each other) are not allowed.</li> <li>• Unless otherwise specified, these requirements apply also to outdoors areas where service is provided, such as patios.</li> </ul>

	<ul style="list-style-type: none"> <li>• <a href="https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-restaurants-bars.html">https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-restaurants-bars.html</a></li> <li>• <a href="https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/restaurants-and-bars-decision-tool.html">https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/restaurants-and-bars-decision-tool.html</a></li> </ul>
<p><b>Personal Services</b> (salons, barber shops, pet grooming, tattoo parlors etc.)</p>	<ul style="list-style-type: none"> <li>• Mass gathering limits apply</li> <li>• Personal service operations should follow KDHE guidance:  <a href="https://www.coronavirus.kdheks.gov/DocumentCenter/View/1048/COVID-19-Guidance-for-Cosmetology-PDF---8-7-20?bidId=">https://www.coronavirus.kdheks.gov/DocumentCenter/View/1048/COVID-19-Guidance-for-Cosmetology-PDF---8-7-20?bidId=</a></li> </ul>
<p><b>Entertainment venues</b> (movie theatres, concert venues, bowling alleys, etc.)</p>	<ul style="list-style-type: none"> <li>• Can operate only if they can pre-assign seats (when applicable) or adopt other measures to respect requirements for social distance and mass gathering size for customers</li> <li>• <b>Bar, concessions and restaurant areas in these venues shall meet the same requirements as those not located within the venues (Bar and restaurant, counter service rules)</b></li> </ul>
<p><b>Mass events (including fairs, festivals, carnivals, parades, concerts, weddings, private parties, etc.)</b></p>	<ul style="list-style-type: none"> <li>• Organizers shall enact necessary measures to respect social distancing and mass gathering rules (i.e., attendees shall not congregate in groups greater than 25 people unless they are separated by 6 feet or more).</li> <li>• For events like trade shows or displays where attendees move in and out during the event, organizers must assure that at no time during the event the crowd size exceeds the maximum allowable size.</li> <li>• Mass gathering rules and limits apply.</li> <li>• <b>Bar, concessions and restaurant areas in indoor venues shall meet the same requirements as those not located within the venues (Bar and restaurant, counter service rules).</b></li> <li>• Organizations planning events that are expected to exceed mass gathering rules should submit a written plan to <a href="mailto:covid19info@snco.us">covid19info@snco.us</a>. The written plan will be reviewed by the COVID-19 Incident Response Team and overall approval will be made by the Shawnee County Health Officer.</li> </ul> <p><a href="https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/">https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/</a></p>
<p><b>Parks and Recreation Activities</b></p>	<ul style="list-style-type: none"> <li>• Parks and Recreation Facilities must follow all mass gathering rules including monitoring the gathering sizes at rental spaces.</li> </ul>
<p><b>Gyms and Fitness Centers</b></p>	<ul style="list-style-type: none"> <li>• Staff shall be on the premises through the duration of operating hours. No unattended operations are allowed.</li> <li>• Shall adhere to social distancing guidelines, allowing people to remain 6 feet apart at all times.</li> <li>• Equipment shall be spaced to make sure customers are never closer to each other than 6 feet</li> <li>• Equipment shall be cleaned thoroughly between uses using an appropriate disinfectant (see <a href="https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2">https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2</a>)</li> <li>• Sharing of equipment shall be minimized.</li> <li>• Showers and locker rooms are allowed to be used and must be cleaned frequently</li> </ul>

<p><b>Sports and Athletic Activities</b></p>	<ul style="list-style-type: none"> <li>• Sports and athletic activities are allowed, subject to the limitations of social distancing and mass gatherings</li> <li>• Spectators of sporting events should follow the mass gathering rules</li> <li>• For team sports, the two teams combined shall be considered as one mass gathering, whose size shall not exceed 25 people. These individuals are included in mass gathering size.</li> <li>• For events open to the public, organizers shall enact necessary measures to assure that social distancing and mass gathering rules are applied for the public</li> <li>• Bar, concessions and restaurant areas shall meet the same requirements as those not located within the venues</li> <li>• Mask wear is mandatory when not participating in direct competition</li> </ul> <p><a href="https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/youth-sports.html">https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/youth-sports.html</a></p>
<p><b>Swimming Pools Open to the Public</b></p>	<ul style="list-style-type: none"> <li>• Mass gathering limits apply</li> <li>• If the establishment reaches its 75% capacity, customers should be admitted on a “1-out-1-in” basis. <a href="https://www.cdc.gov/coronavirus/2019-ncov/community/parks-rec/aquatic-venues.html">https://www.cdc.gov/coronavirus/2019-ncov/community/parks-rec/aquatic-venues.html</a></li> <li>• The operator is responsible for managing the crowd outside and inside the swimming pool, assuring social distancing is maintained</li> <li>• People with symptoms should not enter</li> <li>• Bar, concessions and restaurant areas shall meet the same requirements as those not located within the swimming pool</li> <li>• Perform thorough disinfection at least daily, using products and procedures recommended by the CDC (see <a href="https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html">https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html</a>)</li> </ul>
<p><b>Real Estate</b></p>	<ul style="list-style-type: none"> <li>• Individual showings and open houses are allowed, provided that the limit to social gatherings size is respected and social distancing can be maintained at all times.</li> </ul>
<p><b>Childcare and summer camps</b></p>	<ul style="list-style-type: none"> <li>• Outdoor activities are encouraged</li> <li>• If possible, children shall be cared for by the same caregiver(s) each day placed into cohorts so that the same children are in the same space with the same caregiver(s) each day</li> <li>• Parents and caregivers shall not enter the facility, except for the time strictly necessary to drop off and pick-up children.</li> <li>• Licensed childcares must follow state guidance and requirements. <a href="https://www.coronavirus.kdheks.gov/DocumentCenter/View/144/Guidance-for-Child-Care-Facilities-Licensed-by-KDHE-PDF---1-11-21?bidId">https://www.coronavirus.kdheks.gov/DocumentCenter/View/144/Guidance-for-Child-Care-Facilities-Licensed-by-KDHE-PDF---1-11-21?bidId</a></li> <li>• Summer Camps will follow KDHE guidance <a href="https://www.coronavirus.kdheks.gov/DocumentCenter/View/1750/KDHE-Guidance-for-Summer-Camp-Planning-and-Operations-PDF---2-3-21?bidId=">https://www.coronavirus.kdheks.gov/DocumentCenter/View/1750/KDHE-Guidance-for-Summer-Camp-Planning-and-Operations-PDF---2-3-21?bidId=</a></li> </ul>
<p><b>Remote working and other employer measures</b></p>	<ul style="list-style-type: none"> <li>• All employers shall evaluate whether their employees can feasibly work remotely and to the extent reasonable shall take steps to enable such employees to work from home.</li> </ul>

THEREFORE, this proactive public health order shall be read in conjunction with and in addition to the requirements for wearing face masks/coverings in Shawnee County found in Shawnee County Resolution 2020-44 [http://www.snco.us/hd/Document/resolution\\_2020\\_44.pdf](http://www.snco.us/hd/Document/resolution_2020_44.pdf) , and is hereby issued to minimize the impact of COVID-19 on the Shawnee County community. IT IS SO ORDERED THIS 5<sup>th</sup> day of March, 2021, EFFECTIVE 12:01 a.m. March 6, 2021, and shall remain in effect until 11:59 p.m. April 9, 2021 unless renewed, rescinded or superseded by a subsequent order.

A handwritten signature in black ink, appearing to read "Erin Locke, MD". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Dr. Erin Locke  
Health Officer  
Shawnee County, Kansas