An Order of the County of Perry, Missouri County Commission
And County Health Officer

Perry County Order No. 032520

JURISDICTIONAL NOTE - These Rules and Regulations apply to all areas within Perry County, Missouri

COVID-19 Notice and Issuance of Rules and Regulations

Stay at Home Order

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

WHEREAS, on March 13, 2020 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 in the State of Missouri; and

WHEREAS, the Perry County Health Department Director is the "local health authority" as contemplated in 19 CSR 20-20.010 of the Code of State Regulations, and

WHEREAS, the terms of this Order apply to all areas of Perry County. See Secs. 192.300 and 192.310 RSMo; and

WHEREAS, the Perry County Commission designated the County Health Director as the County Health Officer on March 19, 2020, and

WHEREAS, the Local Health Officer 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, we, the County Commission, of the County of Perry, Missouri, hereby invoke and declare that a state of emergency exists in Perry County, Missouri, and further declare that SARS-CoV-2 and COVID-19 are contagious diseases that are, or may become an epidemic in the County, and we hereby invoke and declare in full force and effect in Perry County, Missouri, all laws, statutes and regulations of the State of Missouri, and Perry County, for the exercise of all necessary emergency authority to ensure the protection of lives, health, safety and property of the citizens of the County of Perry, Missouri, and the continuity of local government with a minimum of interruption. The County Commission of the County of Perry, Missouri do hereby and declare the following:

This Order No. 032520 supersedes and replaces prior County Orders for COVID-19.

Article 1. Effective date and applicability.

This Order replaces and supersedes the Rules and Regulations contained in prior Orders for COVID-19 control and shall be effective **12:01 a.m. on March 26, 2020 and** will continue to be in effect until **12:01 a.m. on April 24, 2020,** or until it is extended, rescinded, superseded or amended in writing by further order.

Article 2. Intent.

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 COVID-19 within Perry County while enabling essential services to continue. All provisions of this Order shall be interpreted to effectuate this intent.

Article 3. Stay at Home; Cessation of Non-essential Business and Operations

Section 3.01. Stay at home or place of residence. All individuals currently living within Perry County are ordered to stay at home or at their place of residence except as allowed in this Order. All persons may leave their homes or place of residence or if visiting the County as a non-resident only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations, all as defined below.

To the extent individuals are using shared or outdoor spaces when outside their residence, they must at all times, and as much as reasonably possible must adhere to Social Distancing Requirements.

Individuals experiencing homelessness are exempt from this Order but are strongly urged to obtain shelter. Individuals whose residence is unsafe or becomes unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. For purposes of the Order, homes or residences include hotels, motels, campground, shared rental units, shelters and similar facilities.

Section 3.02. Non-essential business and operations must cease. All businesses and operations within the County, except Essential Businesses and Operations are required to cease all activities except Minimum Basic Operations, as defined below. All businesses are allowed to maintain the value of inventory and infrastructure, provide security, process payroll or employee benefits, or facilitate employees working remotely. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

Restaurants and retail food establishments that normally prepare food for on-site consumption are prohibited from conducting any dine-in food service; however, such businesses may provide pickup, drive-through, or delivery services so long as such business otherwise complies with this Order.

All Essential Businesses and Operations are encouraged to remain open. To the greatest extent feasible, Essential Businesses and Operations shall comply with Social Distancing Requirements.

No business or person may operate or engage in a Prohibited Activity.

Section 3.03. Prohibited activities. All public and private intentional gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes permitted by the Order. Any intentional gathering of more than ten (10) people in a single space or room is prohibited unless exempted by this Order. Nothing in this Order prohibits the gathering of members of a household or residence of individuals who reside in such residence.

All places of public amusement, whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, roller skating rinks, museums, arcades, fairs, children's play centers, playgrounds (including children's play

structures in public or private parks), funplexes, bowling alleys, movie and other theaters, concert and music halls, and country clubs, golf clubs (with the narrow exceptions of playing golf where there is no shared equipment by the 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.

All public parks and open outdoor recreation areas are encouraged to remain open. Because playgrounds may increase the spread of COVID-19, all playgrounds shall be closed with appropriate notices posted.

Section 3.04. Leaving the home for Essential Activities is permitted. 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 any outdoor activity, individuals must comply with Social Distancing Requirements.

This Order allows travel into or out of the County to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions or Minimum Basic Operations.

Section 3.05. Schools and Social Services Providing Food. Schools and other entities that ordinarily provide food services to students or members of the public may continue to do so under this Order provided that the food is provided to students or members of the public on a delivery or pick-up and take-away basis only. Schools and other entities, other than childcare facilities, that provide food services under this paragraph shall not permit the food to be eaten onsite.

Section 3.06. 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 service operations, first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement personnel; 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.

Section 3.07. Access to Essential Governmental Functions. Nothing in this Order shall prohibit any individual from performing or accessing Essential Governmental Functions.

Article 4. Definitions

For purposes of this order, these terms, regardless of whether capitalized, are defined as follows:

A. "Business" or "businesses" means any for-profit companies, non-profit organizations, benevolent associations, limited liability companies, or partnerships, regardless of legal organization, form, entity, tax-treatment, or structure;

B. "CDC" means the Centers for Disease Control and Prevention of the United States Department of Health and Human Services;

C. "County" means all areas of Perry County, Missouri.

D. "Disqualified Businesses" means any Essential Business that is disqualified from being an Essential Business, by order of the Director, or by judicial decree or court order.

E. "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 health care professional, obtaining supplies needed 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;

3. engage in Essential Travel;

4. shop for grocery products, food, beverages, or other household and consumer products (for example, cleaning or personal care products including but not limited to products necessary to maintain the safety, sanitation, communication, and the essential operation of Residences);

5. engage in services or perform work necessary to operate or maintain Essential Critical Infrastructure;

6. engage in outdoor activity (including walking, hiking, running, or biking) to the extent reasonably consistent with Social Distancing Requirements (including, for example, walking outdoors six feet away from another person);

7. participate in religious services and other spiritual practices but only to the extent consistent with reasonable compliance with Social Distancing Requirements and gathering size limitations;

8. acts consisting of providing Essential Products and Services to a Residence, an Essential Business, or to a business in order for that business to maintain Minimum Basic Operations;

9. activities at open construction sites, irrespective of types of structures, subject to applicable OSHA and other safety guidelines, and related architectural, design, and land surveying activities, so long as the people involved reasonably comply with Social Distancing Requirements to the extent consistent with applicable safety guidelines;

10. necessary care for a dependent in the person's legal custody, including acts essential for a parent with legal custody to transfer the physical custody of a child;

11. care for a family member in another household;

12. engage in Essential Government Functions;

13. engage in Healthcare Operations;

14. engage in Essential Businesses;

15. exercise constitutional rights to the extent that by so acting the person does not endanger the public health and safety or the health and safety of any person and shall comply with Social Distancing Requirements;

16. acts consisting of providing Essential Products and Services to the federal government, the state government, or other political subdivision of the state of Missouri;

17. act or perform tasks approved pursuant to an order of the Director.

F. "Essential Businesses" means, with the exception of Disqualified Businesses, the following:

1. Healthcare Operations;

2. Essential Critical Infrastructure;

3. Essential Government Functions;

4. grocery stores, farmers' markets, farm stands, produce stands, supermarkets, food banks, food pantries, convenience stores, or other establishments engaged in the retail sale of or providing canned food, dry goods, fruits, vegetables, pet supply, meats, fish, and poultry, or any household consumer products *(e.g.,* cleaning or personal care products), including but not limited to stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of Residences; however, no dine in service is permitted;

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

6. businesses that engage in food production, manufacturing, processing, packaging, wholesaling, storage, warehousing, or distribution;

7. businesses that provide food, shelter, social services, or other necessities of life for economically disadvantaged or people otherwise in need of social services (including but not limited to individuals with physical, intellectual, or developmental disabilities);

8. newspapers, television stations, radio stations, and other media services, whether private or public;

9. gas stations, auto-supply, auto-repair, and related facilities;

10. banks, financial institutions, broker-dealers, asset managers, businesses that process payroll for any other business, and businesses that process financial transactions and services;

11. trash collection and disposal;

12. hardware stores;

13. inns, hotels, motels, and bed and breakfast establishments; however, dine-in service at on-site restaurants and bars is not permitted;

14. plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, communication, and essential operations of Residences, Healthcare Operations, Essential Critical Infrastructure, Essential Government Services, Essential Activities, or other Essential Businesses;

15. businesses that perform construction services;

16. businesses providing mailing and shipping services, including post office boxes;

17. educational institutions, including public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning, provided that Social Distancing Requirements are maintained to the greatest extent possible;

18. businesses providing private security services in accordance with applicable laws;

19. laundromats, dry cleaners, and laundry service providers;

20. funeral homes, crematoriums, cremation, burial, mortuary services, and cemeteries;

21. churches, religious services, and other spiritual practices but only to the extent consistent with reasonable compliance with Social Distancing Requirements and gathering size limitations;

22. storage for Essential Businesses;

23. restaurants and other facilities that prepare or serve food; however, only carry out, pick-up or delivery service of such food is permitted, and Social Distancing Requirements must be met (i.e.., no dine-in service is allowed). Self-service food or self-service condiments are expressly prohibited in any restaurant or facility that prepares or serves food;

24. businesses that provide emergency repair and safety services for Essential Critical Infrastructure;

25. businesses that supply products needed for people to work from home;

26. businesses that supply Essential Businesses with the support or supplies necessary to operate, including but not limited to maintenance, security, janitorial, and other similar services;

27. businesses that ship or deliver groceries, food, beverages, goods, or services to Residences or other Essential Businesses;

28. non-profit organizations to the extent that the organizations are providing financial or social support for people and businesses that are impacted by COVID-19;

29. businesses that manufacture or supply products necessary to meet the Social Distancing Requirements, including but not limited to manufacturers of hand sanitizers and other hygiene, health, and cleaning products, and the businesses whose products and services are necessary to the ongoing operation of the businesses whose products are necessary to meet the Social Distancing Requirements;

30. businesses that provide personal and transportation services including airlines, taxis, transportation network providers, livery services, vehicle rental services, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;

31. businesses or agencies providing public transportation or paratransit;

32. businesses that provide home-based care for the health of seniors, adults, or children;

33. residential facilities and shelters for seniors, adults, or children, including but not limited to those for survivors of family violence, domestic violence, intimate partner violence, child abuse, or child neglect;

34. defense and national security-related operations supporting the government or a contractor to the federal government or a contractor to the federal government;

35. professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal, mortgage and title services) or financial services, when necessary to assist in compliance with legally mandated activities or to assist a person in the exercise of constitutional rights, including but not limited to services required by a court order, a court rule, a fiduciary duty, a duty to the person's client, or an ethical obligation;

36. businesses and agencies that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, childcare, vocational services, or rehabilitation services;

37. adoption agencies;

38. labor union essential activities, including the administration of health and welfare funds and personnel checking on the well-being and safety of members

providing services in Essential Businesses provided that these checks should be done by telephone or remotely where possible;

39. professional services, such as legal or accounting services, when related to the necessary activities of Essential Businesses;

40. operations identified by the area colleges and Universities of Missouri together with such individuals who have been authorized by these colleges and Universities to work on-site at premises for operational continuity including any travel authorized by the colleges and Universities for such individuals;

41. adult detention facilities and juvenile justice facilities or similar operations; and

42. businesses or independent providers that provide childcare or other dependent services but only to the extent that they provide services to people who are necessary employees of Essential Businesses, and including specifically without limitation Healthcare Operations, police departments, fire districts, jails, corrections medicine services, emergency management functions, food distribution companies, groceries, restaurants, pharmacies, public transit agencies, or businesses that manufacture or supply products necessary to meet Social Distancing Requirements, provided that they comply with Missouri Department of Health and Senior Services regulations and take reasonable actions to comply with Social Distancing Requirements.

G. "Essential Government Functions" means all services needed to ensure the continuing operation of federal, state, or local government departments, offices, agencies, officials, political subdivisions, entities created by intergovernmental agreement, essential court functions as determined by the Presiding Judge or the Presiding Judge's designee, and any other government functions necessary to provide for the health, safety, and welfare of the public;

H. "Essential Critical Infrastructure" means operation and maintenance of essential critical infrastructure sectors whose assets, systems, and networks, whether physical or virtual, are considered so vital that their incapacitation or destruction would have a debilitating effect on security, economic security, public health or safety, or any combination thereof and more fully identified by the US Department of Homeland Security. See https://www.cisa.gov/identifying-critical-infrastructure-duringccovid-19.

I. "Essential Products and Services" means products and services that are necessary for Essential Activities, Essential Government Functions, Essential Critical Infrastructure, Essential Travel, Essential Businesses, Minimum Basic Operations, or Healthcare Operations (including ancillary operations, maintenance, and support activities that are necessary to deliver the Essential Products and Services);

J. "Essential Travel" means travel that is necessary to serve any of the following purposes:
    1. travel related to Essential Activities, Essential Government Functions, Essential Critical 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 the Essential Business;

4. travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other relatedservices.

5. travel to return to a place of Residence from outsidethe 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 the County.

K. "Gathering" means an occasion when people come together as a group, whether formal or informal and whether public or private;

L. "Health" means the physical, mental, psychological, or psychiatric health of any person;

M. "Healthcare Operations" means hospitals, clinics, dentists, doctors, physicians, nurses, medical assistants,- social workers, speech pathologists, diagnostic and therapeutic technicians and technologists, respiratory therapists, occupational and physical therapists, public health and community health workers, blood donation related organizations, organizations collecting blood, organizations collecting plasma, organizations collecting platelets, reproductive health care providers, eye care centers (including those that sell glasses and contact lenses), substance abuse counselors, pharmacies, pharmaceutical and biotechnology companies, doctor offices, dentist offices, healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, any ancillary healthcare services, research and laboratory services, hospital and laboratory personnel, walk-in health facilities, elder care, medical wholesale and distribution, veterinary care, veterinarians, animal health services, workers providing COVID-19 testing, workers that perform critical clinical research needed for the COVID-19 response, facilities licensed pursuant to state constitutional amendment, the design and construction of healthcare and research- related facilities including businesses that support the function and care for healthcare entities, and manufacturers and distributors of personal protective equipment, durable medical equipment, or other equipment used in the provision of healthcare. This definition shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined, however "Healthcare Operations" does not include fitness and exercise gyms, esthetician services, tattoo parlors, tanning facilities, spas, massage facilities, or similar facilities;

N. "High Risk" means a person who is any one of the following: (a) over sixty years of age; (b) has a chronic health condition such as heart disease, lung disease, or diabetes; (c) is immune compromised; or (d) is pregnant;

O. "Intentional" means an act done with a purpose or with deliberation;

P. "Minimum Basic Operations" means the minimum necessary activities to maintain the value of a business's inventory, provide security, process payroll or employee benefits, or to facilitate employees of the business being able to continue to work remotely from their Residences.

Q. "Necessary Services or Supplies" means services, supplies, or funds needed to engage in Essential Activities and support Essential Critical Infrastructure;

R. "Organizes" means intentionally coordinate, to make arrangements for, or to make preparations for an event or an activity;

S. "Prohibited Activities" means any of the following:

1. any gathering of ten or more people in a single space or room, unless otherwise specifically permitted by this Order; or

2. activities regarding places of public amusement, whether indoors or outdoors, including but not limited to locations with amusement rides, carnivals, amusement parks, water parks, museums, arcades, fairs, children's play centers, playgrounds (including children's play structures in public or private parks), funplexes, bowling alleys, movie and other theatres, concert and music halls, country clubs, golf clubs (with the narrow exceptions of playing golf where there is no shared equipment by the participants and driving ranges where Social Distancing Requirements are strictly followed and enforced), social clubs, and athletic clubs. An exception shall exist for outdoor parks and trails where no shared equipment is utilized by the patrons.

T. "Residences" means a house, a condominium unit, an apartment unit, a dwelling, a hotel room, a motel room, a shared rental unit, shelters, or similar facilities but extends only within the bounds of the person's ownership, the person's leasehold interest, or the space occupied in a hotel, motel or shared rental unit and does not include common areas;

U. "Social Distancing Requirements" means the social distancing recommendations of the CDC which include maintaining at least six-foot 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; and

V. "Travel" means moving from place to place.

Article 4. Enforcement; Severability

Section 4.01. Application with other laws. Unless otherwise specifically provided or suspended in this Order, any order of the Director, or any Executive Order, this Order shall not supplant, supersede, replace, rescind, amend, or modify any other law, ordinance, rule, regulation, or permit condition or requirement, including but not limited to those that may apply to Essential Business or Essential Activities.

Section 4.02. 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.

Section 4.03. Savings clause. If any provision of this Order or its application to any person or circumstance is held to be invalid or unenforceable by a court of competent jurisdiction, then the reminder 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.

All public offices and employees of Perry County, Missouri, are hereby directed to exercise the utmost diligence in discharge of duties required of them for the duration of the emergency and in the execution of emergency laws, regulations, and directives of state and local government.

All citizens are called upon and directed to comply with necessary emergency measures, to cooperate with public officials and the County of Perry, Missouri, Perry County Health Department and Perry County Emergency Management Agency to obey and comply with the lawful directions of properly identified public offices.

In witness, we have hereunto set our hand at 11:55 a.m., this 25th day of March, 2020 A.D.

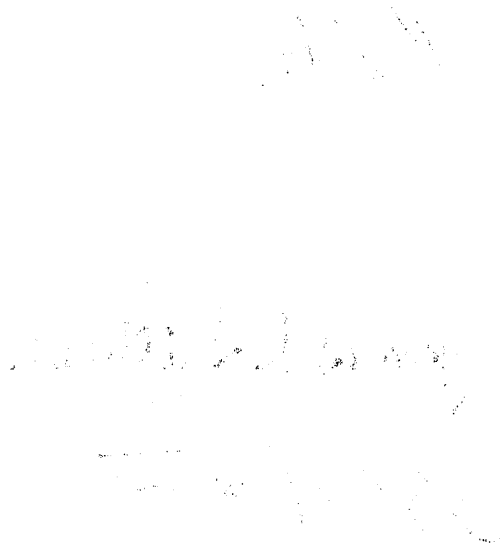
COUNTY OF PERRY, MISSOURI

Presiding Commissioner

Associate Commissioner, Dist 1

Associate Commissioner, Dist 2

County Health Officer

Attest:

Clerk of the County Commission