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Civil Defense Agency:

<https://www.hawaiicounty.gov/coronavirus>



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Mayor’s COVID-19 Emergency Rule No. 3

Post Date:04/21/2020 4:41 PM

Pursuant to the authority vested in me by Hawai‘i Revised Statutes Chapter 127A and due to the public health concerns related to COVID-19, I hereby find that immediate promulgation of this rule is necessary and do so in order to protect the health, safety, and welfare of the people of this County.

On April 16, 2020, Governor David Ige issued the Fifth Supplementary Proclamation, mandating enhanced social distancing requirements by stating that all customers and employees of essential businesses and operations shall exercise additional social distancing and protective measures to the fullest extent possible regarding the mandatory use of cloth face coverings, six-foot distances, limited customer occupancy, hand sanitizer and sanitizing products, disinfection, high risk populations, online and remote access, pickup at store or delivery, and signage.

This rule incorporates and implements the Governor’s Third and Fifth Supplementary Proclamations and provides clarification and additional guidelines to be implemented in this County.

I. Clarification

3rd Supplementary Proclamation Part A.

3. Food, beverage, cannabis production and agriculture. Food and beverage, manufacturing, production, processing, and cultivation, including farming, livestock, hunting, gathering, fishing, baking, and other agriculture, including marketing, production, cultivation and distribution of animals and goods for consumption; licensed cannabis cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities.

Hawai'i County Rule

Fishing includes subsistence and commercial fishing for fish sales.

Food production also means food consumption.

Cannabis production means only licensed medical cannabis production.

II. Additional guidelines applicable to the following essential businesses and operations are as follows:

3rd Supplementary Proclamation Part I. A.

2. Stores that sell groceries and medicine.
7. Gas stations and businesses needed for transportation.
8. Financial institutions
9. Hardware and supply stores
12. Laundry services.
15. Suppliers for essential businesses and operations.

Hawai'i County Rule

Face Coverings or Masks: All customers, who are five (5) years old and older and all employees, who have any contact with other employees, customers, or goods to be purchased, shall wear face coverings or masks.

Exempted from wearing face coverings or masks are persons who have health or medical conditions, trouble breathing, or are otherwise unable to remove the cover without assistance. Unless there is an exemption, a business shall not allow entry to anyone that refuses to follow this requirement.

Sanitizing: All customers shall sanitize hands at entry. Hand sanitizing stations shall be available at each entrance.

Businesses and operations shall assign, train, and schedule employees to sanitize carts, conveyors, counters, handles, knobs, and other common touch areas.

Hoarding: Businesses and operations shall implement and maintain controls to discourage hoarding of essential supplies.

Social Distancing: Businesses and operations shall establish internal control measures to ensure social distancing is being maintained throughout the establishment at all times.

It is strongly recommended that one (1) customer per two hundred fifty (250) square feet be allowed into a facility or operation to maintain the six-foot distancing requirement and increase social distancing.

Signage: Businesses and operations shall have

3rd Supplementary Proclamation Part I. A.

Hawai'i County Rule

clear signage and communicate special hours for high-risk population.

III. Food production and consumption

Particular care should be exercised by essential businesses or operations that handle food production or consumption. In addition to the requirements set forth in Section II of this rule, all customers and employees shall exercise the following additional requirements to the fullest extent possible:

- A. Employees shall use gloves while handling food. Should employees handle any payment transaction (cash or credit card) or the property of the customer, they must sanitize gloves or change gloves before servicing the next customer.
- B. Every employee shall do a self-check prior to start of shift to monitor for any COVID-19 symptoms. If at any point during their work shift the employee notices such symptoms they shall immediately notify their supervisor and leave the premises. Employee shall seek medical attention if symptoms progress, and shall not return to work until symptom-free at a minimum of seventy-two (72) hours; except that if employee tests positive for COVID-19, employee may discontinue home isolation under the following three conditions:
 - 1. At least seventy-two (72) hours have passed since recovery defined as resolution of fever without the use of fever reducing medications;
 - 2. Improvements in respiratory symptoms (e.g., cough, shortness of breath); and
 - 3. At least seven (7) days have passed since symptoms first appeared.

IV. Patrons or riders of any of the County Mass Transit Agency vehicles

Prior to boarding or entering a vehicle (e.g., Hele On Bus), riders who are five (5) years old and over, shall wear face coverings or masks to prevent the spread of droplets and help people who may have the virus and do not know it from transmitting it to others. Exempted from wearing face coverings or masks are patrons or riders who have health or medical conditions, trouble breathing, or are otherwise unable to remove the cover without assistance. Unless there is an exemption, the patron or rider who refuses to wear a face covering or mask shall not be allowed to board or enter the vehicle.

- V. Immediate promulgation of this rule is necessary to address the continuing emergency declared in the Emergency Proclamation issued on February 28, 2020, the Supplementary Emergency Proclamations issued on March 11, 2020, and March 24, 2020, and Governor David Ige's Proclamation dated March 4, 2020, and Supplementary Proclamations issued on March 16, 2020, March 21, 2020, March 23, 2020, March 31, 2020 and April 16, 2020.

- VI. Pursuant to Hawai'i Revised Statutes Section 127A-29, any person violating this Rule shall be guilty of a misdemeanor and upon conviction fined not more than \$5,000 or imprisoned for not more than one year, or both.

- VII. This Rule shall be effective immediately, upon its promulgation, and shall continue throughout the present emergency caused by the ongoing COVID-19 pandemic or until sooner terminated by my Order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the County of Hawai'i to be affixed. Done this 21st day of April 2020 in Hilo, Hawai'i.

Harry Kim
Mayor
County of Hawai'i

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