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St. Louis County Department of Public Health
2019 Novel Coronavirus (“COVID-19”)
Amended Business and Individual Guidelines for Social Distancing and Re-Opening

I. Background

The St. Louis County Department of Public Health (“DPH”) has been closely monitoring the global pandemic caused by a viral respiratory illness called COVID-19. Infections with COVID-19 have been reported around the world. The first confirmed instance of person-to-person spread of the virus in the United States was reported on January 30, 2020. The first confirmed instance of COVID-19 in St. Louis County was reported on March 7, 2020. A state of emergency was declared in St. Louis County on March 13, 2020, resulting in several executive orders and DPH orders, policies, and rules to implement those executive orders.

COVID-19 is considered an infectious, contagious, communicable, and dangerous disease for purposes of §§ 192.020-1, 192.139, & 192.300, RSMo., 19 CSR 20-20.020, and other state and local laws. The DPH’s director is the “local health authority” under 19 CSR 20-20.050(1) pursuant to 19 CSR 20-20.010(26), Section 4.130 of the Charter, and Section 600.010 SLCRO, and has been delegated the authority to act on St. Louis County’s behalf for the public health purposes described in § 192.300, RSMo.

The virus is easily transmitted, especially in group settings, and the disease can lead to significant illness, need for hospital care, and death, with those of older age and those with chronic medical conditions being most significantly impacted. To mitigate the harm to the citizens of the County from the pandemic, St. Louis County issued a Stay at Home Order on March 23, 2020, as further amended in subsequent orders, imposing limitations on individual and business activity to certain essential activities. Other jurisdictions in the St. Louis area and ultimately the State of Missouri joined in adopting similar stay at home orders.

The collective efforts of St. Louis County, surrounding jurisdictions and many regional partners to increase access to testing, educate the public, perform case investigations and monitoring, and focus on protection of the

most vulnerable residents has reduced rates of transmission and hospitalizations; however, danger to the health and welfare of the community continues. As such, it is imperative that St. Louis County continue to provide restrictions on individual behaviors, businesses practices, and gatherings to protect the public.

While encouraging St. Louis County residents to continue to stay at home when possible and avoid situations that increase their risk of exposure to the virus, this Order eases restrictions on individuals and Businesses, including allowing certain Businesses to resume operating or continue operations, so long as they do so in alignment with this Order, in compliance with the business-specific operating standards and guidelines issued by DPH, as may be amended, and with the intent to protect employees and patrons.

As information regarding COVID-19 changes rapidly and in order to be responsive to this environment, DPH's business-specific operating standards, guidelines and/or protocols will be regularly reviewed and updated based on new local and national evidence-based information, including but not limited to the trajectory of influenza-like illnesses, documented cases of COVID-19, the ability of hospitals to treat patients without crisis care, and any other information deemed relevant to specific Businesses.

Effective Monday, June 1, 2020, this Amended Order rescinds and replaces the "St. Louis County Department of Public Health 2019 Novel Coronavirus ("COVID-19") Business and Individual Guidelines for Social Distancing and Re-Opening" order dated May 8, 2020, with an effective date of May 18, 2020. This Amended Order is effective until rescinded, replaced or modified by the Director of the Department of Public Health. All other public health orders not previously rescinded remain in effect.

II. Purpose

The intent of this Order is to provide standards for individual conduct while in public and for business operations with the goal to decrease transmission of COVID-19. This Order sets forth guidelines for individuals when they are in public. However, individuals are encouraged to remain in their places of residence to the maximum extent feasible to reduce their own risks and risks to others of being exposed to and transmitting COVID-19. This Order, as well as DPH's business-specific operating standards, guidelines and/or protocols, sets the standards for Businesses to minimize the continued health risks associated with COVID-19. It allows certain Businesses to open and allows other activities that were prohibited by prior orders as long as those Businesses and activities are opened or conducted according to this order and business-specific operating standards, guidelines and/or protocols published by DPH. Certain Businesses, as set forth in Section III, paragraph 10 below, may be held to individual business-specific requirements and those Businesses will only be allowed to reopen after submitting plans for reopening that are approved by DPH.

III. Policies

1. All Gatherings pose an increased risk of transmission and should be voluntarily avoided whenever possible. When a Gathering occurs, the Gathering must abide with the following precautions:
 - a. A person or Business shall not organize or attend an intentional Gathering of more than 10 people in a single space or room, indoors or outdoors;
 - b. All Gatherings shall comply with Social Distancing Requirements and are to comply with Face Covering requirements.
 - c. Unless a Business is specifically required to follow the Gathering limitations in compliance with general and business-specific operating standards, guidelines and/or protocols issued by DPH, the Business is not subject to this Gathering limitation.
2. Except when wearing a Face Covering would compromise the health of an individual, Face Coverings are recommended, and required by certain business-specific operating standards, to be worn by all residents over the age of two (2) in the following areas:
 - a. All public closed spaces;
 - b. Outside when six (6) feet of distance cannot be maintained from other non-household members; and

c. On any form of Public Transit.

3. All Businesses shall comply with Social Distancing Requirements and Disinfection Processes, and must take the following additional precautions:
 - a. All Businesses shall require frequent Disinfection Processes of all high touch surfaces and any other areas that may be frequently touched by customers, employees, volunteers or any other individuals.
 - b. All Businesses shall provide reasonable breaks for employees and volunteers to wash their hands.
 - c. All Businesses shall train employees about procedures related to Disinfection Processes and Social Distancing Requirements.
 - d. All Businesses shall provide employees and volunteers working in the Businesses' facility with Face Coverings or supplies to make Face Coverings.
 - e. All Businesses shall require employees or volunteers to wear Face Coverings while at work, unless such employee or volunteer is working alone in an enclosed area or has a medical reason not to wear a Face Covering.
 - f. All Businesses shall conduct daily screening of employees and volunteers who work in their facilities for symptoms of COVID-19.
 - g. All Businesses shall encourage employees or volunteers to quarantine or isolate if they have or are believed to have COVID-19 or if they have come into contact with individual(s) with COVID-19.
 - h. All Businesses shall follow any additional requirements as determined by general and business-specific operating standards, guidelines and/or protocols published by DPH.
4. When a Business is subject to capacity limitations pursuant to DPH business-specific operating standards, guidelines and/or protocols, that Business must:
 - a. Limit the number of individuals in any particular location to 25 (twenty-five) percent or less of the entity's authorized fire or building code occupancy in facilities with square footage of less than ten thousand square feet (10,000 ft²); or ten (10) percent or less of the entity's authorized fire or building code occupancy in facilities with square footage of ten thousand square feet (10,000 ft²) or more;
 - b. Install physical barriers between customers and employees where possible or otherwise ensure six (6) feet of distance between customers and employees, particularly in check-out lines, return-lines or any other place where there is prolonged contact between the customer and employee;
 - c. In all areas which are prone to lines or congregation, install clear markings with signage, tape, or other means that show six (6) feet of distance as the appropriate spacing between customers;
 - d. Provide signage inside and outside the facility outlining Social Distancing Requirements, limitations on crowd size, and procedures to limit crowd size;
 - e. Prohibit customers from bringing outside containers, including reusable bags or boxes, into the facility;
 - f. Establish hours of operation, wherever possible, for individuals at high-risk of experiencing adverse outcomes from COVID-19 as defined by the CDC;
 - g. Arrange for contactless payment, pick-up and delivery options whenever feasible and provide postings as to the availability of such services.
 - h. Follow any additional requirements as determined by general and business-specific operating standards, guidelines and/or protocols published by DPH.
5. All Businesses, vendors, or retailers operating within other Businesses that are providing food or drink for consumption must comply with food and retail service guidelines operating standards, guidelines and/or protocols published by DPH. For example, a concession provider within a pool complex must comply with guidelines for food and drink facilities.
6. Businesses may deny entry to members of the public who refuse to wear Face Coverings for non-medical reasons. A Business shall not require the individual to produce medical documentation verifying a medical condition or ask about the nature of a medical condition. If the Business is providing medication, medical supplies or food the Business should provide alternate methods of pick up or delivery of such goods.

7. Any Business that continues to be closed under this order may still operate with respect to 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.
8. Locations necessary for voting, including the Board of Election offices and other polling locations, shall be allowed to open and operate while following Social Distancing Requirements and Disinfection Processes. The Board of Elections staff, paid and unpaid, shall be allowed to work at these locations and shall comply with the Social Distancing Requirements and Disinfection Processes.
9. The following previously closed Businesses will be allowed to re-open on the dates specified, as long as they comply with this Order and general and business-specific operating standards, guidelines and/or protocols published by DPH:
 - a. Summer day camps may open on June 1, 2020.
 - b. Fitness training that is conducted outside and following Gathering requirements without shared equipment may begin on June 1, 2020.
 - c. Bars and other Businesses that sell primarily alcoholic beverages may open on June 8, 2020.
 - d. Pools, as defined by DPH guidelines, may open on June 15, 2020.
 - e. Sports, athletic leagues and athletic practices may open or begin on June 15, 2020.
 - f. Movie theatres, bowling alleys, arcades, conference and banquet centers and facilities, and community centers may open on June 15, 2020.
 - g. Gyms and fitness centers may open on June 15, 2020.
10. Due to the very high risk of transmission of COVID-19 related to certain types of congregation common to such facilities and the uniqueness of each of these facilities, the following Businesses, venues or activities must submit a plan for re-opening to DPH and only upon approval of such plan and demonstrated compliance with agreed upon operating standards may re-open after June 15, 2020:
 - a. Entertainment and attraction venues not listed in paragraph 9
 - b. Concert Venues
 - c. Mass Sporting Events
 - d. Museums
 - e. Casinos
 - f. Playgrounds, that are not included in daycare or camp facilities that are already addressed by DPH guidelines

IV. Definitions

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

1. "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;
2. "CDC" means the Centers for Disease Control and Prevention of the United States Department of Health and Human Services;
3. "County" means St. Louis County, Missouri;
4. "Disinfection Processes" means the process of destroying pathogenic microorganisms, and in the case of decreasing spread of COVID-19 includes:
 - a. Providing hand washing or sanitizing opportunities for the public where possible;

- b. Requiring frequent sanitation of high touch areas with products thought to destroy COVID-19. High touch areas include but are not limited to:
 - i. Handrails;
 - ii. Elevator buttons;
 - iii. Door handles;
 - iv. Check-out areas, including keypads, credit card machines and other such systems;
 - v. Carts and baskets;
 - vi. Restrooms; and
 - vii. Shared computers or kiosks.

- 5. "Face Coverings" for the purpose of this order, means a device, usually made of cloth, that covers the nose and mouth. Consistent with current CDC guidelines, face coverings prevent those who may have COVID-19 from spreading it to others. Cloth face coverings are recommended for the general public over surgical or N95 respirators which should be reserved for medical professionals and first responders. Nothing in this Order should prevent workers or customers from wearing a surgical-grade mask or other more protective face covering if the individual is already in possession of such equipment, or if the business otherwise provides their workers with such equipment due to the nature of the work involved.
- 6. "Gathering" or "gatherings" means people coming together as a group, whether formal or informal, whether public or private and whether indoor or outdoor
- 7. "Public Transit" means businesses that provide transportation services, including but not limited to buses, light rail, rail, airlines, taxis, transportation network providers, livery services, vehicle rental services, ride shares and other private transportation providers.
- 8. "Social Distancing Requirements" means, to the extent possible, 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; not shaking hands; and behaviors as otherwise defined by order.

V. Application and Enforcement

- 1. Application with Other Laws. This Amended Order rescinds and replaces the "St. Louis County Department of Public Health 2019 Novel Coronavirus ("COVID-19") Business and Individual Guidelines for Social Distancing and Re-Opening" Order dated May 8, 2020, with an effective date of May 18, 2020. To the extent not otherwise explicitly modified or rescinded in this Order, any order of the Director of the Department of Public Health or any Executive Order remains in effect and this Order shall not supplant, supersede, replace, rescind, amend, or modify any other law, ordinance, rule, regulation, or permit condition or requirement.
- 2. Failure to comply with a public health order designed to "prevent the entrance of infectious, contagious, communicable or dangerous diseases" into St. Louis County is enforceable and punishable under Missouri law. In accordance with Section 5.030 of the St. Louis County Charter, the St. Louis County Counselor can seek emergency injunctive relief or other civil relief to enforce any provision of this Order. Noncompliance with this Order or the guidelines may also disqualify Businesses from future financial benefits.
- 3. For information regarding additional precautions and restrictions required by general and business-specific operating standards, guidelines and/or protocols published by DPH, refer to stlcorona.com. Business-specific operating standards and guidelines may be amended from time to time to address a change in the trajectory of influenza-like illnesses, documented cases of COVID-19, the ability of hospitals to treat patients without crisis care, and any other information deemed relevant to specific Businesses. In the event

there is an inconsistency between this order and the general and business-specific operating standards and guidelines published by DPH, this Order shall govern.

4. All Businesses must cooperate with DPH when DPH is conducting contact investigations, complying with all requests and requirements, including, but not limited to, notifications to employees or volunteers regarding possible exposure to a person who has tested positive for COVID-19, and providing names and contact information of those employees or volunteers.
5. In addition to other civil and criminal penalties that may be sought, DPH may enforce this Order. In accordance with 19 CSR 20-20.040 DPH has the authority to establish appropriate control measures to prevent or control the spread of an infectious disease, including isolation, quarantine, disinfection, and closure of establishments in the interest of public health. , In accordance with 19 CSR 20-20.040, DPH has the authority to deem a Business, Businesses comprising a certain industry, geographic areas or the County as a whole to be unsafe and order such Business, Businesses comprising a certain industry, or Businesses in a geographic area, to cease operations or to close to prevent additional transmission. If DPH closes a Business in accordance with such authority, that Business will have the opportunity to be heard by the Director of DPH. In exercising its authority under 19 CSR 20-20.040, DPH will proceed with closures and enforcement actions including:
 - a. At the individual level, including isolation and quarantine of cases, family members and close contacts;
 - b. At the business level by location of transmission;
 - c. At the industry/sector level if businesses in that industry are found to be particularly associated with transmission;
 - d. By geographic area or location with significant outbreaks or clusters of cases;
 - e. Through closure at the County level.

VI. Effective Date

This Amended Order is signed May 29, 2020, shall become effective on June 1, 2020, replacing the “St. Louis County Department of Public Health 2019 Novel Coronavirus (“COVID-19”) Business and Individual Guidelines for Social Distancing and Re-Opening” Order dated May 8, 2020, and shall remain effective until rescinded or amended, which shall occur at the earliest possible date as is appropriate based upon data regarding COVID-19 transmission rates and the protection of public health.

VII. 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.

VIII. Authorization

This Order is authorized pursuant to Executive Orders 10 through 18, which are incorporated herein by reference, and to Missouri and St. Louis County law, including the Missouri Constitution, §§ 192.006, 192.200 and 192.300, RSMo., Chapter 44 RSMo., 19 CSR 20-20.040 and 19 CSR 20-20.050 of the Rules of the Department of Health and Senior Services, the St. Louis County Charter and the St. Louis County Revised Ordinances.

So Ordered this 29th day of May 2020

By:

Dr. Emily Doucette

Acting Director
Chief Medical Officer
St. Louis County Department of Public Health

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