

JACKSON COUNTY, MISSOURI

OFFICE OF THE COUNTY EXECUTIVE
415 E. 12th St., Ste. 200, Kansas City, MO 64106
JACKSON COUNTY HEALTH DEPARTMENT
313 S. Liberty, Independence, MO 64050

RECEIVED

FEB 26 2021 11:30am JHK

MARY JO SPINO
COUNTY CLERK

AMENDED ORDER OF JACKSON COUNTY EXECUTIVE FRANK WHITE, JR., JACKSON COUNTY HEALTH DIRECTOR BRIDGETTE SHAFFER, AND JACKSON COUNTY EMERGENCY MANAGEMENT COORDINATOR TROY M. SCHULTE DIRECTING ALL INDIVIDUALS LIVING IN, AND BUSINESSES OR ENTITIES OPERATING IN, JACKSON COUNTY, MISSOURI, EXCEPT KANSAS CITY, MISSOURI, AND INDEPENDENCE, MISSOURI, TO ADHERE TO THE PROVISIONS OF PHASE ONE OF THE EASTERN JACKSON COUNTY SAFER-AT-HOME PLAN AS OUTLINED BELOW.

DATE OF ORDER: FEBRUARY 26, 2021

Please read this Order carefully. Pursuant to §192.300 R.S.Mo. and §192.320 R.S.Mo., violation of or failure to comply with this Order is a class A misdemeanor punishable by fine, imprisonment, or both.

UNDER THE AUTHORITY GRANTED INDIVIDUALLY AND COLLECTIVELY BY THE RELEVANT PROVISIONS OF THE MISSOURI STATE CONSTITUTION, STATUTES, REGULATIONS, AS WELL AS BY RELEVANT PROVISIONS OF THE HOME RULE CHARTER OF JACKSON COUNTY AND COUNTY CODE PROVISIONS, INCLUDING, BUT NOT LIMITED TO: THE MISSOURI CODE OF STATE REGULATIONS, RULES OF DEPARTMENT OF HEALTH AND SENIOR SERVICES (19 CSR 20-20.020; 19 CSR 20-20.030; 19 CSR 20-20.040; 19 CSR 20-20.050) AND JACKSON COUNTY CODE CHAPTER 40, THE JACKSON COUNTY EXECUTIVE, JACKSON COUNTY HEALTH DIRECTOR, AND JACKSON COUNTY EMERGENCY MANAGEMENT COORDINATOR DO HEREBY ORDER:

1. This Order re-imposes restrictions in Eastern Jackson County due to the following:

- The spread of COVID-19 presents a substantial threat to the health of the Greater Kansas City area communities of Missouri and Kansas; and
- On November 13, 2020, the health directors of Kansas City, Jackson County, Platte County, Clay County, the Unified Government of Wyandotte County and Kansas City, Kansas, and Johnson County, Kansas (the "Regional Health Directors") issued an advisory stating that the uncontrolled spread of COVID-19 in the metropolitan area and in rural areas of Missouri and Kansas significantly strained healthcare resources in the region for both COVID-19 and non-COVID-19 patients; and
- The Regional Health Directors advised that the uncontrolled rise in COVID-19 infections has created a dangerously low number of available physical acute care

beds in local hospital facilities and significant staffing shortages for health personnel; and

- The Regional Health Directors advised that the uncontrolled spread of COVID-19 in the metropolitan area and in adjacent rural areas of Missouri and Kansas poses a serious threat to our businesses and local economy, creates a risk for our children's education and well-being, and forces hospitals to ration care; and
- The Missouri Department of Health and Senior Services (DHSS) in partnership with the University of Missouri and Department of Natural Resources (DNR) identified low levels of the B.1.1.7 variant (also known as the UK variant) in Kansas City area through a statewide wastewater surveillance project. Emerging variants have mutations in the virus genome that alter the characteristics and cause the virus to act differently in ways that may be significant to public health (e.g., cause more severe disease, spreads more easily between humans, requires different treatments, changes the effectiveness of current vaccines). Other variants that have been identified in the United States include B.1.35.1 (also known as the South African variant) and P.1 (also known as the Brazil variant); and
- The most recent White House Coronavirus Task Force reports for Missouri and Kansas have advised that counties in the metropolitan area of a "yellow zone" designation.
- On January 12, 2021, the Jackson County Health Department identified 35,238 total confirmed and probable cases of COVID-19 illness in Eastern Jackson County and 418 deaths from the COVID-19 illness in Eastern Jackson County; and

Thus, as of the effective date and time of this Order set forth below, all individuals, businesses, and government agencies in Jackson County, Missouri, excluding Kansas City, Missouri and Independence, Missouri, are required to follow the provisions of this Order, otherwise known as the Eastern Jackson County Safer-at-Home Plan ("the Plan").

2. While more information can be found in the Eastern Jackson County Safer-at-Home Plan, the following Criteria and Recommendations are contained within the Plan:

- a) Criteria

- i. Face Coverings

1. Definition: For purposes of this order, a face covering means a cloth face covering that covers the nose and mouth. It can be:

- A sewn mask secured with ties or straps around the head or behind the ears;
- Multiple layers of fabric tied around the head;
- Made from a variety of materials, such as fleece, cotton, or linen; or
- Factory-made or made from household items.

2. Requirement:

- **All persons over the age of five, including employees or visitors, present at any business, public accommodation,**

or outdoors where social distancing is not possible must wear a face mask or covering, unless otherwise stated in this Order.

- When in a public indoor space (including a workplace, business, school, place of worship, or public facility such as a community center or library) individuals are required to wear a mask covering the nose and mouth.
 - Masks should be positioned carefully over the mouth and nose and should not be touched or readjusted until such time as the mask is removed. Hand hygiene is encouraged before taking masks off and prior to re-masking.
 - Masks are not required inside a solitary, enclosed workspace such as office.
 - Masks may be removed in restaurants and bars when individuals are actively eating or drinking but must be worn at all times otherwise.
- When in a public outdoor space or when using public transportation, taxis or ride-sharing services individuals are required to wear a mask covering the nose and mouth.
 - Including all outdoor public gathering places such as bus stops, parks, playgrounds, farmers markets, and restaurant/bar patio seating.
 - Masks are not required when individuals are driving alone or with others they live with, when individuals are exercising alone or with others they live with.
- The following individuals are exempt from the requirement to wear a face covering:
 - Those who are deaf or hard of hearing
 - Children younger than five years old; and
 - Children who are younger than two years old should never wear face coverings due to the risk of suffocation.
 - Children who are two, three, or four years old, with the assistance and close supervision of an adult, are strongly recommended to wear a face covering at all

times in settings, like grocery stores or pharmacies, where it is likely that a distance of at least six feet cannot be maintained from non-household members and vulnerable people must go.

- Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes, but is not limited to, persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance.
 - Businesses shall deny entry to and refuse to serve members of the public who refuse to wear face coverings, unless a medical exemption applies or the individual is a child under the age of five. A business shall neither require the individual to produce medical documentation verifying a medical condition or disability, nor ask about the nature of a medical condition or disability. Businesses are encouraged to offer members of the public alternatives to in-person shopping such as curbside pickup and delivery.
- ii. Unless otherwise noted in the attached document, or in this order, both essential and non-essential businesses that are frequented by the public can open provided they limit the number of individuals (staff and customers) in the building or room to 50 percent of the lowest occupancy load on the certificate of occupancy of the room or facility (whichever is lower) in which the gathering is occurring. This is only permissible as long as adequate social distancing (six feet) can be maintained. If social distancing cannot be maintained due to facility layout, the occupancy limit should be reduced. Proper PPE must be utilized.
- iii. Restaurants, taverns, and all other venues, including public and private or membership-only event spaces, serving food and drink indoors shall continue to limit the number of occupants to no more than 50 percent of building occupancy, but may now resume normal operating hours. Indoor patrons must be seated, and masked at all times except when actively eating or drinking. Indoor and outdoor parties are limited to ten (10) or fewer persons when seated at tables. Patrons of one party shall be spaced with no less than six feet of distance between themselves and individuals from any other parties. For event space gatherings, both indoor and outdoor, attendees are limited to fifty (50) or fewer persons, and guests shall maintain proper social distancing and wear masks when not eating or drinking.
- iv. Gyms, fitness, and recreational centers, including publicly-owned and managed facilities, shall be limited to 50% capacity and be subject to all

indoor and outdoor rules within this Order, including the requirement that all patrons wear masks indoors at all times and maintain social distancing of not less than six feet.

1. If you are unable to wear a mask because of difficulty breathing during high intensity activities, choose an outdoor location with greater ventilation and air exchange and where social distancing from others can be guaranteed. Participants may consult with their primary care provider to determine if mask wearing while partaking in vigorous physical activity is safe for them.
- v. Gatherings: including, but not limited to, non-essential business activities, such as: weddings, funerals, lectures, meetings, parades, fairs, festivals, sporting events, and performances may resume subject to the following requirements, but must adhere to the guidance found in the Safer-at-Home Plan:
1. All gatherings shall not exceed fifty (50) people unless attendees wear a face covering and maintain 6 feet of distance between individuals (not including individuals who reside together) with only infrequent or incidental moments of closer proximity.
 2. All gatherings exceeding 50 people are required to submit a Gathering Protocol at least 7 business days in advance of the event. The Gathering Protocol must be approved by Jackson County and easily accessible to all attendees.
- vi. All essential and non-essential businesses that are open to the general public are required to complete and post a Social Distancing Protocol that is easily accessible to the staff and customers.
- b) Recommendations
- i. Staying at home remains the safest option.
 - ii. All persons should maintain social distancing and remain six (6) feet apart.
 - iii. Employers should allow for telework for as many workers as possible.
 - iv. Employers should provide PPE if possible for workers who engage with the public and/or work in otherwise high-risk environments where social distancing is not feasible.
 - v. Continued testing to monitor disease prevalence and determine if a spike in new infections is occurring.
 - vi. Possibility that restrictions will need to be re-imposed if there is a large spike in new infections.
3. For information regarding restrictions on specific types of businesses and gatherings, as well as further general guidance for individuals, please refer to the Eastern Jackson

County Safer-at-Home Plan. In the event there is a real or perceived inconsistency between this document and the aforementioned Safer-at-Home Plan, this document shall govern. *See attached.*

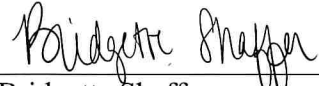
4. Polling locations and their staff (paid and volunteer) shall be considered essential businesses and workers. To the maximum extent possible, we recommend that they follow social distancing guidelines promulgated by federal, state, and local health authorities.
6. Pursuant to §192.300 R.S.Mo. and §192.320 R.S.Mo., the Health Director requests that the Sheriff, all chiefs of police, Park Rangers in the County, and the Jackson County Environmental Health Department ensure compliance with and enforcement of this Order. The violation of any provision of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.
7. This Order shall be effective at 12:01 a.m., on February 26, 2021, and will continue to be in effect until it is extended, rescinded, superseded, or amended in writing by the County Executive, Health Director, and Emergency Management Coordinator.
8. Copies of this Order shall promptly be: (1) made available outside the Jackson County Courthouses at 415 E. 12th St., Kansas City, MO 64106 (Downtown Location); (2) posted on the Jackson County Health Department website (www.jacohd.org); and (3) provided to any member of the public requesting a copy of this Order.
9. If any provision of this Order to its application to any person or circumstance is held to be invalid, 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.

Authenticated as Adopted

This 26th day of February, 2021



Frank White, Jr.
County Executive



Bridgette Shaffer
Health Director



Troy M. Schulte
County Administrator & Emergency Management
Coordinator