

# JACKSON COUNTY, MISSOURI

## JACKSON COUNTY HEALTH DEPARTMENT

313 S. Liberty, Independence, MO 64050

**ORDER OF JACKSON COUNTY HEALTH DIRECTOR BRIDGETTE SHAFFER, DIRECTING ALL INDIVIDUALS LIVING IN, AND BUSINESSES OR ENTITIES OPERATING IN, JACKSON COUNTY, MISSOURI, EXCEPT KANSAS CITY, MISSOURI, TO ADHERE TO THE PROVISIONS OF PHASE 2.5 OF THE EASTERN JACKSON COUNTY RECOVERY PLAN AS OUTLINED BELOW.**

**DATE OF ORDER: JULY 1, 2020**

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 HEALTH DIRECTOR DOES HEREBY ORDER:

1. This Order announces the transition into Phase 2.5 of the Eastern Jackson County Recovery Plan (the "Plan"). This announcement addresses the need for Eastern Jackson County to slowly reopen economically and societally, while continuing to acknowledge the seriousness of COVID-19 and require appropriate precautions to fight the virus and protect Jackson Countians. 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, are required to follow the provisions of this Order, otherwise known as the Eastern Jackson County Recovery Plan ("the Plan").
2. Phase 2.5 of the Plan relaxes certain restrictions contained within Phase Two, but still recommends some mitigation strategies for the community.
3. While more information can be found in the Eastern Jackson County Recovery 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 or public accommodation, must wear a face mask or covering.**
- 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, or when individuals can absolutely guarantee that they will be able to maintain at least 6 feet of social distancing from all others.
- 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.
  - Regarding persons with conditions which do not allow them to wear a mask, businesses shall do the following:
    - Limit inquiry of the person to: "Are you unable to wear a mask because of a disability?" Employees **may not** inquire as to the specific condition.
    - If the answer is affirmative, the business may refuse the person entry to the business, **but:**
      - The business shall proceed to work with the person to provide reasonable accommodation which may include the following: curbside pickup, home delivery, or shipping of items.
    - If an individual offers documentation indicating it is not safe for them to wear a mask due to a medical condition, businesses shall also work with the person to provide reasonable accommodation as described above.
  - **Businesses, essential and non-essential, will be held accountable for failing to monitor the wearing of masks upon entry to the property.**
- ii. Playgrounds, Spraygrounds, and similar spaces with shared play equipment are permitted to open, provided that adequate social distancing and mask wearing provisions are observed as is possible. Further, it is highly recommended those utilizing these types of spaces bring sanitization resources while using said spaces. Failure of the public to adequately social distance and/or wear masks as is possible may result in the issuance of citations and/or the space being closed to the public.
- iii. Adult and Youth Sporting Tournaments are permitted to take place, provided that adequate social distancing and mask wearing provisions are observed as is possible. Further, it is highly recommended those participating in sporting tournaments bring sanitization resources while engaging in these sporting events. Failure of the public to adequately social distance and/or wear masks as is possible may result in the issuance of citations and/or the cancellation and banning of sporting tournaments.
- iv. 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.

- v. Gatherings: including, but not limited to, non-essential business activities, such as: religious services, weddings, funerals, lectures, meetings, parades, fairs, festivals, and performances may resume subject to the following requirements, but must adhere to the guidance found in the Recovery Plan:
  - 1. Indoor venues: Occupancy shall not exceed fifty (50) percent.
  - 2. Outdoor venues: Occupancy shall not exceed one hundred (100) people. Employees will not be considered attendees, for the purposes of calculating capacity.
- 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.
4. 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 Recovery Plan. In the event there is a real or perceived inconsistency between this document and the aforementioned Recovery Plan, this document shall govern. *See attached.*
5. 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 July 1, 2020, and will continue to be in effect until it is extended, rescinded, superseded, or amended in writing by the Jackson County Health Director.
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) and 308 W. Kansas Ave., Independence, MO 64050 (Independence Location); (2) posted on the Jackson County Health Department website ([www.jacohd.org](http://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 1st day of July, 2020

  
Bridgette Shaffer, MPH