LOCAL HEALTH OFFICER ORDER NO. 3 ISSUED MARCH 27, 2020
“STAY AT HOME”

To mitigate the spread of the Coronavirus (COVID-19) in Riley County, Kansas, and pursuant to the authority provided in K.S.A. 65-119, K.S.A. 65-129b, K.S.A. 65-202 and other applicable law and regulations, this Order No. 3 is issued. In my capacity as the Local Health Officer, I am authorized and required to immediately exercise and maintain supervision over known or suspected cases of any infectious or contagious disease and to issue orders seeing that all such cases are properly handled and that the provisions of the Kansas public health laws regarding isolation, quarantine and disinfection are duly enforced.

As the Local Health Officer appointed by the Board of Health, I am authorized to prohibit public gatherings and take other measures necessary for the control of any and all infectious or contagious diseases.

In my capacity as the Riley County Local Health Officer, I have determined this Order No. 3 is necessary to control the potential spread of coronavirus (COVID-19) within Riley County, Kansas.

IT IS THEREFORE ORDERED the following actions shall be taken immediately, and this Order No. 3 supersedes my First and Second Orders previously issued, with the exception of any continued prohibitions or restrictions ordered herein.

Individuals and personnel of organizations and businesses not exempted herein are immediately ordered to STAY AT HOME to slow the rate of community spread of COVID-19 through intensified social distancing. It is estimated each COVID-19 positive patient could infect other people. Furthermore, there is emerging evidence in neighboring counties of transmission by presymptomatic and asymptomatic people, making routine case-finding and exposure tracing strategies insufficient, in and of themselves. Social Distancing strategies are effective when implemented early enough—ideally within two weeks of the first case and are key to flattening the epidemic curve to prevent overwhelming our local health care system’s ability to care for the number of residents who might develop severe symptoms.

With full community cooperation, this proactive public health Order No.3 may minimize the impact of COVID-19 on our Riley County community.
Section One: Stay at Home

A. Individuals who are not employed at an organization or business exempted herein may only leave their residence to perform a “Necessary Activity” exempt under this Order No. 3, or when performing an exempt “essential function” under Governor Laura Kelly’s Executive Order No. 20-15 (hereinafter “Executive Order No. 20-15”). Executive Order No. 20-15 is attached hereto and is incorporated herein by reference. Any company or organization requesting an “essential function” exemption from this Order No. 3 shall make its request for such exemption to the local health officer as provided within Executive Order No. 20-15 (attached).

To the extent possible, caregivers should keep their children at their residence unless childcare is necessary for the caregiver to perform an exempt “Necessary Activity.” People at high risk of severe illness from COVID-19 are urged to stay in their residence, except as necessary to seek medical care. Individuals who are sick may leave their residence only as necessary to seek or receive medical care in accordance with guidance from public health officials. All individuals are encouraged to exercise Social Distancing requirements, to the extent possible.

B. All public gatherings, whether indoors or outdoors, at the following numbered locations in Riley County are prohibited unless otherwise exempted in Section Two of this order, or pursuant to Executive Order No. 20-15 (attached). The following locations and/or businesses shall not have public gatherings of any kind or number effective immediately. But the following locations and/or businesses shall be entitled to conduct “Minimum Basic Operations,” as defined in this Order No. 3.

1. Gyms, fitness centers, yoga studios, tattoo shops, massage therapy businesses, barber shops, nail and hair salons and other businesses which cannot be expected to maintain proper social distancing between their staff and customers. Such businesses that offer these services within an existing building shall cease offering these services immediately.

2. Public or community playground equipment shall not be used during the term of this Order No. 3.

3. Restaurants, bars, and coffee shops shall not provide dine in seating access to the public. (Drive-thru, carry-out and curbside service and delivery may be provided).

4. Tanning salons shall cease offering their services immediately.

5. Clothing and shoe stores, jewelry stores, gift shops, bookstores, furniture stores, home décor, and other similar businesses shall cease offering their services immediately.

6. Entertainment businesses, clubhouses, and other similar businesses shall cease offering their services immediately.

6. Organized or unorganized gatherings with more than 10 participants on sport fields, courts, trails, golf courses, other public areas are prohibited immediately.
7. Any other non-essential locations or businesses as determined by the Local Public Health Officer, the Governor of the State of Kansas, or the President of the United States.

Section Two: Definitions and Exemptions

A. For purposes of this Order No. 3, Social Distancing is defined as follows: maintaining at least six-foot social distancing from every other person present at a location, washing hands with soap and water for at least twenty seconds as frequently as possible (or using hand sanitizer), covering coughs or sneezes (into the sleeve or elbow, not into the hands), regularly cleaning high-touch surfaces, and not shaking hands.

B. For purposes of this Order No. 3, Minimum Basic Operations include the following numbered activities provided employees and/or volunteers comply with Social Distancing requirements while carrying out operations.

1. Activities which maintain the value of a business’s inventory, ensure security, process payroll and employee benefits, or performing related functions;

2. Activities which allow employees and/or volunteers of the business to continue work remotely from their residences;

3. Activities which allow employees and/or volunteers of the business to continue filling online product orders and processing customer orders remotely.

C. For purposes of this Order No. 3, individuals are ordered to stay at home and only leave their residence to perform any one or more of the following “Necessary Activities” defined below. People at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence except as necessary to seek medical care. Individuals may leave their home during the term of this Order No. 3:

1. To engage in activities or perform tasks Necessary to their health and safety, or to the health and safety of their family or household members (including, but not limited to pets), including but not limited to obtaining medical supplies, medication, or visiting a health care professional;

2. To obtain Necessary services or supplies needed to maintain the health and safety of themselves and their family or household members (including, but not limited to pets), to obtain essential supplies needed to work from home, or to deliver such services or supplies to others and the products necessary to maintain the safe, sanitary and healthy condition of their home;

3. To care for a family member or pet in a different home, or to transport the family member or pet to provide or obtain such care;

4. To comply with lawful court or administrative orders;
5. To provide any services or perform any work necessary to the operations and maintenance of an organization or business lawfully operating under Exemption Orders issued by the Local Health Officer.

D. For purposes of this Order No. 3, the following Exempt Businesses and Locations are encouraged to take proactive measures to ensure compliance with Social Distancing requirements, including where possible:

a. Designate with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance.

b. Have anti-microbial soap and water or hand sanitizer and sanitizing products readily available for employees and customers.

c. Implement separate operating hours for elderly and other vulnerable customers.

d. Post online whether a facility is open and how best to reach such facility. Continue services by phone or remotely.

e. Hold meetings in open, well-ventilated, well-spaced areas, where possible.

1. All licensed and lawfully operated medical service provider offices providing human and/or animal health care, including but not limited to: clinics, veterinary clinics, chiropractic clinics, physical therapy clinics, optometrists’ offices, dental offices and pharmacies.

2. Grocery and/or convenience stores, food pantries and beverage stores.

3. Local, state or federal governmental operations, in public buildings.

4. Organizations and businesses with personnel performing “essential functions” as defined within Executive order 20-15 (attached) unless and until a request is made to the local health officer and granted, pursuant to the process described within Executive Order 20-15 (attached).

5. Religious gatherings, funerals, memorial services and weddings.

6. Public park spaces, trails, and golf courses.

7. Childcare facilities providing services which enable employees exempted in this Order to work as permitted. Such childcare facilities shall operate only under the following conditions:

a. Childcare shall be carried out in stable groups of 10 or fewer (“stable” means the same 10 or fewer children are in the same group each day);

b. Children shall not move from one stable group to another;

c. If more than one stable group of children is cared for at one facility, each stable group shall be in a separate room. Different stable groups shall not mix with one another; and

d. Childcare providers shall remain solely with one stable group of children.
e. Every child shall be screened for their temperature upon arrival and again just before leaving the facility. The temperature check cannot be taken within four (4) hours after a fever reducing medication was given.

f. The child care facility shall present, upon request of the Local Health Officer, the completed screening form for each child in the facility. Failure to comply shall result in immediate closure of the facility by the Local Health Officer.

E. For the purpose of this Order No. 3, "public gathering, or gathering" means any planned or spontaneous, public or private event or assembly likely to bring together more than 10 people in a confined or enclosed space at the same time unless they all reside in the same dwelling unit, or it is within a company or other organization which has been granted an "essential function" exemption by the local health officer pursuant to a request made under Executive Order 20-15 (attached).

Section Three. Pursuant to K.S.A. 65-129b, any sheriff, deputy sheriff or other law enforcement officer of the state or any political subdivision within Riley County, Kansas is hereby ordered to assist in the execution or enforcement of this order.

Section Four. This Order is effective at 12:01 a.m. on Sunday, March 29, 2020 and shall remain in effect for 14 days, until 12:01 a.m. on Sunday, April 12, 2020, unless first amended, superseded, or rescinded.

Any person violating any provision of this order or failing to comply with any of the above requirements shall be fined, upon conviction, up to $100 for each offense, pursuant to K.S.A. 65-127.

This Order shall remain in effect from this date until revoked, in writing, by the Riley County Local Health Officer or the Board of Riley County Commissioners, sitting as the Board of Health.

SO ORDERED, this 27th day of March, 2020.

Julie Gibbs, Riley County Local Health Officer
Administrator, Riley County Health Department
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