

LOCAL HEALTH OFFICER ORDER

LHO 7/06/20

This Emergency Public Health Order is issued to mitigate the spread of the Coronavirus (COVID-19) epidemic in Wyandotte County, Kansas, pursuant to the authority provided in K.S.A. 65-119, K.S.A. 65-129b, K.S.A. 65-202 and other applicable laws or regulations.

WHEREAS, the Local Health Officer is authorized and required, pursuant to K.S.A. 65-119 and K.S.A. 65-129b to immediately exercise and maintain supervision over known or suspected cases of any infectious or contagious disease during its continuance, and to issue orders seeing that all such cases are properly handled and that the provisions of the Kansas public health laws as to isolation, quarantine and disinfection are duly enforced; and

WHEREAS, COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death, has been confirmed in Kansas and in Wyandotte County, resulting in serious illness and at least 2,571 confirmed or probable cases, and 85 deaths to date in Wyandotte County alone; and

WHEREAS, the worldwide outbreak of COVID-19 and the resulting epidemic in Kansas and Wyandotte County continue to threaten the life and health of our citizens and visitors as well as the economy and remains a public disaster affecting life, health, property and the public peace; and

WHEREAS the Federal Government, the State of Kansas and the Unified Government of Kansas City/Wyandotte County, Kansas have all entered declarations that a disaster had occurred, acknowledging the threat within Wyandotte County, Kansas as a result of the Coronavirus pandemic (COVID-19) and the confirmed outbreak and person-to-person spread of COVID-19 in the United States, State of Kansas and Wyandotte County; and

WHEREAS, the Local Health Officer has entered various Orders restricting public gatherings in the County, and restricting the operation of certain businesses and activities, and requiring that residents stay at home, all intended to limit the spread of COVID-19; and

WHEREAS, the Governor of Kansas has signed various Executive Orders, among others established a Kansas Essential Function Framework, and *Ad Astra: A Plan to Reopen KANSAS*, all intended to limit the spread of COVID-19 in the State; and

WHEREAS, the Governor of Kansas has signed Executive Order 20-34 implementing Phase Two of *Ad Astra: A Plan to Reopen KANSAS*, effective 12:00 a.m. on May 22, 2020; said requirements were classified as only guidance on May 26, 2020; and

WHEREAS, the Local Health Officer entered LHO 4/21/20 adopting a formal framework known as *RESTART WYCO!* to secure the health, safety, and economic well-being of Wyandotte County residents and businesses, and as direction and guidance for residents and businesses based upon the conditions which exist in Wyandotte County at various times; and

WHEREAS, *RESTART WYCO!* outlines the factors to be considered in determining when it is appropriate to change Zones. Such factors include the number of hospitalizations and deaths in Wyandotte

County and surrounding areas and the percentage positive rate of testing, both over a 14- or 7-day period; as well as capacity to test, provide healthcare, and perform contact tracing; and

WHEREAS, the Local Health Officer entered LHO 6/5/20 implementing Phase Three of *Ad Astra: A Plan to Reopen KANSAS*, effective 12:0a a.m. on June 8, 2020; and

WHEREAS, the Governor of Kansas has signed Executive Order 20-52 implementing a mask or face covering requirement in the State of Kansas, effective 12:01 a.m. on July 3, 2020.

NOW, THEREFORE, BE IT ORDERED by the Local Health Officer, pursuant to the above that:

- The threat of COVID-19 and the steps necessary to prevent its spread vary based upon the locality thereby requiring a specific, measured and phased approach determined by data applicable to Wyandotte County, Kansas.
- *RESTART WYCO!* and *Ad Astra: A Plan to Reopen KANSAS*, both previously adopted, and as may be amended, are available and posted on the UG website www.wycokckc.org
- The current conditions in Wyandotte County, Kansas require continued implementation of the *Ad Astra: A Plan to Reopen KANSAS Phase Three* conditions, as modified by LHO 6/5/20 and 6/18/20, and compliance with those conditions remain required.
- *Ad Astra: A Plan to Reopen KANSAS Phase Three conditions are hereby further modified, and the following additional requirements are in effect:*
- The conditions of the Governor’s Executive Order 20-52 are adopted. Specifically, the Executive Order reads, “any person in Kansas shall cover their mouth and nose with a mask or other face covering when they are in the following situations:
 - a. Inside, or in line to enter, any indoor public space;
 - b. Obtaining services from the healthcare sector in settings, including but not limited to, a hospital, pharmacy, medical clinic, laboratory, physician or dental office, veterinary clinic, or blood bank; 1
 - c. Waiting for or riding on public transportation or while in a taxi, private car service, or ride-sharing vehicle;
 - d. While outdoors in public spaces and unable to maintain a 6-foot distance between individuals (not including individuals who reside together) with only infrequent or incidental moments of closer proximity.”
- In regard to businesses, the Executive Order reads, “all businesses or organizations in Kansas must require all employees, customers, visitors, members, or members of the public to wear a mask or other face covering when:
 - a. Employees are working in any space visited by customers or members of the public, regardless of whether anyone from the public is present at the time;
 - b. Employees are working in any space where food is prepared or packaged for sale or distribution to others;
 - c. Employees are working in or walking through common areas, such as hallways, stairways, elevators, and parking facilities;
 - d. Customers, members, visitors, or members of the public are in a facility managed by the business or organization; or
 - e. Employees are in any room or enclosed area where other people (except for individuals who reside together) are present and are unable to maintain a 6-foot distance except for infrequent or incidental moments of closer proximity.”
- The following are exempt from wearing masks or other face coverings:

- a. Persons age five years or under-children age two years and under in particular should not wear a face covering because of the risk of suffocation;
 - b. Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering-this includes 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;
 - c. Persons who are deaf or hard of hearing, or communicating with a person who is deaf or hard of hearing, where the ability to see the mouth is essential for communication;
 - d. Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines;
 - e. Persons who are obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service;
 - f. Persons who are seated at a restaurant or other establishment that offers food or beverage service, while they are eating or drinking, provided they maintain a 6-foot distance between individuals (not including individuals who reside together or are seated together) with only infrequent or incidental moments of closer proximity;
 - g. Athletes who are engaged in an organized sports activity that allows athletes to maintain a 6-foot distance from others with only infrequent or incidental moments of closer proximity;
 - h. Persons who are engaged in an activity that a professional or recreational association, regulatory entity, medical association, or other public-health-oriented entity has determined cannot be safely conducted while wearing a mask or other face covering;
 1. Persons engaged in an activity or event held or managed by the Kansas Legislature;
 - j. Persons engaged in a court-related proceeding held or managed by the Kansas Judiciary; and
 - k. Persons engaged in any lawful activity during which wearing a mask or other face covering is prohibited by law.
- Compliance with the conditions of the Governor’s Executive Order 20-52 requiring a mask or face covering while in public is hereby required with the following amendment:
 - The term “Public Space” includes public and private offices where more than one individual is congregating, workspaces where more than one individual is present, and any area of the office complex where more than one individual is present, such as a kitchen or breakroom.
 - LHO 6/27/20 is hereby rescinded.
 - This Order becomes effective at 12:01am **July 7, 2020** and remains in effect until conditions in Wyandotte County are such to warrant a change or modification.
 - This Order may be supplemented or modified as required for the effective and efficient management and control of the Coronavirus epidemic in the County by further order or direction of the Wyandotte County Board of Public Health or by the Wyandotte County Local Health Officer, as applicable.
 - Pursuant to K.S.A. 65-129b, any sheriff, deputy sheriff or other law enforcement officer of any political subdivision within Wyandotte County, Kansas is hereby ordered to assist in the execution or enforcement of this Order, as amended or modified, as well as all other orders of the Local Health Officer not otherwise rescinded or superseded.
 - Violation of this Order is a violation of Ordinance 17-7 and is a Class C Misdemeanor punishable by a maximum fine of \$500 and a 30-day jail sentence.
 - This Order shall be known and referred to as LHO 7/06/20.

IT IS SO ORDERED THIS 6TH DAY OF JULY 2020

A handwritten signature in black ink, reading "K. Allen Greiner M.D.", enclosed in a thin black rectangular border.

Dr. K. Allen Greiner M.D.
Local Health Officer
Wyandotte County, Kansas