

LOCAL HEALTH OFFICER ORDER
LHO 11/20/20
REVISED

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 spread of COVID-19 presents a substantial threat to the health of the Greater Kansas City area communities of Missouri and Kansas; 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, COVID-19, 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

WHEREAS, 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

WHEREAS 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

WHEREAS, The most recent White House Coronavirus Task Force reports for Missouri and Kansas have advised that counties in the metropolitan area and in adjacent rural areas of Missouri and Kansas should adopt practices including, but not limited to, limiting indoor dining and drinking at restaurants and taverns to reduced capacities and restricting hours until cases and test positivity decrease is effective at decreasing infections; communicating to the public they should not gather with anyone who does not live with them; and that members of the public should always wear masks in public spaces; and

WHEREAS, On November 15, 2020 the Unified Government Public Health Department confirmed 9505 total cases of COVID-19 illness and 167 deaths from the COVID-19 illness in Wyandotte County, with the 7 day average increasing to 88 new cases per day and testing results on the rise at a 26.5% positivity rate

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

1. Unless otherwise noted in this order, the following venues, are restricted:
 - a. Entertainment venues including: auditoriums; arenas; banquet halls; cinemas; conference centers; concert halls; performance venues; sporting venues; stadiums; and theaters;
 - b. Recreational facilities and places of public amusement, including: gyms, fitness, and recreational centers, amusement parks; arcades; bingo halls; bowling alleys; casinos; night clubs; skating rinks; adult entertainment clubs; water parks; and trampoline parks;
 - c. parties, informal gatherings, lectures, meetings, parades, fairs, festivals, sporting events, and performances

2. Such venues must limit the number of individuals (staff and customers) in the facility, building or room to 50 percent of the lowest occupancy load on the certificate of occupancy of the facility, building or room (whichever is lower) in which the gathering is occurring and is only permissible
 - a. If adequate social distancing of six feet or more can be maintained. If such social distancing cannot be maintained due to facility layout, the occupancy limit should be further reduced to allow for proper distancing.
 - b. Masks or face coverings must be worn at all times as required by LHO 6/27/20
 - c. Proper Personal Protective Equipment (such as masks and hand sanitizer) must be utilized.

3. All businesses must assure customers and all employees maintain 6 feet of distance between each other at all times except for necessary incidental and brief close contact or except for essential businesses where employees must be closer than 6 feet to perform essential tasks. Businesses are responsible to assure maximal distancing at all times and should limit the numbers of customers and employees inside to achieve this. Eating and drinking by customers and employees during breaks should occur outside or in spaces where 6 feet of distance can be maintained between all individuals.

4. Restaurants, taverns, and all other such businesses licensed to serve food, drink and/or alcohol, including public, private, or membership-only businesses, shall limit the number of occupants to no more than 50 percent of building occupancy, and shall close the business to public occupancy between the hours of 10:00 p.m. and 6:00 a.m.
Provided:

- a. Patrons must remain seated to the greatest extent possible, and masked except when actively eating or drinking;
 - b. Indoor and outdoor parties are limited to eight (8) or fewer persons; and
 - c. Parties shall be spaced with no less than six feet of distance between themselves and individuals from any other parties.
 - d. Restaurants may operate between 10:00pm and 6:00am for drive thru or delivery service only.
5. Other large gatherings of people in Wyandotte County are prohibited. Large gatherings are those with more than ten (10) people in attendance or anticipated to attend, either indoor and outdoor, except for governmental and judicial functions, schools, healthcare facilities, private business or retail operations, religious and faith-based activities. A “gathering” is defined as where individuals cannot continuously maintain 6 ft social distancing, or where individuals are expected to have more than incidental or short periods of contact within 6 ft of one another. A "gathering" does not include normal operations at spaces where persons may be in transit or coming and going individually or in groups of less than ten (10) persons. For all gatherings of people, the health officer strongly encourages everyone to follow the guidance provided by the Centers for Disease Control and Prevention (CDC), federal, state and local public health officials and private medical providers. Such gatherings are subject to all Local Health Orders in effect, specifically but not limited to LHO 6/27/20 requiring masks. Further it is recommended that businesses allow employees to work from home to the greatest extent possible to minimize contact and any resulting spread of the COVID 19 virus.
6. Pursuant to K.S.A. 65-129b, any sheriff, deputy sheriff, health inspector, 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.
7. This Order shall be effective at 12:01 a.m, on November 20, 2020, and will continue to be in effect until it is extended, rescinded, superseded, or amended in writing by the Local Health Officer.
8. This Order supersedes any other Local Health Order to the contrary. If any provision of this Order or 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.

IT IS SO ORDERED THIS 16TH DAY OF NOVEMBER 2020

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

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