

BOARD OF TRUSTEES
JEFFERSON COUNTY HEALTH CENTER
ORDINANCE NO. 20-03-18-01

AN ORDINANCE REGARDING THE COVID-19 VIRUS HEALTH EMERGENCY

WHEREAS, with the evolving issues surrounding COVID-19, the Trustees of the Jefferson County Health Center find it proper and necessary to adopt this ordinance; and

WHEREAS, the Jefferson County, Missouri Executive declared a State of Emergency for Jefferson County, Missouri due to Jefferson County, Missouri being impacted by the worldwide spread of COVID-19 which poses potential risks and impact upon Jefferson County, Missouri; and

WHEREAS, the President of the United States and the Governor of the State of Missouri have both declared States of Emergency; and

WHEREAS, the guidance of the Centers for Disease Control and Prevention of the United States Department of Health and Human Services (the "CDC") is that there should be limitations on the size of gatherings and other related requirements; and

WHEREAS, the CDC now recommends that gatherings be limited in size to fifty (50) people or less and that events with fewer than fifty (50) people be permitted only if the organizers adhere to guidelines for protecting vulnerable populations, hand hygiene, and social distancing; and

WHEREAS, On March 16, 2020 President Trump and the White House Coronavirus Task Force issued new guidelines to help protect Americans during the Coronavirus pandemic. The initiative, called "15 Days to Slow the Spread," lays out guidelines for a nationwide effort to slow the spread of COVID-19. It calls for the implementation of measures to increase social distancing

between people at all levels of society. This is a massive proactive, preventive response to COVID-19. It aims to slow the spread and blunt the impact of this disease on the United States. All segments of U.S. society have a role to play at this time. People across the country are asked to stay home as much as possible and otherwise practice social distancing. This includes canceling or postponing gatherings of more than ten (10) people and closing schools in some areas as determined by local and state governments. It also includes special measures to protect those people who are most vulnerable to this disease; and

WHEREAS, to limit the spread of COVID-19, to protect the public health, safety and welfare, and to provide essential protections to the citizens of Jefferson County, Missouri, it is reasonable and necessary to impose limited and temporary rules, regulations and restrictions on the use of certain places of public accommodation; and

WHEREAS, the CDC's guidance dated March 15, 2020 "is not intended to supersede the advice of local public health officials"; and

WHEREAS, to prevent widespread transmission of COVID-19, citizens are advised to stay home as much as possible and to avoid crowds; and

WHEREAS, to minimize the morbidity and mortality caused by COVID-19, citizens are asked to assist their fellow citizens who are most vulnerable to this disease by helping to keep them safe and supplied in their homes, by ensuring they have the necessities they need to get through this pandemic period; and

WHEREAS, the Trustees of the Jefferson County Health Center have the authority to promulgate orders, ordinances, rules or regulations respectively, as will tend to enhance the public health and prevent the entrance of infectious, contagious, communicable or dangerous diseases

into such county pursuant to Section 192.300 RSMo. (2019); and

WHEREAS, Kelley Vollmar has been designated as the County Health Officer for Jefferson County, Missouri; and

WHEREAS, this ordinance is being adopted in a consistent effort with the Jefferson County Executive, as set forth in Executive Order 20-030.2.

NOW THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE BOARD OF TRUSTEES OF THE JEFFERSON COUNTY HEALTH CENTER AS FOLLOWS:

Section 1. By virtue of the authority vested in the Jefferson County Health Center by the Constitution and the Laws of the State of Missouri, Chapter 192 RSMo., the limited and temporary rules, regulations and restrictions on the use of certain places of public accommodation are hereby entered into on the date of the adoption of this ordinance.

Section 2. Effective immediately, all places of public accommodation shall institute appropriate health and safety protections including social distancing techniques (*e.g.*, requiring people to be at least six feet apart; reducing the number of employees, customers, or other people present; reducing face-to-face contact; using phone calls, virtual meetings, and drop-offs/curbside pickups rather than in-person contact).

Section 3. All of the following places of public accommodation are subject to the following restrictions on use and occupancy by members of the public:

- a. Restaurants, food establishments, food courts, cafes, coffeehouses, and other places of public accommodation offering food or beverage shall not provide for, or allow, on-premises consumption; and.
- b. Bars, taverns, brew pubs, breweries, microbreweries, distilleries, wineries, tasting

rooms, special licensees, clubs, and other places of public accommodation offering alcoholic beverages shall not provide for, or allow, on-premises consumption.

Section 4. Every place of public accommodation described herein or the subparagraphs contained therein, is encouraged to offer food and beverage service to the public using delivery service, window service, walk-up service, drive-through service, or drive-up service, so long as every such person involved implements appropriate precautions to mitigate the potential transmission of COVID-19, including social distancing techniques. In offering food or beverage service, every place of public accommodation described herein or the subparagraphs contained therein, may permit up to ten (10) members of the public at one time in the place of public accommodation for the purpose of picking up their food or beverage orders, so long as any such member of the public is at least six feet apart from other people while on premises to the extent possible. Unless otherwise ordered by the Director of the Jefferson County Health Center, no one shall enforce any provision of any ordinance, or permit any other restriction that would, as applied to the specific circumstances, prohibit an existing restaurant or bar from providing delivery service, window service, walk-up service, drive-through service, carry out service or drive-up service during the pendency of this ordinance.

Section 5. This ordinance shall not apply to any of the following:

- a. Places of public accommodation that offer food and beverage service that is not for on premises consumption (e.g., the sale of food or beverages at grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries), except that any portion of the premises that is available for on-premises consumption of food or beverage shall comply with this Order; and,

- b. Health care facilities, mental health care facilities, residential care facilities, congregate care facilities, day care facilities, adult detention facilities and juvenile justice facilities; and,
- c. Crises shelters or similar institutions; and,
- d. Churches, schools or other crisis food providers.

Section 6. Nothing in this ordinance shall prohibit an owner, employee, contractor, vendor, or supplier of a place of public accommodation as defined herein from entering, exiting, using, or occupying that place of public accommodation in their professional capacity.

Section 7. For purposes of this ordinance, “place of public accommodation” means a business or an educational, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public. Place of public accommodation includes the facilities of private clubs, including country clubs, golf clubs, sports clubs, athletic clubs, and dining clubs.

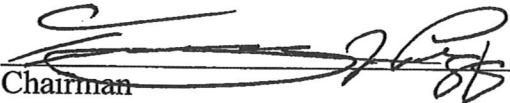
Section 8. The Director of the Jefferson County Health Center is hereby delegated the authority of the Jefferson County Health Center to promulgate orders, rules, or regulations consistent with this ordinance, which shall have the force of law to the greatest extent permitted by federal and state law.

Section 9. Sections 2 through 9 of this ordinance, and their subsections, will take effect beginning Friday, March 20, 2020 at 12:01 a.m. CDT and continue for fifteen (15) days until 12:01 a.m. CDT Saturday April 4, 2020, unless otherwise extended or modified.

Section 11. If any part of this ordinance is invalid for any reason, such invalidity shall

not affect the remainder of this ordinance.

PASSED AND APPROVED this 18 day of March, 2020.


Chairman
Jefferson County Health Center

ATTEST: Jennifer Pinsky
Corresponding Secretary