

**An Order of the County of St. Francois, Missouri County Commission
And County Health Officer**

ST. FRANCOIS COUNTY ORDER NO. 033020

JURISDICTIONAL NOTE – These Rules and Regulations
apply to all areas within St. Francois County, Missouri

2019 Novel Coronavirus (“COVID-19”) Notice and Issuance of Rules and Regulations

STAY AT HOME OUTLINE

WHEREAS, the novel coronavirus disease (COVID-19) is considered an infectious, highly contagious, communicable, and dangerous disease for the purposes of RSMo. 192.020-1, 192.139 and 192.300, and on March 11, 2020, was declared by the World Health Organization as a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared the outbreak of COVID-19 in the United States constitutes a national emergency and the Governor of the State of Missouri declared a state of emergency within the State of Missouri; and

WHEREAS, the St. Francois County Health Center Director is the “local health authority” as contemplated in 19 CSR 20-20.010 of the Code of State Regulations. The terms of this Outline shall apply to all areas of St. Francois County, Missouri. See RSMo. 192.300; and

WHEREAS, the St. Francois County Commission designated the County Health Director as the County Health Officer on January 21, 2020; and

WHEREAS, pursuant to 19 CSR 20-20.050, the local health authority is empowered to order quarantines, isolations, and closings of schools and places of public and private assembly in order to protect the public health; and

NOW THEREFORE, we, the County Commission, of the County of St. Francois, Missouri hereby invoke and declare that a state of emergency exists in St. Francois County, Missouri, and further declare that COVID-19 is a contagious disease that is, or may become, epidemic in this County, and hereby enact the following ORDERS for St. Francois County, Missouri, notice of which is hereby given.

This Outline No. 033020 supersedes and replaces prior County Orders for COVID-19.

Article 1. Effective date and applicability.

This Outline replaces and supersedes the Rules and Regulations contained in prior outlines or Orders for COVID-19 control and shall be effective at 12:01am on April 3, 2020. The St. Francois County Health Department shall make a daily review of the status of COVID-19 and this outline may be revoked at any time.

Article 2. Intent

By enacting this Outline, it is our express intent to ensure that the maximum number of people stay at home to slow the spread of COVID-19 while protecting our local jobs and economy. All provisions of this Outline shall be interpreted to effectuate this intent. This Outline is meant for that purpose; for citizens to travel and conduct business only for the most essential items and reasons as set forth herein, but otherwise shall remain home, when possible.

Article 3. Stay at Home; Cessation of Non-Essential Business and Operations

Section 3.01. Stay at home or place of residence. All individuals currently living within St. Francois County are ordered to stay at home or at their place of residence except as allowed in this Outline. All persons may leave their homes or place of residence, or if visiting the County as a non-resident, only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations, all as defined below.

To the extent individuals are using shared or outdoor spaces when outside their residences, they must at all times, and as much as reasonably possible, adhere to Social Distancing Requirements.

Individuals experiencing homelessness are exempt from this Outline but are strongly urged to obtain shelter. Individuals whose residence is unsafe or becomes unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. For purposes of the Outline, homes or residences include hotels, motels, campgrounds, shared rental units, shelters and similar facilities.

Section 3.02. Non-essential business and operations must cease. All businesses and operations within the County, *except for Essential Businesses and Operations, and also except for any other businesses meeting any other exception as listed herein*, are required to cease all activities except Minimum Basic Operations, as defined below. All businesses are allowed to maintain the value of inventory and infrastructure, provide security, process payroll or employee benefits, or facilitate employees working remotely. For clarity, *businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e. working from home)*.

Restaurants and retail food establishments that normally prepare food for on-site consumption are prohibited from conducting any dine-in food service; however, such businesses may provide pickup, drive-through or delivery services so long as such business otherwise complies with this Order.

All Essential Businesses and Operations are encouraged to remain open. To the greatest extent feasible, Essential Businesses and Operations shall comply with Social Distancing Requirements.

No business or person may operate or engage in a Prohibited Activity.

Section 3.03. Prohibited activities. All public and private intentional gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes permitted by this Order. Any intentional gathering of more than ten (10) people in a single space or room is prohibited unless exempted by this Order. Nothing in this Order prohibits the gathering of members of a household or residence of individuals who reside in such residence.

All places of amusement, whether indoors or outdoors, including but not limited to: locations with amusement rides, carnivals, amusement parks, water parks, roller skating rinks, museums, arcades, fairs, children's play centers, playgrounds, funplexes, bowling alleys, movie and other theaters, concert and music halls, country clubs, golf clubs (with the narrow exceptions of playing golf where there is no shared equipment by the participants and driving ranges where Social Distancing Requirements are strictly followed and enforced), social clubs, and athletic clubs; shall be closed to the public. An exception shall exist for outdoor parks and trails where no shared equipment is utilized by the patrons.

All public parks and outdoor recreation areas are encouraged to remain open. Because playgrounds may increase the spread of COVID-19, all playgrounds shall be closed with appropriate notices posted.

Outdoor walking and exercise are also encouraged, as provided in more detail herein, provided people maintain social distancing of at least six feet from any other person not residing within their household.

Section 3.04. Leaving the home for Essential Activities is permitted. For purposes of this Order, individuals may leave their residence for Essential Travel, and to perform Essential Activities, as defined below. Said activities shall specifically be related to: health and safety; the procurement of necessary supplies and services; for outdoor activity; for certain types of work; and to care for others.

A person may be outside their Residence only to engage in Essential Activities or to work at or receive services/goods from an Essential Business. That person may also be outside their Residence to obtain supplies, groceries, medication and medical treatment. Otherwise, every person in St. Francois County, including incorporated and unincorporated areas, shall be and shall remain within their Residence or property.

Any person who is outside their Residence to engage in an Essential Activity shall reasonably comply with Social Distancing Requirements.

A person may be outside their Residence to obtain or deliver necessary services or supplies for themselves, their household members or others necessary to maintain health, safety and sanitation.

A person may be outside their Residence to go to work, if they are allowed to work pursuant to the rules set out herein, or if they are allowed to travel to and from their place of work, pursuant to the language listed herein.

This Order allows travel into or out of the County to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions or Minimum Basic Operations.

Section 3.05. Schools and Social Services Providing Food. Schools and other entities that ordinarily provide food services to students or members of the public may continue to do so under this Order provided that the food is provided to students or members of the public on a delivery or pick-up and take-away basis only. Schools and other entities, other than childcare facilities, that provide food services under this paragraph shall not permit the food to be eaten onsite.

Section 3.06. Exemptions. All 911 call center employees; fire personnel; corrections personnel; healthcare employees; hazardous material responders from government or the private sector; workers maintaining digital systems, infrastructure, supporting law enforcement, and emergency service operations; and people designated by the applicable governing authority are necessary in the performance of Essential Government Functions are exempt from this Order to the extent such persons are performing these functions.

Section 3.07. Access to Essential Governmental Functions. Nothing in this Order shall prohibit any individual from performing or accessing Essential Governmental Functions.

Article 4. Definitions

For purposes of this order, these terms, regardless of whether capitalized, are defined as follows:

- A. "Business" or "businesses" mean any for-profit companies, non-profit organizations, benevolent associations, limited liability companies, or partnerships, regardless of legal organization, form entity, tax-treatment, or structure.

B. "CDC" means the Centers for Disease Control and Prevention of the United States Department of Health and Human Services.

"County" means all areas of St. Francois County, Missouri.

C. "Disqualified Businesses" means any Essential Business that is disqualified from being an Essential Business pursuant to Section II of this Order, by order of the St. Francois County Health Director, or by judicial decree or court order.

D. "Essential Activities" means activities that are necessary for a person to:

1. Act or perform tasks essential to any person's health and safety, or to the health and safety of their family, household members, or pets, including but not limited to obtaining medical supplies and medication, visiting a health care professional, obtaining supplies needed to work from home, or laundering clothing.
2. To obtain or deliver necessary services or goods including carry-out food and medicines.
3. Going to work at an "Essential Business," and also travel to and from a business in order to obtain items to work from home for any type of business which is not defined as an "Essential Business," and also travel to and from any business that might otherwise need to shutdown (by decision of the business owner) which would be considered an "Essential Business."
4. Obtain Necessary Services or Supplies for themselves and their family, household members, or pets, or to deliver Necessary Services or Supplies to others.
5. Engage in Essential Travel.
6. Shop for grocery products, food, beverages, or other household and consumer products (for example, cleaning or personal care products including but not limited to products necessary to maintain the safety, sanitation, communication, and the essential operation of Residences).
7. Engage in services or perform work necessary to operate or maintain Essential Infrastructure. This shall include utility workers maintaining systems.
8. Engage in outdoor activity (including singles tennis, walking, hiking, running, biking, working in the yard or garden) to the extent reasonably consistent with Social Distancing Requirements (including, for example, walking outdoors six feet away from another person).
9. Participate in religious services and other spiritual practices but only to the extent consistent with reasonable compliance with Social Distancing Requirements and gathering size limitations.
10. Acts consisting of providing Essential Products and Services to a Residence, and Essential Business, or to a business in order for that business to maintain Minimum Basic Operations.
11. Activities at open construction sites, irrespective of types of structures, subject to applicable OSHA and other safety guidelines, and related architectural, design, and land surveying activities, so long as the people involved reasonably comply with Social Distancing Requirements to the extent consistent with applicable safety guidelines.

12. Necessary care for a dependent in the person's legal custody, including acts essential for a parent with legal custody to transfer the physical custody of a child.
13. Care for a family member in another household.
14. Engage in Essential Government Functions.
15. Engage in Healthcare Operations.
16. Engage in Essential Businesses.
17. Exercise constitutional rights to the extent that by so acting the person does not endanger the public health and safety or the health and safety of any other person.
18. Acts consisting of providing Essential Products and Services to the federal government, state government, St. Francois County government, or any municipality or political subdivision within St. Francois County, Missouri.
19. Act or perform tasks approved pursuant to an order of the St. Francois County Health Director.

E. "Essential Businesses" means, with the exception of disqualified businesses, the following:

1. Healthcare Operations.
2. Essential Infrastructure.
3. Essential Government Functions.
4. Grocery stores, farmers' markets, farm stands, produce stands, supermarkets, food banks, food pantries, convenience stores, or other establishments engaged in the retail sale of or providing canned food, dry goods, fruits, vegetables, pet supply, meats, fish, and poultry, or any household consumer products (such as cleaning or personal care products), including but not limited to stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of Residences.
5. Businesses that engage in food cultivation, including farming, gun and ammunition sales, livestock and fishing, feed and seed sales, and also farm sales.
6. Businesses that engage in food production, manufacturing, processing, packaging, wholesaling, storage, warehousing or distribution.
7. Businesses that provide food, shelter, social services, or other necessities of life for economically disadvantaged people or people otherwise in need of social services (including but not limited to individuals with physical, intellectual or developmental disabilities).
8. Newspapers, television stations, radio stations, and other media services, whether private or public.
9. Gas stations, auto supply, auto repair, tractor repair, motorcycle repair, ~~motored~~ vehicle sales and related facilities.

10. Banks, financial institutions, broker-dealers, asset managers, businesses that process payroll for any other business, and business that process financial transactions and services.
11. Trash collection, trash disposal and recycling.
12. *Hardware* ~~Hardware~~ stores, stores for the purpose of appliance sales and repair, furniture stores, and also stores that provide supplies to those businesses providing Essential Business services and stores that provide home repair supplies (such as plumbing supplies, supplies for other home repairs, etc.).
13. Inns, hotels, motels, RV parks, and bed and breakfast establishments.
14. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, communication, and essential operations of Residences, Healthcare Operations, Essential Infrastructure, Essential Government Services, Essential Activities, or other Essential Businesses.
15. Businesses that perform construction services. This shall include rental businesses that provide needed equipment for home or business repairs.
16. Businesses providing delivery, mailing and shipping services, including post office boxes.
17. Educational institutions, including public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning, provided that Social Distancing Requirements are maintained to the greatest extent possible.
18. Businesses providing private security services in accordance with applicable laws.
19. Laundromats, dry cleaners, and laundry service providers.
20. Funeral homes, crematoriums, cremation, burial, mortuary services, and cemeteries.
21. Churches, religious services, and other spiritual practices but only to the extent consistent with reasonable compliance with Social Distancing Requirements and gathering size limitations.
22. Storage for Essential Businesses.
23. Restaurants and other facilities that prepare or serve food, but only in compliance with applicable orders of the St. Francois County Health Director. As is more fully set out above, only carry out, pick-up or delivery service of food is permitted, as long as the rules listed above regarding Social Distancing are also adhered to. (Additionally, self-service food and self-service condiments are expressly prohibited in any restaurant or facility that prepares or serves food.)
24. Businesses that provide emergency repair and safety services for Essential Infrastructure. This will include utility repairs, services or installation.
25. Businesses that supply products needed for people to work from home.

26. Businesses that supply Essential Businesses with the support or supplies necessary to operate, including but not limited to maintenance, security, janitorial, and other similar services.
27. Businesses that ship or deliver groceries, food, beverages, goods, medical supplies, prescriptions, or services to Residences or other Essential Businesses.
28. Non-Profit organizations to the extent that the organizations are providing financial or social support for people and businesses that are impacted by COVID-19.
29. Businesses that manufacture or supply products necessary to meet the Social Distancing Requirements, including but not limited to manufacturers of hand sanitizers and other hygiene, health and cleaning products, and the businesses whose products and services are necessary to the ongoing operation of the businesses whose products are necessary to meet the Social Distancing Requirements.
30. Businesses that provide personal and transportation services including airports, taxis, transportation network providers, livery services, vehicle rental services, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order.
31. Businesses or agencies providing public transportation or paratransit.
32. Businesses that provide home-based care for the health of seniors, adults or children.
33. Residential facilities and shelters for seniors, adults or children, including but not limited to those for survivors of family violence, domestic violence, intimate partner violence, child abuse, or child neglect.
34. Defense and national security-related operations supporting the federal government or a contractor to the federal government.
35. Professional services, such as legal or accounting services and tax services, but only to the extent consistent with gathering size limitations. Such professionals shall attempt to meet with Clients/Customers by telephone, teleconference, skype or other such service when possible, but may briefly meet with Clients/Customers in person only when necessary, which includes but is not limited to providing and receiving necessary documentation, signing documents, and appearing in Court.
36. Businesses and agencies that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, childcare, vocational services, or rehabilitation services.
37. Adoption agencies.
38. Childcare facilities are allowed to provide services for children of healthcare providers, governmental employees, first responders, emergency personnel and the employees of Essential Businesses.
39. *Other small or solo businesses with 10 or less total employees including management and owner(s).* To clarify, this provision does not include fitness centers or gyms, salons, barbershops, nail salons or similar establishments.

40. Labor union essential activities, including: the administration of health and welfare funds and personnel; checking on the well-being and safety of members; providing services to Essential Businesses; and provided that these “checks” cannot otherwise be done remotely or telephone, if possible.
 41. Professional services, such as legal or accounting services, are also allowed when related to the necessary activities of Essential Businesses, and also as related to Essential Government Functions.
 42. Operations identified by the area colleges and University of Missouri together with such individuals who have been authorized by these colleges and Universities to work on-site at premises for operational continuity, including any travel authorized by the colleges and Universities for such individuals.
 43. Adult detention facilities, jails, and juvenile justice facilities and similar operations.
 44. Factories or manufacturers that have controlled entry of non-employees and practice social distancing among employees.
- F. “Essential Government Functions” means all services needed to ensure the continuing operation of federal, state, county, municipal or local government departments, offices, agencies, officials, political subdivisions, entities created by intergovernmental agreement, essential court functions as determined by the Presiding Judge of St. Francois County, and any other government functions necessary to provide for the health, safety and welfare of the public.
- G. “Essential Infrastructure” means operation and maintenance of utilities, power generation, electric and gas transmission and distribution facilities, water, wastewater, public works, construction, airport operations, sewer, gas, electrical, oil refining, roads, highways, public transportation, solid waste collection and removal, internet, telecommunications systems, data centers, logistics facilities and providers, distribution facilities, sorting facilities, and the design and construction of supply chain facilities such as logistics distribution and sorting facilities for commerce and food goods. See also: <http://www.cisa.gov/identifying-critical-infrastructure-duringcovid-19>.
- H. “Essential Products and Services” means products and services that are necessary for Essential Activities, Essential Government Functions, Essential Infrastructure, Essential Travel, Essential Businesses, Minimum Basic Operations, or Healthcare Operations (including ancillary operations, maintenance, and support activities that are necessary to deliver the Essential Products and Services).
- I. “Essential Travel” means travel means travel that is necessary to serve any of the following purposes:
1. Travel related to Essential Activities, Essential Government Functions, Essential Infrastructure, Essential Travel, Essential Businesses, Minimum Basic Operations, or Healthcare Operations.
 2. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable or High-Risk people.
 3. Travel to or from an Essential Business, to work at the Essential Business or to obtain, services or goods from said business.

4. Travel to or from educational institutions for purposes for receiving materials for distance learning, for receiving meals, and any other related services.
 5. Travel to return to a place of residence from outside the jurisdiction.
 6. Travel required to attend court or required by court order.
 7. Travel required by directions from law enforcement personnel with authority.
 8. Travel required for non-residents to return to their place of residence outside of St. Francois County.
- J. "Gathering" means an occasion when people come together as a group, whether formal or informal and whether public or private.
- K. "Health" means the physical, mental, psychological, or psychiatric health of any person.
- L. "Healthcare Operations" means hospitals, clinics, dentists, orthodontists, doctors, physicians, nurses, medical assistants, social workers, speech pathologists, diagnostics and therapeutic technicians and technologists, respiratory therapists, occupational and physical therapists, public health and community health workers, blood donation-related organizations, organizations collecting blood, organizations collecting plasma and platelets, eye care centers (including those that sell glasses and contact lenses), substance abuse counselors, pharmacies, pharmaceutical and biotechnology companies, doctor offices, dentist offices, healthcare laboratories, healthcare suppliers, home healthcare services providers, mental health providers, any ancillary healthcare services, research and laboratory services, hospital and laboratory personnel, walk-in health facilities, elder care, medical wholesale and distribution, veterinary care, veterinary clinics, veterinarians, animal health services, workers providing COVID-19 testing and research, and all other types of healthcare providers, including healthcare manufacturers and distributors of healthcare equipment. These definitions of "Healthcare Operations" shall be construed broadly to avoid any impacts to delivery of healthcare. Yet, this definition does not include fitness and exercise gyms, esthetician services, tattoo parlors, tanning facilities, spas, or similar facilities.
- M. "High-Risk" means a person who is any one of the following: (a) over sixty (60) years of age; (b) has a chronic health condition such as heart disease, lung disease or diabetes; (c) is immune-compromised; or (d) is pregnant.
- N. "Intentional" means an act done with a purpose or with deliberation.
- O. "Minimum Basic Operations" means the minimum necessary activities to maintain the value of a business's inventory, provide security, process payroll or employee benefits, or to facilitate employees of the business being able to continue to work remotely from their Residences. Additionally, this shall include the ability to continue with business operations by appointment only, which shall be conducted by telephone, teleconference, skype or in a like manner, when possible, and shall only include in-person appointments when absolutely necessary. All in-person appointments shall abide by all Social Distancing rules herein.
- P. "Necessary Services or Supplies" means services, supplies, or funds needed to engage in Essential Activities and support Essential Infrastructure.
- Q. "Organizes" means intentionally coordinate, to make arrangements for, or to make preparations for an event or an activity.

R. "Prohibited Activities" means any of the following:

1. Any gathering of ten or more people in a single space or room, unless otherwise specifically permitted by this Order; or

2. Activities regarding places of public amusement, whether indoors or outdoors, including but not limited to locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, country clubs, golf clubs (with the narrow exception of playing golf and driving ranges where Social Distancing Requirements are strictly followed and enforced), social clubs, and athletic clubs. An exception shall exist for outdoor parks and trails where no shared equipment is utilized by the patrons.

S. "Residences" means a house, a condominium unit, an apartment unit, a dwelling, a hotel room, a motel room, a shared rental unit, shelters, or similar facilities but extends only within the bounds of the person's ownership, the person's leasehold interest, or the space occupied in a hotel, motel or shared rental unit and does not include common areas.

T. "Social Distancing Requirements" means maintaining at least a six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer with more than sixty percent alcohol, covering coughs or sneezes with something other than hands, regularly cleaning high-touch surfaces, and not shaking hands, or as otherwise defined by order.

U. "Travel" means moving from place to place.

Article 4. Innovation Clause

American innovation is what made our Country the world leader it is today. Historically, Americans have always been able to improvise improvements on how things were done. Now is a wonderful opportunity to continue this ability.

If you or your business is affected by this outline but you find safe and effective ways to serve the public while maintaining social distancing and helping prevent the spread of the COVID-19 virus, inform the health department of your thoughts. If they agree that your new method or system will satisfy the public safety needs, they may issue a variance to this order and allow your new process or method to be used.

Think about the old methods now used and see if you can improve upon them.

Article 5. Enforcement; Severability

Section 4.01. Application with other laws. Unless otherwise specifically provided or suspended in this Order (any order of the Director, or any Executive Order) this Outline shall not supplant, supersede, replace, rescind, amend or modify any other law, ordinance, rule, regulation, or permit condition or

requirement, including but not limited to those that may apply to Essential Business or Essential Activities.

Section 4.02. Enforcement. Violation of, or failure to comply with, this Outline is a Class A misdemeanor punishable by up one year in jail, up to a \$1,000.00 fine, or both such jail time and fine. See RsMo. 192.300.4, 192.320.

For any actual or threatened violation of, or failure to comply, with this outline, the St. Francois County Health Officer is entitled to obtain a Temporary Restraining Order without Notice to the violator, which will compel compliance with this outline. The party found in violation shall be ordered to pay the Local Health Officer's, or other agencies, reasonable attorney fees, court costs and all costs of litigation for prosecuting said injunctive action against the violator.

Section 4.03. Savings Clause. If any provision of this Outline, or its application to any person or circumstance, is held to be invalid or unenforceable by a court of competent jurisdiction, then the remainder of this Order (including the application of such party 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 Outline are severable.

All public offices and employees of St. Francois County, Missouri, are hereby directed to exercise the utmost diligence in discharge of duties required of them for the duration of the emergency and in the execution of emergency laws, regulations, and directives of state and local government.

All citizens are called upon and directed to comply with necessary emergency measures; to cooperate with public officials and the County of St. Francois, Missouri; to cooperate with the St. Francois County Health Center and St. Francois County Emergency Management Agency; and also, to obey and comply with the lawful directions of properly identified public offices.

Admonition by the Commission and Health Department: Our citizens are encouraged to purchase locally and to use the carry-out, drive-thru or delivery services of our many restaurants and other local businesses. These are trying times for all involved and local businesses are the life-blood of our local economy. Many of these businesses now offer on-line shopping and ordering for your convenience. Please consider these business owners and their employees as we navigate through this trying time.

The primary purpose of this outline is to "stay away from each other and to stay clean". If we all do this, we will conquer COVID-19,

The County Commission directs the County Clerk to print this Order and make it available for distribution to the public, and requests that a copy of this Order be published in a local newspaper in the County in three successive weeks, not later than thirty days after entry of this order.

In witness, we have hereunto set our hand at _____ pm this 30th day of March, 2020.

COUNTY OF ST. FRANCOIS, MISSOURI

Presiding Commissioner

Associate Commissioner, District 1

Associate Commissioner, District 2

County Health Officer

Attest:

Clerk of the County Commission