

## **SALINE COUNTY SAFER AT HOME ORDER**

Emergency Public Health Order issued on this 27th day of March 2020 to mitigate the spread of the Coronavirus (COVID-19) epidemic in Saline County, Kansas, pursuant to the authority provided in K.S.A.65-119, K.S.A. 65-129b and K.S.A. 65-202 and other applicable laws or regulations.

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WHEREAS, the Local Health Officer is authorized and required, pursuant to K.S.A. 65-119, K.S.A. 65-129b and K.S.A. 65-202 to immediately exercise and maintain a 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, the Local Health Officer is appointed by the Board of County Commissioners and is authorized to prohibit public gatherings when necessary for the control of any and all infectious or contagious diseases, pursuant to K.S.A. 65-119; and

WHEREAS on the 27th day of March 2020, the Board of County Commissioners of Saline County, Kansas found that a disaster had occurred, or the threat thereof was imminent within Saline 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, Kansas and Saline County; and

WHEREAS, COVID-19, is a respiratory disease that spreads easily from person to person and may result in serious illness or death, has been confirmed in Kansas, resulting in serious illness and at least three deaths to date in Kansas; and

WHEREAS, such conditions endanger health, safety and welfare of persons and property within the border of Saline County, Kansas; and

WHEREAS, to reduce spread of COVID- 19, the United States Centers for Disease Control and Prevention (CDC), the Kansas Department of Health and Environment (KDHE) and the Saline County Local Health Officer, all recommend implementation of community mitigation strategies to increase containment of the virus, including cancellation of large gatherings and social distancing in smaller gatherings; and

WHEREAS, the worldwide outbreak of COVID-19 and the resulting epidemic in Kansas and Saline 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, this public health order directing individuals to stay at home is being issued to slow the rate of community spread of COVID-19 through intensified social distancing. It is estimated that each COVID-19 positive patient could infect between 2.6 to 4 other people. Furthermore, there is emerging evidence in Saline County of transmission by pre-symptomatic and asymptomatic people, making routine case-finding and exposure tracing strategies

insufficient. 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 proportion of residents who develop severe symptoms. Despite recent enactment of Public Health Orders (schools, bars and restaurants), lack of available metrics to monitor the effect of these measures and the potential dire consequences of delay led the public health community and elected officials to conclude that further delay could lead to excess mortality. Early implementation of this strategy is even more important in the context of limited testing capacity. With full community cooperation, this proactive public health order can minimize the impact of COVID-19 on our Saline County community.

### **Section One: Definitions and Exemptions**

a. For purposes of this Order, Social Distancing Requirements means maintaining at least six-foot social distancing from other non-cohabitating individuals, 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 hands), regularly cleaning high-touch surfaces, and not shaking hands.

b. For purposes of this Order individuals are directed to stay at home and leave their residence only to perform any of the following "Essential Activities" as described 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.

- i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, or visiting a health care professional;
- ii. To obtain necessary services or supplies for themselves and their family or household members, to obtain supplies they need to work from home, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, and any other household and personal consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;
- iii. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in this Section, such as, by way of example and without limitation, walking, hiking, or running. Use of parks and other public areas are permitted. Use of playground and outdoor or shared exercise equipment, however, is prohibited;
- iv. To perform work providing essential products and services at an Essential Business;

- v. To carry out activities specifically permitted in this Order;
  - vi. To provide Minimum Basic Operations. For the purposes of this order, “Minimum Basic Operations” include the following, provided that employees comply with the social distancing requirements as defined in this section to the extent possible, while carrying out such operations:
    - a. The minimum necessary activities to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions; or
    - b. The minimum activities necessary to facilitate employees of the business being able to work remotely from their residences;
  - vii. To care for a family member or pet in another household, or engage in transportation or to transport the family member or pet to provide for such care;
  - viii. To comply with valid court or administrative orders;
  - ix. To work for or obtain services at any "Healthcare Operations" including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers including pastoral or other counselors, intellectual/developmental disability providers, or any related and/or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. "Healthcare Operations" does not include activities at fitness and exercise gyms and similar facilities;
  - x. To provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including, but not limited to, public works construction, construction or repair of housing (in particular affordable housing or housing for individuals experiencing homelessness), commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.
- c. For purposes of this Order, all first responders, public health, emergency management personnel, essential responders to the County's emergency operations center, emergency dispatchers, court personnel, and law enforcement personnel, and others working for or to support Essential Businesses are categorically exempt from this Order. Further, nothing

in this Order shall prohibit any individual from performing or accessing "Essential Governmental Functions" provided said individuals perform these duties following the guidance of the Local Health Officer or delegated public health personnel. Essential Governmental Functions means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public, including judicial functions. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined this Section, to the extent possible.

- d. For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.
- e. For the purposes of this Order, "Essential Businesses" is defined as those businesses that fall under the Kansas Essential Function Framework (KEFF) as outlined in Governor Laura Kelly's Executive Order NO. 20-15. While Executive Order 20-15 states that Essential Businesses may be required to seek a declaration of the Local Health Officer to confirm their status, it also states that a Local Health Officer may not deny approval to any business in the listed categories. Therefore, businesses in the following categories are approved as Essential Businesses for the purposes of the Saline County Safer at Home order *without the need for further approval of the Health Officer*:

**KEFF 100 CONNECT**

- 1. Operate Core Information Technology Networks
- 2. Provide Cable Access Network Services
- 3. Provide Internet Based Content Information and Communication Services
- 4. Provide Internet Routing, Access, and Connection Services
- 5. Provide Positioning, Navigation, and Timing Services
- 6. Provide Radio Broadcast Access Network Services (includes Traditional Television)
- 7. Provide Satellite Access Network Services
- 8. Provide Wireless Access Network Services
- 9. Provide Wireline Access Network Services

**KEFF 200 DISTRIBUTE**

- 1. Distribute Electricity
- 2. Maintain Supply Chains for Essential Functions and Critical Infrastructure (as defined by DHS)
- 3. Transmit Electricity
- 4. Transport Cargo and Passengers by Air
- 5. Transport Cargo and Passengers by Rail
- 6. Transport Cargo and Passengers by Road
- 7. Transport Cargo and Passengers by Vessel
- 8. Transport Materials by Pipeline
- 9. Transport Passengers by Mass Transit

**KEFF 300 MANAGE**

1. Conduct Elections
2. Operate Media Outlets
3. Develop and Maintain Public Works and Services
4. Educate and Train Essential Functions Personnel
5. Enforce Law
6. Maintain Access to Medical Records
7. Manage Hazardous Materials and Waste
8. Manage Wastewater
9. Operate Government
10. Perform Cyber Incident Management Capabilities
11. Prepare for and Manage Emergencies
12. Preserve Constitutional Rights
13. Protect Sensitive Information
14. Provide and Maintain Critical Infrastructure
15. Provide Capital Markets and Investment Activities
16. Provide Consumer and Commercial Banking Services
17. Provide Funding and Liquidity Services
18. Provide Identity Management and Associated Trust Support Services
19. Provide Insurance Services
20. Provide Medical Care and Services, Including Mortuary Services
21. Provide Payment, Clearing and Settlement Services
22. Provide Public Safety
23. Provide Wholesale Funding
24. Store Fuel and Maintain Reserves
25. Support Community Health and Mental Health Services

**KEFF 400 SUPPLY**

1. Exploration and Extraction of Fuels
2. Fuel Refining and Processing Fuels
3. Generate Electricity
4. Manufacture Equipment Used for Essential Functions or Critical Infrastructure (as defined by DHS)
5. Produce and Provide Agricultural Products and Services
6. Produce and Provide Human and Animal Food Products and Services
7. Produce Chemicals
8. Provide Metals and Materials
9. Provide Housing
10. Provide Information Technology Products and Services
11. Provide Materiel and Operational Support to Defense
12. Research and Development
13. Supply Water

- f. Furthermore, pursuant to the same Executive Order No. 20-15, local issuing authorities may grant additional exemptions. The locally granted exemptions are outlined below:

- i. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell or distribute groceries and other non-grocery products, and products or services necessary to maintaining the safety, sanitation, and essential operation of residences; however, the touching of unpacked baked goods is prohibited.
- ii. Food cultivation, including farming, livestock, and fishing;
- iii. Human and animal food processing facilities and facility workers;
- iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- v. Newspapers, television, radio, and other media services;
- vi. Gas stations and auto-supply, auto-repair and servicing, emergency road services and related services and facilities;
- vii. Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for residences and industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitation, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum, lubricants and fuel, mining, construction, national defense, communications, as well as products and services used by Essential Businesses.
- xi. Banks and related financial institutions;
- xii. Hardware stores;
- xiii. Plumbers, electricians, exterminators, construction, cleaning and janitorial staff, security staff, HVAC, painting, moving and relocation services, lawn care and landscaping and other trades and service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
- xiv. Businesses providing mailing and shipping services, including post office boxes;
- xv. Educational institutions, which includes public and private K-12 schools, colleges, and universities, for purposes of facilitating distance learning or performing essential functions related to distance learning and support to other essential businesses (such as transportation and law enforcement), provided that

social distancing of six-feet per person is maintained to the greatest extent possible. School buildings may be used if needed to house individuals, distribute food, provide medical care, distance learning or any other services deemed necessary to protect the life and property and other critical resources;

- xvi. Laundromats, dry cleaners, and laundry service providers;
- xvii. Restaurants and other facilities that prepare and serve food and/or beverages, but only for delivery or carry out and not for consumption on the premises. No in-person dining will be allowed. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;
- xviii. Businesses that supply products and services needed for people to work from home;
- xix. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
- xx. Businesses that ship or deliver groceries, food, beverages, goods or services directly to residences;
- xxi. Taxis, aircraft, commercial transportation and logistics providers and services and other transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- xxii. Home-based care for seniors, adults, or children;
- xxiii. Residential facilities and shelters for seniors, adults, and children;
- xxiv. Professional services, such as legal services, accounting services, real estate services, and insurance services;
- xxv. Childcare facilities providing services that enable employees exempted in this Order to work as permitted;
- xxvi. Hotels and motels, to the extent used for lodging and delivery or carry-out food services; and
- xxvii. Religious gatherings, as long as attendees can engage in appropriate social distancing.

- g. **Notwithstanding the foregoing list of Essential Businesses in subsections e and f above, ALL businesses, organizations and individuals are reminded that the purpose of this order is to protect public health and safety from community transmission of the coronavirus that causes COVID-19 disease and are encouraged to operate only to the extent absolutely necessary and with the minimum staffing necessary.**

**Section Two.** Essential Businesses shall take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:

- a. Designate six-foot distances. Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
- b. Hand sanitizer and sanitizing products. Having anti-microbial soap and water or hand sanitizer and sanitizing products readily available for employees and customers;
- c. Separate operating hours for vulnerable populations. Implementing separate operating hours for elderly and vulnerable customers; and
- d. Online and remote access. Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

**Section Three.** All large public gatherings of people in the County are prohibited unless otherwise ordered by the Board of County Commissioners in their role as the Board of Health or by the local health officer. Large public gatherings are those with more than ten (10) people in attendance or anticipated to attend, both indoor and outdoor, except for Essential Businesses. 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), and federal, state and local public health officials and private medical providers. A "gathering" does not:

- a. include normal operations at spaces where persons may be;
- b. include people in transit or coming and going; or
- c. individually or in groups of less than ten (10) persons.

**Section Four.** Pursuant to K.S.A. 19-101d, any sheriff, deputy sheriff or other law enforcement officer of the state or any political subdivision within Saline County, Kansas is hereby ordered to assist in the execution or enforcement of this order and may issue fines in accordance with the governing ordinances of their respective jurisdictions. Those businesses with repeated violations of this order may be subject to a Closure Order by the Saline County Health Officer.

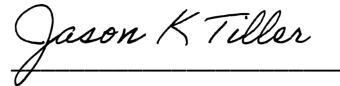
**Section Five.** This Order may be supplemented or modified as required for the effective and efficient management and control of the Coronavirus epidemic in the County by further order or direction of the Saline County Board of Public Health or by the Saline County Local Health Officer.



**Section Six.** Let it be known by this Order that no papers, letters or cards will be required of any resident or business to identify them as “Essential Persons”.

**Section Seven.** This Order is effective at 12:01 a.m. on Monday, March 30, 2020 and shall remain in effect for 30 days, until 12:01 a.m. on Wednesday, April 29, 2020, unless sooner amended, superseded, or rescinded.

IT IS SO ORDERED THIS 27th DAY OF MARCH, 2020

A handwritten signature in cursive script that reads "Jason K. Tiller". The signature is written in black ink and is positioned above a horizontal line.

Jason K. Tiller

Saline County Health Officer