

LINCOLN COUNTY HEALTH DEPARTMENT (LCHD)  
STAY AT HOME BECAUSE YOU ARE SAFER AT HOME ORDER  
LIMITATIONS OF GATHERINGS OF MORE THAN TEN (10) INDIVIDUALS AND  
RESTRICTIONS ON ACTIVITIES

WHEREAS, the COVID-19 virus spreads between people who are in close contact with one another through respiratory droplets when an infected person coughs or sneezes;

WHEREAS, there is a national pandemic regarding the COVID-19 virus and as of April 2, 2020 there are 213,144 confirmed positive cases in the United States, with over 4,513 deaths related to COVID-19;

WHEREAS, the pandemic has rapidly affected Missouri, because as of April 2, 2020, there are 1,834 confirmed positive cases of COVID-19 in Missouri and 19 deaths;

WHEREAS, in Lincoln County, Missouri, the Lincoln County Health Department has seen the evidence of community spread of COVID-19, and as of April 2, 2020, there were 16 confirmed positive cases of COVID-19 in Lincoln County, Missouri;

WHEREAS, it is anticipated that confirmed positive cases will continue to rise in the State of Missouri;

WHEREAS, only through responsible social and health actions, will the public be able to battle this pandemic;

WHEREAS, the Lincoln County Commission on March 16, 2020 issued a formal State of Emergency Proclamation in support of efforts throughout Lincoln County, Missouri to slow the spread of the SARS-CoV-2 virus, the cause of the COVID-19 Pandemic;

WHEREAS, on March 21, 2020, Governor Mike Parson of the State of Missouri and the Missouri Department of Health and Senior Services issued an order under Missouri Statute imposing a restriction upon the number of individuals assembling in the State to further reduce the spread of COVID-19;

WHEREAS, on March 25, 2020 the LCHD did make an Order regarding limitations of social gatherings of ten (10) people or more;

WHEREAS, on March 27, 2020, the LCHD did make an Order giving further guidance and limiting activities and business operations;

WHEREAS, a large number of businesses who are not essential in nature remain open despite the State of Missouri Orders as well as the Orders of the LCHD;

WHEREAS an emergency exists regarding the COVID-19 pandemic and it is necessary to take appropriate action to protect public life, health, safety, and property;

WHEREAS, the LCHD wishes to employ all means available under the law to protect public life, health, safety and property so that the development, contraction and spread of COVID-19 will be limited;

WHEREAS, it has become necessary to protect public life, health, safety, and property by making this Order, as COVID-19 continues with community spread;

WHEREAS, I, Brett Siefert, Administrator of the Lincoln County Health Department do find the aforementioned conditions constitute a threat to the health, safety, and welfare of the residents of Lincoln County, Missouri and that they create a public health emergency situation within the meaning of RSMo Section 192.020; 19 CSR 20-20.010; 19 CSR 20-20-090;

WHEREAS, under the power vested in me under appropriate local, state and federal laws, regulations, ordinances, and other enabling provisions, I, Brett Siefert, Administrator of the Lincoln County Health Department, under the authority delegated by the State of Missouri hereby order limited isolation and other restraint on activity comprised of the following:

#### **Section One:**

**ALL OTHER LCHD ORDERS SUPERCEDED:** Individuals in Lincoln County, Missouri shall follow the Social Distancing Order of Dr. Randall Williams, the Director of the Department of Health and Senior Services, made March 21, 2020<sup>1</sup> and any future order of the State of Missouri. This Order shall supersede and replace the LCHD Order of March 21, 2020, as well as the LCHD Order of March 25, 2020 and March 27, 2020.

#### **Section Two:**

**Criminal Penalties Pursuant to State Statute; Enforcement Criminally or Civilly:** Missouri Statutes provide for criminal penalties<sup>2</sup> for violation of public health laws or quarantine. The LCHD, as well as the State of Missouri has authorized civil enforcement of both State and local Health Orders, as these Order protect public life, health, safety, and property. Notice will be provided to an individual or business or any violation to attempt to gain compliance, however the LCHD reserves the right to seek immediate injunctive action to stop prohibited activities under this order to protect the public life, health, safety, and property of the citizens of Lincoln County, Missouri.

VIOLATIONS OF THIS ORDER WILL RESULT in enforcement action. The LCHD is committed to protecting the public and will consider violations of this Order to be a direct threat on the public life, health, safety, and property of the citizens of Lincoln County, Missouri.

#### **Section Three:**

**Stay-At-Home Because You Are Safer-At-Home Provisions:** ALL INDIVIDUALS in Lincoln County, Missouri SHALL NOT leave their residences EXCEPT as may be allowed under this

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<sup>1</sup> Electronic copy of such order may be found at:

<https://health.mo.gov/living/healthcondiseases/communicable/novel-coronavirus/pdf/social-distancing-order.pdf>

<sup>2</sup> See RSMo Section 192.320.

Order. Individuals staying at their residence, with the exceptions set forth in this Order which provides for mandated safety provisions, are safer at home from the COVID-19 pandemic.

Individuals are allowed to leave their residence ONLY to engage in Essential Activities. Public parks and open outdoor recreation areas are encouraged to remain open, however because playgrounds have surfaces which may carry or spread COVID-19 with use to individuals, all playgrounds shall be closed with appropriate notices posted.

All Businesses other than Essential Businesses shall cease all activities within Lincoln County, except that Businesses, other than Essential Businesses, may maintain Minimum Basic Operations, and business activities of employees or contractors performing activities at the employee's or contractor's own residence (i.e. working from home).

No individual or Business may engage or operate in an activity which is prohibited under this Order.

Individuals may engage in Essential Travel and may travel to the extent necessary to engage in Essential Activities. ALL OTHER TRAVEL IS PROHIBITED. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements set forth in this Order. Individuals shall use public transit only for purposes of performing Essential Activities or to travel to and from work to operate Essential Business, Healthcare Operations, or to maintain Essential Government Functions or Minimum Basic Operations. Individuals riding on public transit must comply with Social Distancing Requirements. Nothing in this Order shall prohibit travel into or out of Lincoln County to perform Essential Activities, operate Essential Businesses, or maintain Essential Government Functions, or Minimum Basic Operations.

Individuals may not gather with ten (10) or more people in a single room, unless otherwise allowed by this Order. Individuals may not engage in 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 or other theaters, concert and music halls, country clubs, golf clubs (with the narrow exceptions of playing golf and driving ranges provided that minimum Social Distancing Requirements are strictly followed and enforced by the Business), social clubs, athletic clubs, and group sports activities for adults and children.

The purpose of this Order is to ensure that the maximum number of people remain in their residence to the maximum extent feasible, while allowing Essential Activities to continue, to slow the spread of COVID-19 in Lincoln County, Missouri. Individuals, except with regard to Essential Activities, are Safer-At-Home. If an individual has left their residence to obtain essential services or to participate in or facilitate otherwise authorized activities under this Order, they shall at all times comply with Social Distancing Requirements.

Definitions of terms for this Order are defined in each Section or in the Definitions Section of this Order. Individuals should review this Order to ensure their compliance.

#### **Section Four:**

**Social Distancing Requirements:** For purposes of this Order, Social Distancing Requirements<sup>3</sup> include maintaining at least six-foot (6') social distancing from other 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.

#### **Section Five:**

**Mandate to Avoid Social Gatherings:** For purposes of this Order, until it is no longer effective, no person shall organize or attend a Social Gathering or Gathering of any number of people, with the exception of Gatherings performed by an Essential Business, an Essential Government Function, Healthcare Operation, or while an individual engages in an Essential Activity.

Individuals shall avoid social gatherings of more than ten (10) people. Nothing in this Order shall be interpreted to prohibit gatherings of members of a single household.

#### **Section Six:**

**Definitions:** The terms defined in this Section shall control as to the definition of such terms under this Order:

- A. The term "Business" shall mean: any for profit company, non-profit organization/company, benevolent associations, limited liability company, partnership, regardless of legal organization form, entity, tax-treatment, or structure, or person performing services for hire.
- B. The term "Emergency Responders" shall mean: an employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility.
- C. The term "Essential Activities" shall mean:
  - i. Engaging in activities or performing 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, visiting a health care professional or organization, or obtaining supplies they need to work from home;
  - ii. Obtaining necessary services or supplies for themselves and their family or household members, or delivering 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

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<sup>3</sup> "Social Distancing" means remaining out of congregate settings, avoiding mass gatherings, and maintaining distance (approximately 6 feet or 2 meters from others when possible. <https://www.cdc.gov/coronavirus/2019-ncov/php/risk-assessment.html>

- supply, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;
- iii. Engaging 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, playgrounds should not be utilized and playground equipment should not be accessible/usable as the risk of COVID-19 spread is high;
  - iv. Performing work, providing products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations;
  - v. Essential Government Functions; and
  - vi. caring for a family member in another household.
- D. The term “Essential Businesses” shall mean:
- i. Any of the listed Businesses or operations set forth in Section Eight of this Order; and
  - ii. Any Business or operations which are performed as set forth as the 16 Critical Infrastructure Sectors in the Presidential Policy Directive 21 (PPD-21)<sup>4</sup> which include the following:
    1. [Chemical Sector](#)
    2. [Commercial Facilities Sector](#)
    3. [Communications Sector](#)
    4. [Critical Manufacturing Sector](#)
    5. [Dams Sector](#)
    6. [Defense Industrial Base Sector](#)
    7. [Emergency Services Sector](#)
    8. [Energy Sector](#)
    9. [Financial Services Sector](#)
    10. [Food and Agriculture Sector](#)
    11. [Government Facilities Sector](#)
    12. [Healthcare and Public Health Sector](#)
    13. [Information Technology Sector](#)
    14. [Nuclear Reactors, Materials, and Waste Sector](#)
    15. [Transportation Systems Sector](#)
    16. [Water and Wastewater Systems Sector](#)
- E. The term “Essential Government Functions” shall mean: all services needed to ensure the continuing operation of federal, state, or local government departments, offices, agencies, officials, political subdivisions, entities created by intergovernmental agreement, essential court

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<sup>4</sup> <https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19>

functions as determined by the Presiding Judge of the 45<sup>th</sup> Judicial Circuit or his designee, or any other government function necessary to provide for the health, safety and welfare of the public.

- F. The term “Essential Travel” shall mean:
- i. Any travel related to the provision of or access for supplies, to and from work if traveling to a Healthcare Provider, Essential Business, or Government Function;
  - ii. Travel for purposes of engaging in Essential Government Functions, to Essential Businesses or for Essential Activities;
  - iii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons;
  - iv. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services;
  - v. Travel to return to a place of residence from outside the jurisdiction;
  - vi. Travel required by law enforcement or court order.
- G. The term “First Responders” shall mean: police officers, detectives, deputy sheriffs, state troopers, highway patrol officers, investigators, inspectors, correctional officers, parole or probation officers, park rangers, fire fighters, paramedics, emergency medical technicians, ambulance personnel, rescue workers, hazardous materials workers and similar employees (“first responders”) who perform work such as preventing, controlling or extinguishing fires of any type; rescuing fire, crime or accident victims; preventing or detecting crimes; conducting investigations or inspections for violations of law; performing surveillance; pursuing, restraining and apprehending suspects; detaining or supervising suspected and convicted criminals, including those on probation or parole; interviewing witnesses; interrogating and fingerprinting suspects; preparing investigative reports; and other similar work.
- H. The term “Gathering” shall mean: an occasion when people come together as a group, whether formal or informal and whether public or private.
- I. The term “Health Care Provider” shall mean: anyone employed at any doctor’s office, hospital, health care center, clinic, post-secondary educational institution offering health care instruction, medical school, local health department or agency, nursing facility, retirement facility, nursing home, home health care provider, any facility that performs laboratory or medical testing, pharmacy, or any similar institution, employer, or entity. This includes any permanent or temporary institution, facility, location, or site where medical services are provided that are similar to such institutions. This definition includes any individual employed by an entity that contracts with any of the above institutions, employers, or entities institutions to provide services or to maintain the operation of the facility. This also includes anyone employed by any entity that provides medical services, produces medical products, or is otherwise involved in the making of COVID-19 related medical equipment, tests, drugs, vaccines, diagnostic vehicles, or treatments.
- J. The term “Minimum Basic Operations” shall mean: the minimum necessary activities to maintain the value of a business’ inventory, provide security to a business, process a business’ payroll or employee benefits, or to facilitate employees of a business being able to continue to work remotely from employees’ individual residences.
- K. The term “Residence” shall mean: a house, a condominium unit, an apartment unit, a dwelling, a hotel room, a shared rental unit, shelters, or similar facilities but extends only within the bounds of an individual’s ownership or legal control rights, an individual’s leasehold interest, or space occupied in a hotel, motel, or shared rental unit, however residence SHALL NOT include common areas.
- L. The term “Social Gatherings” shall mean: any planned or spontaneous event or convening that would bring together more than ten (10) people in a single space at the same time. “Social

Gatherings” shall not mean functions that are local, state, or federal government related, however appropriate social distancing shall be followed, and good hygiene and cleaning practices used. “Social Gatherings” shall not mean the operation of Essential Activities or Essential Businesses, or gathering of employees at an Essential Business, provided that appropriate Social Distancing is maintained, and the business is utilizing good hygiene and cleaning practices.

M. The term “Travel” shall mean: moving from place to place.

## **Section Seven.**

**Exemptions From This Order:** For purposes of this Order, the following are exempt from the provisions of this Order directing individuals to stay at home:

- A. **First Responders, Emergency Responders, Emergency Personnel:** For purposes of this Order, all first responders, emergency responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel are categorically exempt from this Order as the services they provide are essential to the health, safety and welfare of the public.
- B. **Essential Government Functions:** Nothing in this Order shall prohibit any individual from performing or accessing Essential Government Functions.

All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined this Section, to the extent possible.

Employees of governmental agencies shall be exempt for purposes of this Order to the extent that they are performing services for Essential Government Functions.

It is necessary for the government to continue operating and accessible to the public provided that appropriate safeguards are in place. This Order does not prohibit Governmental employees, contractors, and other staff from attending work for the Governmental entity for the duration of this Order.

- C. **Healthcare Operations & Health Care Providers:** Healthcare Operations and services provided by Health Care Providers shall remain in operation and available.
- D. **Essential Businesses:** This Order DOES NOT Order the closure of Essential Businesses, however Essential Businesses which remain in operation shall maintain appropriate Social Distancing Requirements and shall utilize good hygiene and cleaning practices at the business address. If feasible, essential businesses are asked to review and implement telework or work from home, however, telework is not mandated.

All Essential Businesses are strongly encouraged to remain open provided that they follow this Order.

- E. **Restaurants and Facilities that Prepare and Serve Food:** Restaurants and other facilities that prepare and serve food, but only for drive-thru, delivery or carry-out/curb-side service. Any carry-out operations must be in accordance with this Section regarding limitations of the

number of people at a Social Gathering; and further restaurants and other facilities that prepare and serve food shall not allow eating or drinking at or in the restaurant, bar or food court.

- F. **Schools:** 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 or in the site where it is provided, or at or in any other gathering site.

### **Section Eight:**

**Specific Examples of Essential Businesses, Essential Government Activities, Health Care Operations, Etc. That Remain Open Pursuant to this Order:** For illustration purposes, and not as a limitation on businesses, the following businesses may remain open provided that appropriate guidelines are followed under this Order:

- i. Healthcare Operations
- ii. Essential Infrastructure;
- iii. Federal, State and Local Government;
- iv. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, liquor 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, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other nongrocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;
- v. Food cultivation, including farming, livestock, and fishing;
- vi. Human and animal food processing facility workers;
- vii. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- viii. Newspapers, television, radio, and other media services;
- ix. Gas stations, convenience stores, auto-supply, auto-repair, farm machinery repair, and related facilities;
- x. Banks and related financial institutions or financial transaction institutions, including real estate title companies/real estate escrow or closing services;
- xi. Hardware stores;
- xii. Plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, Essential Government Functions, and Essential Businesses;
- xiii. Businesses providing mailing and shipping services, including post office boxes;
- xiv. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions related to distance learning, provided that social distancing of six-feet per person is maintained to the greatest extent possible;
- xv. Laundromats, dry cleaners, and laundry service providers;
- xvi. Restaurants and other facilities that prepare and serve food, but only for drive-thru, delivery or carry-out/curb-side service. Any carry-out operations must be in accordance with this Section regarding limitations of the number of people at a social gathering; and



- further restaurants and other facilities that prepare and serve food shall not allow eating or drinking at or in the restaurant, bar or food court.
- xvii. 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 or in the site where it is provided, or at or in any other gathering site;
  - xviii. Retail firearm stores, and stores which sell ammunition;
  - xix. Businesses that supply products needed for people to work from home;
  - xx. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
  - xxi. Businesses that ship or deliver groceries, food, goods or services to other Businesses or directly to individual residences;
  - xxii. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
  - xxiii. Home-based care for seniors, adults, or children;
  - xxiv. Residential facilities and shelters for seniors, adults, and children;
  - xxv. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities, or to assist individuals in the exercise of their legal/constitutional rights, including but not limited to services required by a Court Order, a Court Rule, a fiduciary duty, a duty to the person's client, or an ethical obligation;
  - xxvi. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:
    - 1. Childcare must be carried out in stable groups of 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day);
    - 2. Children shall not change from one group to another;
    - 3. If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other; and
    - 4. Childcare providers shall remain solely with one group of children.

**Specific Examples of Non-Essential Businesses, Etc.:** For the purposes of this Order the following are examples of businesses/activities that are not Essential Businesses or Essential Activities (this list is not exhaustive):

- 1. weddings,
- 2. wakes,
- 3. funerals,
- 4. gyms,
- 5. barbershops, hairdressers, or hair studios/salons,
- 6. aestheticians/cosmetologists;
- 7. massage parlors/spas,
- 8. nail salons,
- 9. personal tanning salons,
- 10. tattoo parlors,
- 11. bars and pubs which are selling alcohol for consumption on premises.

**Section Nine:**

**Savings Clause:** If any section, subsection, sentence, clause or phrase of this Order is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Order and such remaining portions shall remain in full force and effect. This Order and each section, subsection, clause or phrase thereof, is created irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**Section Ten:**

**Effective Date and Expiration:**

This Order shall take effect beginning at **12:00 A.M. on April 4, 2020** and continue until **12:01 A.M. Monday, April 20, 2020**, unless otherwise extended or reduced. This Order will continue to be in effect until it is extended, reduced, rescinded, superseded, or amended in writing.

It is so ordered this 3<sup>rd</sup> day of April, 2020, at 1:20 PM.



Brett Siefert, Administrator  
Lincoln County Health Department  
Lincoln County, Missouri



James D. Burlison,  
Chairman of the Board of Lincoln County  
Health Department  
Lincoln County, Missouri

Attest:

