



Public Health
Prevent. Promote. Protect.

POTTAWATOMIE COUNTY LOCAL HEALTH OFFICER



PUBLIC HEALTH ORDER NO. 5 ISSUED MAY 27, 2020

Emergency Public Health Order issued on this 27th day of May, 2020, to mitigate the spread of the Coronavirus (COVID-19) pandemic in Pottawatomie 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. This Order applies to the entire geographic boundaries of Pottawatomie County, Kansas, and to all Pottawatomie County residents, visitors, and businesses. This Order shall take effect at 6:00 P.M. on Wednesday, May 27, 2020, and shall supersede Public Health Order 4 at that time.

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 and other applicable laws or regulations to immediately exercise and maintain supervision over known or suspected cases of any infectious or contagious disease during its continuance, and to use all known measures to prevent the spread of any such infectious, contagious or communicable disease 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 limit public gatherings when necessary for the control of any and all infectious or contagious diseases, pursuant to K.S.A. 65-119; and

WHEREAS, a State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020, and such State of Disaster Emergency was extended on May 26, 2020;

WHEREAS, on March 13, 2020, the President of the United States declared the ongoing COVID- 19 a pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to Section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5121-5207 (the "Stafford Act");

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020;

WHEREAS on the 18th day of March 2020, the Board of County Commissioners of Pottawatomie County, Kansas, issued a disaster emergency declaration finding that a disaster had occurred, or the threat thereof was imminent within Pottawatomie 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 Pottawatomie County; and

WHEREAS, COVID-19, is a respiratory disease that spreads easily from person to person and may result in serious illness or death, and it has been confirmed in Kansas and in Pottawatomie

County, resulting in serious illness and deaths; and

WHEREAS, such conditions endanger the health, safety and welfare of persons and property within the border of Pottawatomie 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 Pottawatomie 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 Pottawatomie 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, to mitigate the spread of COVID-19 throughout Kansas, on March 28, 2020, Governor Laura Kelly issued Executive Order No. 20-16 establishing a statewide "stay home" order in conjunction with the Kansas Essential Function Framework (KEFF) for COVID-19 response efforts; and

WHEREAS, on May 20, 2020 the County Health Officer in consultation with the County Medical Director for Pottawatomie County, Kansas, Health Department, issued Public Health Order 4, rescinding Public Health Order Number 3, and establishing Phase Two of "Ad Astra: A Plan to Reopen KANSAS" Executive Order; and

WHEREAS, the Governor of the State of Kansas has rescinded or eliminated certain existing Executive Orders relating to the Coronavirus Pandemic and has advised local county public health officials that they may issue public health orders in their individual counties relating to the Coronavirus Pandemic,

NOW, THEREFORE, BE IT ORDERED by the Local Health Officer, pursuant to the above authorities, that the following Orders shall be effective for all of Pottawatomie County, Kansas, effective at 6:00 o'clock P.M. on this 27th day of May, 2020, and that the provisions of Pottawatomie County Public Health Order Number 4 shall be rescinded at that time.

1. **Mass gatherings prohibited:** Mass gatherings of more than 50 individuals are prohibited. Mass gatherings are defined as instances in which individuals are in one location and are unable to maintain a 6-foot distance between individuals (not including individuals who reside together) with only infrequent or incidental moments of closer proximity.

2. **Social Distancing:** Individuals should maximize physical distance (6 feet or more) between other individuals (not including those who reside together) in public settings as much as possible.

3. **Guidance for Individuals:** Individuals are strongly encouraged to follow guidance as outlined in this order and Fundamental Public Health Guidelines as set out in the Governor's guidance(s). Further, individuals are encouraged to wear cloth or similar masks in public settings.

4. **Guidance for Employers/Businesses:** Employers and businesses are strongly encouraged to follow guidance as outlined in this order and the Governor's Guidelines. Businesses should follow industry specific guidelines as provided on [covid.kd.gov](https://www.covid.kd.gov). Compliance with any additional best practices guidance from each business sector is strongly encouraged. All businesses should take proactive measures to ensure compliance with Recommended Business Practices as published by the Centers for Disease Control and industry-specific guidance by trade groups. Nothing in this Order shall be interpreted to require that any business open if they choose not to.

5. **Activities and venues prohibited:** The following activities and venues **DO NOT OPEN** at this time.

- a. Outdoor and indoor large entertainment venues with capacity of 2,000 or more;

With full community cooperation, this proactive public health order may minimize the impact of COVID-19 on Pottawatomie County communities.

Individuals are strongly encouraged to follow guidance attached to this order and urged to refrain from close contacts outside of their own household.

People at high risk of severe illness from COVID-19 and sick are urged to stay in their residence except to seek medical care.

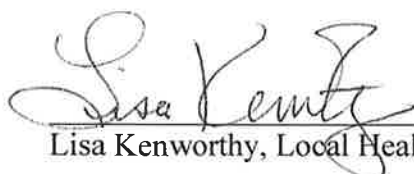
Pursuant to K.S.A. 65-129b, any sheriff, deputy sheriff or other law enforcement officer of the state or any political subdivision within Pottawatomie County, Kansas is hereby ordered to assist in the execution or enforcement of this order.

Any person violating any provision of this order or failing to comply with any of the above requirements shall be fined, upon conviction, up to \$100 for each offense, pursuant to K.S.A. 65-127.

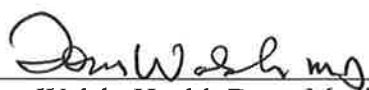
This Order shall rescind Pottawatomie County; Public Health Order 4 issued May 20, 2020.

Pottawatomie County reserves the right to impose more stringent restrictions as determined necessary or appropriate by the Public Health Officer.

IT IS SO ORDERED THIS 27th DAY OF MAY 2020, THIS ORDER SHALL BECOME EFFECTIVE AS OF 6:00 P.M. ON THIS 27th DAY OF MAY, 2020, AND SHALL REMAIN IN EFFECT FOR 14 DAYS. THIS ORDER MAY BE EXTENDED OR MODIFIED AS CIRCUMSTANCES DICTATE.



Lisa Kenworthy, Local Health Officer



Dr. Tom Walsh, Health Dept. Medical Director